3M MICROFILM

START OF ROLL

ROLL NO.
196

CONSTRUCTION CONTRACTS
8639

OREGON DEPARTMENT OF TRANSPORTATION

8639 Rhea Rd. Reloc. Unit of FAS B452 (Rhea Co. Rd.) (Grading & oiling) 1977 #2

Cont'd from

Reel # 195

8639

Date 2-21-78 **PROJECT MANAGEMENT OFFICE MEMO**

Subject Rhea Road File No.

Received (call) (visit) from

Address

Made (call) (~~visit~~) to Dave Carter Phone 3835

Reason for contact and general discussion: 1) He's going today & back Thurs
2) Meeting purpose – Project & Cost (His understanding)
3) My understanding of meeting: a) Who is to pay for fencing (is it participating) & b) 15% Engr limit
Fencing 4) Has " a) R/W option Noven Type 2 Owners paid #11,000 Hired local man
b) Contract 5 barb " 1 19,000+/ft @ #1.00+ In Ft
1200' complete on Condem frontage Posts on balance Wire on ground
Contractor wants #16,000 to cease
c) Owners still want to do
Engr error Options sent Co but not forwarded to consultant
d) R/W wasn't programed
e) Thinks contract fencing is eligible for participation

Signature J Hemer

File ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )
Circulate: PME LGE OPE FAE CCE OM Other

8639

I - 84-738-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Bend, OR 97701

February 2, 1978

FILE:

FROM: Harold G. Brainerd
Regional Right of Way Supervisor

SUBJECT: John Day Highway-P.G.E. Power Station Section
Rhea County Road
Gilliam County

TO: J. B. Boyd
Right of Way Manager

This letter is written to make you aware of an unfortunate situation that has arisen on this project. The problem which arose was caused by the fencing to be included in the contract and was being covered in the right of way settlements made.

The contract provided for the construction in excess of 19,000 lineal feet of five-wire barbed fence installed on steel posts. Right of way settlements made on File 48922, Krebs, and File 48924, P. G. E., provided for the re-establishment of the bulk of the fencing on the project with 47-inch woven wire and one strand of barbed wire on top. During the right of way settlements bids had been solicited from a private fencing contractor and assignments had been made in the right of way settlements to pay this party for the fencing after completion.

The contractor had started the fencing on the project when we became aware of this problem. He had completed fencing through File 48923, Hulden, which was fine, since this file had to be done as a part of the contract; however, he had also done some additional work on the Krebs and P. G. E. files.

On January 27, 1978, a meeting was held on the ground, which was attended by Bob Poole, Regional Maintenance Engineer, Bob Richardson, project engineer for Jarl Construction Company, Henry Krebs, major land owner on the project and, also, lessee of the P. G. E. property, Gilliam County Judge Leo Barnett, Gilliam County Commissioner Brooks, Consulting Engineer J. Val Toronto, Josh Sawyer, Resident Engineer, O. S. H. D., and the undersigned. At the meeting various solutions were suggested and the final decision was reached to pay the contractor for his work that he had done, and then the fencing would be completed by the fencing contractor, as specified in the right of way agreements. The major land owner, Mr. Krebs, was insistent on this party doing the fencing.

cc Hal Wortley
Commented concerning
written call
please

RECEIVED
FEB 7 1978
RELOCATION UNIT

RIGHT OF WAY SECTION
RECEIVED

This problem appears to have been caused by too many cooks spoiling the soup. There was no coordination between the Right of Way Section and the Section drawing up the specifications for the contract. Copies of the right of way settlements did not reach the Consulting Engineer, who had charge of construction. In tracing the route of the option agreements, after closure, they were received by the Regional Office in Bend and then forwarded to the O.S.H.D engineer, whose responsibility was to monitor the contract. Copies of the agreements had been forwarded by this office to the Gilliam County Court; however, they made no disbursement of them, other than to put them into files. The County Judge was aware of the fencing agreement and the Consulting Engineer had been advised verbally during negotiations for right of way that a fencing agreement was being made; however, nothing in writing had been received.

I think steps must be taken to insure that copies of our right of way settlements reach the hands of the Resident Engineer when there is a Consulting Engineer involved. I believe that this office will routinely, hereafter, send copies to Consulting Engineers, so that problems like this can be avoided.

Attached are the results of another meeting held this week regarding this matter, which further details the proposed solution to the problem.

HGB:eh

Attachment

cc Bob Poole

RECEIVED
FEB 7 1970
RELOCATION UNIT

Present at the January 31, 1978, meeting to discuss the fencing situation were two representatives of Jarl Construction, J. Val Toronto, project engineer, Gary Griffith and Jack McClain, fencing contractors, Josh Sawyer and Jock Elliott from the Oregon State Highway Division.

The decision had previously been reached to allow Mr. Griffith to fence the right of way, as specified in the right of way agreements, and to terminate the fencing contract of Mr. Pearson, who had been hired by Jarl Construction. The purpose of this meeting was to decide on the procedure for a smooth and equitable transition from one fencing contractor to the other.

Mr. Pearson had purchased posts and barbed wire for the entire project, and had installed, but not driven, posts along the entire southerly right of way line. It was decided that the materials installed and the labor for installation would be paid for out of construction money. The uninstalled material would be turned back by Mr. Pearson to his supplier. The posts installed would be left in place and the cost of these posts would be deducted from the amount paid to Mr. Griffith by the Right of Way Section. The posts installed by Mr. Pearson were 6½-foot posts, whereas Mr. Griffith was going to use 5½-foot posts. Mr. Griffith's labor expense to drive the longer posts the additional foot would be close to the cost of originally installing the shorter posts, but Mr. Griffith agreed to re-evaluate this labor cost and deduct any difference from his fencing costs.

It was decided that Mr. Pearson would be asked to compile his costs to the present time, and Mr. Griffith was to compute his new estimate, both of which would be presented at a meeting Tuesday, February 7th. Final resolution of the situation was put off until that time.

8639

FINAL REPORT on Real Property Negotiations

OREGON STATE HIGHWAY DIVISION
FORM 81-734-3042 (REV. 10-74)

File 48922

Sta. 25+00 to Sta. 90+72

Name of owner Krebs Brothers, Inc.

Mail address c/o J. R. Krebs
Cecil, OR 97822 Phone No. 422-7193

Phone No.

Attorney Address

Purpose of purchase Right of Way OPTION EXPIRES 1-18-78 Possession

Location of property John Day Highway - P.G.E. Power Station section of
Rhea County Road ~~Highway~~ in Gilliam County.

Street address or Sec. T.R. Township 3 North, Range 21 East, Sections 26, 27, and 35

How does taking affect remaining property? Severs 13.4 acres from remainder.
(Give details regarding dividing of tract, if appropriate)

Nature of property taken Dry grazing land.
(Give details regarding nature, cultivation, improvements and class of property taken.)

Basis of settlement: (Give acreage basis, together with special items allowed for, and statement of any extra items to be done or furnished by State in addition to payment of compensation. Tumblehead on back of sheet if necessary.)

Land: 20.7 acres - Fee Taking	@ $100.00 per acre	$2,070.00
Damages: 13.4 acres	@ $24.63 per acre	330.00
Fencing: 767 rods	@ $8.80 per rod	6,749.60
	Total Due Owners	$9,149.60

6221.60 for fence
528
6749.60

County's Obligations:

1) County agrees to close the easterly end of the unused section of the old Rhea Road alignment, and to relinquish to the grantors such right of way, lying within the grantor's property, as is excess to the County purposes, at such a time as the road is no longer needed as access to the Arlington Airport.

2) County agrees to install a steel gate across the old Rhea Road alignment, immediately east of the garbage pit road.

Grantor's Obligations:

1) Grantors agree to fence the right of way using 47 inch Type II fencing, with one strand of barb wire on top, and using wood or metal posts, spaced one rod apart. The amount of $6,221.60, representing the allowance for fencing, is to be withheld from the above-consideration, until the fencing is completed.

(Over) for 2) 528 for fencing done.

Withholding $ 6,749.60 for Fencing

Relocation: 3617 forwarded on 7-21-77, ☐ Improved ☐ Unimproved

☐ Required Displacement: $ -0- Replacement Housing: $ -0- Rent Supplement

Appraisals: $ 2,400.00 By Neil C. Boehmer Review Appraisal $ 2,400.00

Staff & Fee: $ By Carl Schmidt
Review Appraiser

☐ Entire taking ☐ Complete restriction of access ☐ Access controlled ☐ Access not controlled

State Project - 9149.60

Phone No. _____

Attorney _____ Address _____

Purpose of purchase Right of Way | OPTION EXPIRES 1-18-78 | Possession _____

Location of property John Day Highway - P.G.E. Power Station section of Rhea County Road Highway in Gilliam County.

Street address or Sec. T.R. Township 3 North, Range 21 East, Sections 26, 27, and 35

How does taking affect remaining property? Severs 13.4 acres from remainder.
(Give details regarding dividing of tract, if appropriate)

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Fencing: 767 rods	@ $8.80 per rod	6,749.60
	Total Due Owners	$9,149.60

new land 6221.60 528 6749.60

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(Over) 1 or 2) 8528 for fencing here.

Withholding $ 6,749.60 for Fencing

Relocation: 3617 forwarded on 7-21-77, ☐ Improved ☐ Unimproved

☐ Required Displacement: $ -0- Replacement Housing: $ -0- Rent Supplement

Appraisals: $ 2,400.00 By Neil C. Boehmer Review Appraisal $ 2,400.00

Staff & Fee: $ _____ By _____ Review Appraiser

☐ Entire taking ☐ Complete restriction of access ☐ Access controlled ☐ Access not controlled

State Project - 9149.60

Job Prefix 7870 Participating $ _____ Non-Participating $ _____

General remarks _____
(Give such general explanation as you desire to support settlement)

Settlement recommended: _____ Date Sept. 12, 1977 Signed: _____
Right of Way Supervisor Right of Way Agent

_____ Date 9-13-77 Dated: July 21, 1977
Right of Way Engineer

Authorized by Transportation Commission: Date SEP 19 1977

County

Grantor's Obligations - Continued:

2) Grantors also agree to similarly fence a lane from the Oregon State Highway Division's maintenance yard to the City of Arlington's garbage pit, with a steel gate to be supplied by the County, to be installed across Rhea Road, immediately east of the garbage pit road. Additional fencing allowance of $528.00 is to be withheld from the above-consideration until this fence is completed.

Approved: _____
County Judge

RIGHT OF WAY SECTION
RECEIVED

FINAL REPORT on Real Property Negotiations

OREGON STATE HIGHWAY DIVISION
FORM 81-734-3042 (REV. 10-74)

File 48924

Sta. _____ to Sta. _____

Name of owner Portland General Electric Company

Mail address 121 SW Salmon St.
Portland, OR 97204 Phone No. 226-8603

Phone No. _____

Attorney _____ Address _____

Purpose of purchase Right of Way OPTION EXPIRES 4-5-78 Possession _____

Location of property John Day Highway-P.G.E. Power Station section of
Rhea County Road ~~xxxxxxxx~~in Gilliam County.

Street address or Sec. T.R. Sections 25 and 26, Township 3 North, Range 21 East

How does taking affect remaining property? No adverse effect.
(Give details regarding dividing of tract, if appropriate)

Nature of property taken Dry range land.
(Give details regarding nature, cultivation, improvements and class of property taken.)

Basis of settlement: (Give acreage basis, together with special items allowed for, and statement of any extra items to be done or furnished by State in addition to payment of compensation. Tumblehead on back of sheet if necessary.)

Land - 5.70 acres - fee taking	@ $1,000.00/acre	$ 570.00
Improvements - None		-0-
Fencing Allowance - 517 rods assigned to Griffith	@ $8.80 per rod	$4,549.60
	Total.	$5,119.60

County's Obligations:

County agrees to install cattleguard at or near Station approximately 115+50.

Grantor's Obligations:

Grantors agree to fence the right of way using 47 inch Type II fencing, with one strand of barb wire on top, and using wood or metal posts spaced one rod apart. The amount of $4,549.60, representing the fencing allowance, is to be withheld from the above consideration, until the fencing is completed.

Approved: Lin Bagnell
County Judge

Withholding $ 4,549.60 for fencing

Relocation: 3617 forwarded on 10-13-77, ☐ Improved ☐ Unimproved

☐ Required Displacement: $ -0- Replacement Housing: $ -0- Rent Supplement

Appraisals: $570.00 By Neil C. Boehmer Review Appraisal $ 570.00

Staff & Fee $ _____ _____ By Carl G. Schmidt
Review Appraiser

Complete restriction ☒ Access not controlled

Phone No. _____

Attorney _____ Address _____

Purpose of purchase Right of Way | OPTION EXPIRES 4-5-78 | Possession _____

Location of property John Day Highway-P.G.E. Power Station section of Rhea County Road ~~xxxxxxxx~~in Gilliam County.

Street address or Sec. T.R. Sections 25 and 26, Township 3 North, Range 21 East

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Grantors agree to fence the right of way using 47 inch Type II fencing, with one strand of barb wire on top, and using wood or metal posts spaced one rod apart. The amount of $4,549.60, representing the fencing allowance, is to be withheld from the above consideration, until the fencing is completed.

Approved: Lee Barnett
County Judge

Withholding $ 4,549.60 for fencing
Relocation: 3617 forwarded on 10-13-77, ☐ Improved ☐ Unimproved
☐ Required Displacement: $ -0- Replacement Housing: $ -0- Rent Supplement

Appraisals: $570.00 By Neil C. Boehmer Review Appraisal $ 570.00
Staff & Fee $ _____ By Carl G. Schmidt Review Appraiser

☐ Entire taking ☐ Complete restriction of access ☐ Access controlled ☒ Access not controlled
State Project $5119.60 incl. Fencing

Job Prefix 7870 Participating $ _____ Non-Participating $ _____

General remarks _____
(Give such general explanation as you desire to support settlement)

Settlement recommended:
Harold Barnard Date 10-18-77 Signed: Jack G. Edwards
Right of Way Supervisor Right of Way Agent
Paul Hahn Date 10-21-77 Dated: October 13, 1977
Right of Way Engineer County
Authorized by Transportation Commission: Date 10-28-77

8639 • 1-78 •

Constructure Eng. Rhea Road - FAS 8452
Gilliam County

County agreed with J. Vol to pay him $58,486

This over the 15% of $57 237 - 52,000 ± ? ?

How about over charges ? OSHD + $

The $30,257 is just a policy we set up for

costs between $100,000 and $1,000,000

331,000 - bid
38% over total project cost by bid

$58,486 was based on an approx $700,000 estimated cost

County/Consultant Agree, — $58,000+ Const. Engnr.
based on estimated costs
Considerable changes made in scope of work, type, & related activities of project
Contract bid item of $331,799 + additions with a
15% maximum CE charge — $50,400+

Authorized @ 9% engineering = $30,257.91
Consultant has expended some = 18,000+ to date

Above data discussed with Pogue/Ashbury of Reg. 4, Carter of FHWA, & Winters, Reynoldson, Prange, Howell of ODOT on 4.

Date 1-27-78 PROJECT MANAGEMENT OFFICE MEMO

Subject Rhea Road - FAS B 452 File No.

Received (call) (visit) from Bob Pool, Larry Asbury, Dave Carter, Etc

Address Reg. 4 & FHWA

Made (call) (visit) to — Phone —

Reason for contact and general discussion: The matter of cost to Gilliam County for "construction engineering" over the 15% allowed by FHWA is very much a concern to all parties involved. In discussion with above & opinion of Sollis (Legal) the overcharge is a direct cost to local govt. (per Federal Law & terms of Co-Consult. agr.) & should be specifically pointed out in that regard in all future negotiations.

A meeting is scheduled Feb. 7 (8:00) to discuss this matter with FHWA

Signature D. V. Hare

File ( ) ( ) (✓) ( ) ( ) (✓) ( ) (✓)
Circulate: PME LGE OPE FAE CCE OM Other M

F639

PROGRAM MANAGEMENT OFFICE MEMO

RS-B452(1)
Contr. 8639

Date 1-26-78

Subject Rhea Rd. Relocation File No.

Received (call) (~~visit~~) from Josh Sawyer, The Dalles

Address

Made (call) (~~visit~~) to " " Phone

Reason for contact and general discussion: Requested information as to total construction engineering funds available to consultant (These are through agreement with County not to exceed $58,486). How much available to Sawyer for monitoring project and how to charge (Amount is not specified, Sawyer should charge to prefix established, but submit SFD to document his anticipated expenses.

Signature

File (FA) (X) (1) ( ) ( ) (X) ( ) ( )
Circulate: PME LGE OPE FAE ~~CGE~~ OM Other Orange (K) Reynoldson (K) M

8639

RTE RECEIVED GEO
RUE JAN 24 1978 RDE
RSO REGION 4 RBE

ASSIGNED

PROJECT MANAGEMENT
PME ☐ CCE ☐ OM ☐
LGE ☐ FAE ☐ OPE ☐
FEB 15 1978
File: PM FA
TAA LG OP

~~H-1997~~ 6569

January 24, 1978

Subject:
Consultant Agreement
John Day Highway-PGE Power Plant
Rhea Road, FAS 958

Leo Barnett
Gilliam County Judge
Gilliam County Courthouse
Condon, OR 97823

Dear Leo:

Since the original consultant agreement was executed in early 1976, there have been significant changes in the project. For instance, when the agreement was entered into, it was anticipated the channelization of the John Day Highway would be constructed. For financial reasons, the project was downscoped by eliminating the channelization, spur road, etc.

Section 12 of the consultant agreement addresses the matter of increasing or decreasing work. We urge you and your consultant to consider any decreases in construction engineering attributable to downscoping the project.

We have noticed by the consultant engineer's weekly reports that the percent of engineering expended far exceeds the percent of contract completed. I am very much aware that it requires engineering to stake a project prior to commencement of contract work. However, the amount reportedly expended does seem excessive. At the rate the engineering funds are being used, a severe overrun could be anticipated.

Federal Law limits the amount of construction engineering for which reimbursement may be claimed to fifteen percent of the construction cost. Any construction engineering costs in excess of this percentage are not reimbursable and will have to be paid wholly with County funds. State liaison work, in connection with the construction of the project, is included in the fifteen percent. At this point we do not know the amount for liaison, but it should be minimal in relation to the total engineering. The amount of liaison work is dependent upon the need to insure that the State and Federal requirements are complied with.

I would like to take this opportunity to urge you to contact your engineer and convey to him our concerns to keep the engineering costs within reason.

Meeting @ Reg 4 office
10 30 am 2-22-78

Yours very truly,

L. R. Asburry
Regional Federal Aid Engineer

LRA:pw
cc: J. S. Sawyer

8639

Department of Transportation
HIGHWAY DIVISION
Region 4
P.O. BOX 1249, BEND, OREGON 97701 PHONE 382-1911

January 23, 1978

J. Val Toronto
219 S.E. Second
Pendleton, OR 97801

Dear Val:

Because of the large amount of work that was eliminated from the project since your Consultant Agreement was negotiated, ie, PGE Spur Road and Highway 19 channelization, your engineering charges should substantially underrun the estimates in the agreement.

I note from your weekly reports that your engineering charges to date are about $18,600, which is 5.5% of the contract amount. I also noted that the contractor has just started the work.

At this point in the contract, the engineering charges appear excessive. Please review your operation to insure that engineering charges are reasonable.

Yours very truly,

Robert C. Pool
Regional Construction Engineer

RCP:pw
bc: Dave Carter
Don Harwell
Leo Barnett
J.S.Sawyer

Harwell
Pronge
Holmes
Zehner
Reynoldson

W.M.+V.W.

8-27

Date 1-23-78 PROJECT MANAGEMENT OFFICE MEMO

Subject 15% Engr Limitation (Blue Road) File No. _____

Received (call) (~~visit~~) from Dave Carter - FHWA

Address _____

Made (call) (visit) to _____ Phone _____

Reason for contact and general discussion:

1) Has received his files etc
2) Thinks 15% limitation holds
3) Also was "Consultant Agreement" based on "More Work" $67,000
The RR-1 was $30,000; Is does Para 12 of agreement require renegotiation
4) Doesn't think Feds approved of $58,000 consultant agreement overrides 15% limitation (LAW) = even if same work
5) Possibly some Engr chargeable to R/W Toronto called him this a m
6) We'll receive w/our legal: otherwise about as discussed this a m
Cool writing Toronto, Asbury the County

Signature H Turner

File ( ) ( ) ( ) ( ) ( ) (~~X~~) ( ) (Rp)
Circulate: PME LGE OPE FAE CCE OM Other

8139 U.S. DEPARTMENT OF TRANSPORTATION · FEDERAL HIGHWAY ADMINISTRATION

12-5-77

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO. [illegible]-B452(1)

STATE PROJECT NO. See Below

COUNTY NAME Gilliam

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.

ITEM NO. 70301

TO:

Mr. F. B. Klaboe
Chief of Operations, ODOT
State of Oregon
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER / STATE ROUTE NUMBER
10-26-77	11-17-77	Secondary B 452 / County Road

GENERAL LOCATION:

"Rhea Road Relocation Unit"

GENERAL DESCRIPTION OF WORK:

Supplemental Consultant Agreement - Construction Engineering

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☒ OTHER (Specify): Supplemental Consultant Agreement
TEC $58,486 -F.F. $50,180

☐ ACQUISITION OF RIGHT-OF-WAY
CONTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS
☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Swan's 11-8-77 letter, I approve the Supplemental Agreement with J. Val Toronto and Associates (Original Agreement approved under project RS-609(1) approval of the above supplemental agreement does not require additional obligation of funds.

NOTED
F. B. KLABOE
12-12

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
12-5-77	G. K. Hoerner	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8639

November 22, 1977

Gilliam County Court
Courthouse
Condon, OR 97823

ATTN: Honorable Leo Barnett
County Judge

Gentlemen:

On November 17, 1977, a satisfactory bid was received from Jarl Construction Inc., P.O. Box 691, The Dalles, Oregon, 97058, for the John Day Highway-PGE Station Section, FAS B452.

The anticipated construction cost based on their bid is as follows:

Bid Items	$331,799.00
Slide Correction	2,000.00
Permanent Pavement Striping	600.00
Temporary Erosion Control	1,000.00
On the Job Trainees	800.00
4½% Contingencies	15,128.96
9% Engineering	30,257.91
ESTIMATED TOTAL COST	$381,585.87

County's Advance Deposit:
7% of $381,585.87 = $ 26,711.01 or $ 26,700.00.

Please make your check in the amount of $ 26,700.00 payable to the Oregon State Highway Division and send it to Mr. Larry Asburry, Region 4 Federal Aid Engineer, 63055 N. Hwy. 97, P.O. Box 1249, Bend, Oregon, 97701 prior to December 9, 1977.

Very truly yours,

Robert H. Prange
Local Projects Manager

HR:lml

bc w/att: Larry Asburry - Upon receipt of county's check, notify Virgil Boyd at 378-6563, attach a copy of the notification of advance deposit No. A0-338 and submit to the Finance Branch.

8639

CONSULTING
Engineers

J. VAL TORONTO & ASSOCIATES, INC.

STATE OF OREGON
LICENSE #5803
STATE OF WASHINGTON
LICENSE #11766
STATE OF ALASKA
LICENSE #1413

TELEPHONE (503) 276-7402
219 S. E. 2ND
PENDLETON, OREGON 97801

511-1991-
RS-609(1)
John Day Hwy - PGE Power Station

November 21, 1977

Gilliam County Court
Condon, Oregon 97823

Statement for Engineering Services

Project: Rhea Road FAS 458, Unit I, John Day Highway to PGE Plant Section

Preliminary and Final Design, Unit I	$30,065.00	
Preliminary and Final Design, State Hwy Channelization	1,981.00	
Draft Negative Declaration	2,742.00	
Total Services		$34,788.00
Partial Payment Received July 1977		27,057.00
Final Amount		$ 7,731.00

Respectfully Submitted: J. V. Toronto
J. Val Toronto, P.E.

Approved:

Gilliam County Court
Lee Barnett

Approved:

Oregon State Highway Division
A. Kleberg

7639

PROGRAM MANAGEMENT OFFICE MEMO

Date 11-21-77

Subject Rhea Road project, Gilliam Co. File No. _____

Received (call) ~~(visit)~~ from John Jenkins, Materials Engr.

Address Mtls. Lab.

Made (call) (visit) to _____ Phone _____

Reason for contact and general discussion: J. Val Toronto, consultant, visited the materials lab and requested that State supply him with the necessary equipment for materials testing on subject project. Jenkins stated that the State did not have the equipment in Salem and suggested Toronto contact Region IV. Under the agreement, we have no obligation to furnish testing equipment.

cc: C.M. Williams sent 11/21 mcH

Signature Mainor C. Holmes

File ( ) ( ) (✓) ( ) ( ) ( ) ( ) ( )
Circulate: PME LGE OPE FAE CCE OM Other

✓ A/P

8639

Yellow
FAS 958

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION
INTER-OFFICE CORRESPONDENCE
Salem, Oregon

FILE:

November 10, 1977

FROM: Duane O. Christensen
Final Design Engineer

TO: J. Val Toronto
RESIDENT ENGINEER

SUBJECT: Rhea Road Relocation Unit
John Day Highway-Heppner Highway
FAS 8452 (Rhea Road)
Gilliam County

The attached lists are the results of profile grade computations made by the 370 IBM system. If a revised computation is required showing additional breaks or correcting errors, mark the requirements on the data sheets clearly, with a note of explanation, and return to the Road Design Engineer for a rerun. The columns contain data as indicated below:

STATION	ELEVATION	OFFSET	TAN. ELEVATION	GRADE AHEAD
526+00	172.01	0.03	171.98	.355645
526+50	172.16	0.0	172.16	.355645

The profile grades included in this tabulation are as follows:

9118	00	Mainline, 12' Rt.	Profile Grade
	01	Mainline, 12' Rt.	Subgrade
	02	Mainline, 12' Rt.	Profile Grade
	03	Mainline, 12' Rt.	Subgrade
	04	Mainline, 12' Rt.	Profile Grade
	05	Mainline, 12' Rt.	Subgrade
	06	Mainline, 12' Rt.	Profile Grade
	07	Mainline, 12' Rt.	Subgrade

Attachment
cc: Carl Barner

8639

ROBERT W. STRAUB
GOVERNOR

Department of Transportation

STATE HIGHWAY BUILDING, SALEM, OREGON 97310

November 8, 1977

TO: G. L. Green, Division Administrator
Federal Highway Administration

FROM: for D. E. Swan
Federal Aid Manager

SUBJECT: Project No. RS-B452(1) - FAS-C
Rhea Road Relocation Unit
Gilliam County

Enclosed for your approval are two copies of a supplemental agreement between Gilliam County and J. Val Toronto and Associates Inc., Consulting Engineers, which increases the construction engineering from the previous $48,150 to an amount not to exceed $58,486 for the subject project. The original consultant agreement was approved under preliminary engineering project No. RS-609(1).

Approval of this supplemental agreement will not involve an additional obligation in total cost or federal funds for the subject project as presently authorized.

We request that one copy of the supplemental agreement be returned approved for our files.

CL:lml
Attachment

cc: M. Holmes

8639

8

Salem, Oregon
November 2, 1977

H.S. Coulter
State Highway Engineer

Footpaths and Bicycle Trails
November 17, 1977 Bid Letting

F I L E

This is an informational report to document the Highway Division's action taken with regard to establishing footpaths and bicycle trails on projects as set forth in ORS 366.514. Bids will be opened November 17 on the following:

1. Wolf Creek Inn, Josephine County

   Building Restoration

   Footpaths or bicycle trails are not incorporated in this project as no new highway construction, reconstruction or relocation is involved.

2. Pacific Highway East at SE River Road (Milwaukie)
   Pacific Highway East (SE McLoughlin Boulevard)
   Clackamas County

   Traffic Signals

   Same as No. 1.

3. Sandy West City Limits-Alder Creek
   Mt. Hood Highway, Clackamas County

   Paving
   Overlay project--4-foot to 10-foot shoulders provided

   Same as No. 1.

4. Warrenton/Astoria Highway Junction
   Oregon Coast Highway, Clatsop County

   Grading, Paving, Signals
   Left turn refuge with 6- to 10-foot shoulders available for bicycle traffic.

   Bike lane striping in this area contemplated at later date.

5. Oregon Coast Highway at Cemetery Road (Millington)
Oregon Coast Highway, Coos County

Grade, Paving. Primarily frontage road improvement.

Footpaths and bicycle trails will not be established under this project as per ORS Chapter 366, Section 2, subsection 2(b) wich states "Footpaths and trails are not required to be established...if the cost of establishing such paths and trails would be excessively disproportionate to the need or probable use.

6. South Umpqua River (Winston) Overflow Channel
Coos Bay-Roseburg Highway, Coos County

Channel Improvement

Same as No. 1.

7. Rhea Road Relocation
Rhea County Road, Gilliam County

Grading, Base
Four-foot shoulders provided

Same as No. 5.

8. Hines-Diamond Avenue (Burns)
Central Oregon Highway, Harney County

Grading, Paving

An 8-foot Class II bikeway will be constructed in conjunction with this project.

9. Pacific Highway-McKenzie Highway (Springfield)
Eugene-Springfield Highway, Lane County

Guard Rail, Signing

Same as No. 1.

10. Pacific Highway East at Irving Road
Pacific Highway East, Lane County

Traffic Signals

Same as No. 1.

11. Rome-Burns Junction
I.O.N. Highway, Malheur County

Paving
Overlay project. Four-foot shoulders provided.

Same as No. 1.

12. Snake River (Adrian) Bridge
Succor Creek Highway (Parma Spur), Malheur County

Bridge Repairs

Same as No. 1.

13. Tunnel Creek-Whitewater Road
North Santiam Highway, Marion County

Grading, Paving
Cutbank Stabilization and Overlay

Same as No. 1.

14. Kings Valley Highway at Main Street (Dallas)
Kings Valley Highway, Polk County

Traffic Signals

Same as No. 1.

15. Newbury and Vermont Streets Viaducts (Portland)
Pacific Highway West, Multnomah County

Structure Repairs

Same as No. 1.

16. NW Kittridge Avenue-NW 26th Avenue (Portland)
FAU 9300 (NW Front Avenue), Multnomah County

Grading, Paving, Signals

Five-foot and 7.5-foot sidewalks will be provided on this project.

17. Murray Boulevard at Butner Road
FAU 9067, Washington County

Traffic Signals

Same as No. 1.

18. Tualatin River-Six Corner
Pacific Highway West, Washington County

Overlay Project
Four-foot to 10-foot shoulders provided

Same as No. 1.

DES:jp

cc Robert Burco
F.B. Klaboe
E.S. Hunter
D.G. Talbot
L.E. George
F.E. Terpin
George Bell
Don Harwell

8639

FAS 958

Versteeg
Christensen
Georgs
Olson
Terpin
Sullivan
Scott
Savage

RECEIVED
OCT 3 1977
ENGINEERING SECTION

Trout

Do Not File
Return To
Bring Up ___/___/___
Action

October 31, 1977

Bob Pool, Ass't Regional Engineer
Oregon State Highway Department
P.O. Box 1249
Bend, OR 97701

Re: Rhea Road
Gilliam County

Dear Mr. Pool:

Jock Elliott, R/W Section, has requested that we include a cattle guard at eh east end of the Rhea Road Project, as per request of the land owner (Kreb's Bros.)

The attached drawing indicates the location and type of guard. If this cannot be conveniently accomplished through addendum, we suggest that it be handled through a Change Order during construction.

Sincerely yours,

J. Val Toronto, P.E.

Attachment: As noted. Sheet #8, Rhea Rd. Reloc. Unit. RS B452(1)

cc: Lyle Watson, Design Section
Salem

10-31-77
Project advertised
Advised Mr. Val Toronto, this
Should be handled under Const.
L. Watson

NOTED
L. K. WATSON

T. 3 N., R

N

Arlington Airport

Existing County Road

Existing Gravel Road To Be Abandoned

1/2/25

Construct Standard Curb & Gutter Detail No. 6733

Temporary Connection For Access To Airport

Const. Type I-SW Fence

R/W

50'

100'

N. 81° 22' E.

Const. Type I-SW Fence

107 108 109 110 111 112 113 114

1151

Finish Grade @ ℄

0.50

Subgrade

Sta. 800

Sta. 792

END OF PROJECT NO. RS-B452(11)
STA. 114+50

8637

STATE OF OREGON

INTER OFFICE MEMO

TO: Vernon E. Skoog
Controller

DATE: October 25, 1977

FROM: Dettmar Jones
Staff Auditor D.H. Jones

SUBJECT: Pre-award Evaluation
Gilliam County/J. Val Toronto (Supp.)
FAP #RS-609(1)

DEFINITION STATEMENT

The original Agreement between the parties noted above provided for both preliminary and construction engineering on Rhea Road, FAS 958. No pre-award evaluation was made, but FHWA approval was dated May 19, 1976

Preliminary engineering was authorized for a lump sum payment of $29,200, and construction engineering was authorized on an actual cost basis not to exceed $48,150.

At this time Consultant proposes a Supplemental Agreement reflecting increased costs for the construction engineering, which has not yet begun.

ANALYSIS

Consultant points out and documents that payroll rates computed nearly 2 years ago have increased. He also notes actual reduction of certain cost factors. The fixed fee has not been increased.

The only questionable revision (and it is more an engineering question than an accounting one) is the increase in "Construction inspection" from 800 hours to 1200 hours.

CONCLUSION

The cost estimates, both increases and decreases, are reasonable. In any event such costs are subject to final audit by this office.

Contingent upon further consideration of the construction inspection hours required, I recommend approval of the Supplement.

DJ:mm

APPROVED
V.E. Skoog
V. E. SKOOG, Controller
Oregon State Highway Division

cc: G.W. WIMER ✓

81-125-1387

8639

FAS 958

Routin

Kessey — RECEIVED — Richards
Bond — Glenn
Jackmond — OCT 21 1977 — Berg
Hopkins — Church
Johnsen — CONSTRUCTION SECTION — Gebauer
Inloes — Widmer
Versteeg
Christensen — RECEIVED — Trout
Georgs
Olson — OCT 24 1977 — Do Not File
Terpin — Return To
3 Sullivan — Bring Up
Scott — ENGINEERING SECTION — Action
Savage

These items have been discussed with Region and taken care of on addendum as appropriate DW

October 20, 1977

Bob Pool
Oregon State Highway Department
P.O. Box 1249
Bend, Oregon 97701

Re: Rhea Road R.S. B452 (1)
Contractor Project Review

Dear Bob,

We suggest that the State establish a time and date to permit prospective contractors to collectively review the Rhea Road Project prior to bid opening. As a general practice, we have done this on all of our projects exceeding $100,000.00. A collective review of the project by all contractors and there sub-contractors would take approximately two hours, and would be well worth the effort.

On plan sheet #2 the ditch lining typical should read "Coarse Aggregate Base Nom. thickness 3". Also the typical section for cut slope in rock should not be altered. On the arch type pipe installation detail, the arrow to top of aggregate base is a drafting error, trench excavation limits are to top of sub-grade or below the aggregate base. When embankment construction is dia. of Arch Type Pipe +21, the contractor should be allowed to install the pipe. This could be shown on the detail or explained through addendum.

Also, the last time I discussed manufacture and placement of the rock base material, a representative from the materials branch, from the construction branch and from the specification unit all jointly agreed that "grid rolling" would produce a satisfactory base material at a greatly reduced cost. An addendum should be put out to qualify this major item, at which time the same contractors could be informed of a review of the project.

Would you please have Salem send us a copy of the plan holders list as soon as one is substantially prepared.

REFERRED TO

Beard — Dorn
Cole — Gample
Eriksen — Watson
Hager — Lau
Return Discuss Do File Copy Due

Sincerely yours,

J. Val Toronto, P.E.
BY FINAL DESIGN ENGINEER

cc: Judge Leo Barnett
Construction Branch, Salem ✓
cc: David Carter, FHWA, Salem

Send copies to
E.S. Hunter
J.H. Versteeg

8639

CONSULTING

Engineers

J. VAL TORONTO & ASSOCIATES, INC.

STATE OF OREGON
LICENSE #5803
STATE OF WASHINGTON
LICENSE #11766
STATE OF ALASKA
LICENSE #1413

TELEPHONE (503) 276-7402
219 S. E. 2ND
PENDLETON, OREGON 97801

10/17/77 Talked to Harold Brianerd today and he said as far as he was concerned we could hold for construction engineering

KR

Bid is to be opened 11/7/77

October 11, 1977

Don Harwell
City-County Engineer
Oregon State Highway Department
Highway Building
Salem, Oregon 97310

Dear Mr. Harwell:

Transmitted for your rearly review is a copy of an amendment to the construction portion of the Engineering Agreement which was submitted to the Bend Office, October 4, 1977.

Due to impending ligation with one of the land owners on the right of way acquisition, it is necessary that cut and fill property line limits be field established at an early date. Because weather conditions are rapidly deteriorating we wish to commence immediately with this portion of the field work.

We would therefore appreciate receiving approval on the requested changes contained in the engineering amendment at the earliest possible time.

Sincerely yours,

Val Toronto

J. Val Toronto, P.E.

JVT/dar

C. C. Larry Asburry

PROJECT MANAGEMENT
PME ☑ CCE ☐ OM ☐
LGE ☑ FAE ☐ OPE ☐
OCT 12 1977
TAA Reynoldson File: PM FA LG OP

8639

CONSULTING

Engineers

J. VAL TORONTO & ASSOCIATES, INC.

STATE OF OREGON
LICENSE #5803
STATE OF WASHINGTON
LICENSE #11766
STATE OF ALASKA
LICENSE #1413

TELEPHONE (503) 276-7402
219 S. E. 2ND
PENDLETON, OREGON 97801

October 6, 1977

Re: Rhea Road
Gilliam County

Carl Williams, Regional Engineer
Oregon State Highway Department
P.O. Box 1249
Bend, Oregon 97701

Dear Mr. Williams:

The engineering contract that this office holds with Gilliam County on the above referenced project was prepared early in 1976. This contract also contained the construction engineering portion of the work, however no work has yet been accomplished on the construction phase of this agreement.

Due to the delays experienced on this project which were beyond the control of the engineer (final plans were delivered to the Salem Office, December 29, 1976), we find it necessary to revise the construction services estimate. Our direct salary costs have changed due to annual pay increase and the indirect costs should reflect more up-to-date expenses. (decrease of .02%).

We have attached a revision to the contract for OSHD concurrence which includes revised sheets 3, 4, and 7 of Exhibit "A".

It should be noted that the fixed fee amount (profit) remains as stated in the original contract and the changes reflect only current direct and indirect costs. Construction hours of the inspector have also been updated to reflect the time period that the Contractor has to complete the work as stated in the published specifications.

If you have any questions regarding the change, please contact this office.

Sincerely yours,

J. Val Toronto, P.E.

Attachments: As noted.

ROE	RE	RCE	FAE
RTE	RECEIVED		GEO
RUE	OCT 10 1977		RDE
RSO	REGION 4		RBE

ASSIGNED_____

Rhea Road Relocation Unit

Section Tobe Parkway - Hardin Way

Highway Rhea County Road

County Gilliam

Kind of Work Grading & Oiling

Prefix 511-1907-

Programming Estimate $ 529 000

Project Length 1.80 miles

Completion Time 150 col. days

11-1-78

FA Project No. RS-3452(1)

ESTIMATED CONSTRUCTION AUTHORIZATION

9/19/77

Anticipated Additional Items:

Estimated Contract Amount $ 458,836.00

ROUTING SLIP	Date: 9/19/77

DEPARTMENT OF TRANSPORTATION

Director	FHWA	Public Affairs	
Chief of Operations	General Files	Public Transit	
Asst. Dir.-Administration	General Services (DOT)	Radio	
Asst. Dir.-Transportation Policy & Program Develop.	Information Systems (Lane Ave.)	Right of Way	
Accounting (Highway)	Landscape	Safety & Health Services	
Administrative Services	Library	Sign Shop	
Chief Counsel	Location	State Highway Engineer	
Commission Services	Mail Room	Structures	
Computer Center (Lane Ave.)	Materials & Research	Technical Services Engineer	
Construction	Motor Vehicles	Traffic Support Services	
Data Processing (Transp.Bldg.)	Organization & Manpower Services	Transportation Policy & Program Development	
Employee Development	Parks & Recreation	Travel Information	
Engineering (Design)	Permits & Weighmaster	Utilities	
Environmental	Personnel Operations	Metropolitan	
Equipment Shops	Photocopy	Region Number 4	
Finance (DOT)	Proj. Mgmt. & Operations Planning	District Number	

ATTENTION: John Holcomb

FROM: Local Programs Unit

The attached estimate shows a slight revision from the estimate sent to you last week.

Form 81-731-0022 (7/77)

2000

600

1000

$ 3,600

$ 462,436

Contingencies (4-1/2%) 20,809 62

Engineering (9 %) 41,619 24

SUBTOTAL $

Credit for _____ . . . . . -

Estimated Net Authorization, Construction . . . . . $ 524,864 86

APPROVED

_____

Road Design Engineer

Rhea Road Relocation Unit

Section Lake Winfield - Kenansville Hwy — Programming Estimate $ 529 000

Highway Rhea County Road — Project Length 1.80 mi.

County Gilliam — Completion Time 150 cal. days

Kind of Work Grading & Oiling — U-1750-78

Prefix 511-1907- — FA Project No. RS-8452(1)

ESTIMATED CONSTRUCTION AUTHORIZATION

9/19/77

Estimated Contract Amount $ 458,836.00

Anticipated Additional Items:

Royalty Payment		
Building Permit Fees		
Slide Correction	2,000	
Railroad Protective Costs		
Other Railroad Costs		
Permanent Signing		
Permanent Pavement Striping	600	
Temporary Pavement Striping		
Remove Pavement Striping (Exist. & Temp.)		
Temporary Erosion Control	1000	
State Furnished		
Install Water Meter		$ 3600
Furnish Water		
Laboratory Fees		
On the Job Trainees		
State Responsibility for Damages		
Signal Controller Testing		
Bikeway Signs		
Furnish Mail Box Posts		
Adjust Utilities		
Misc. Permit Fees		

	$ 462,436
Contingencies (4-1/2%)	20,809.62
Engineering (9 %)	41,619.24
SUBTOTAL	$
Credit for	
Estimated Net Authorization, Construction	$ 524,864.86

APPROVED

Road Design Engineer

OREGON STATE HIGHWAY DIVISION
SUMMARY—BID SCHEDULE—COST ESTIMATE

Sheet 2 of 2
Date
County
Name

Section Rhea Road Relocation (Int.)
Kind Of Work Grading & Oiling Length

No	ITEM	Code	Unit	Quant.	Unit Cost	Total
14	Loose Riprap Class 50		Cu. Yd	230	13.00	2,990
15	Filter Blanket		Cu Yd	27	11.00	297
~~16~~	~~30-inch Culvert End Sections~~		~~Each~~	~~2~~	~~360.00~~	~~720~~
17	42-inch Culvert End Sections		Each	2	360.00	720
18	54-inch Culvert End Sections		Each	4	560.00	2240
19	Delineators		Each	90	18.00	1,620
20	Roadside Seeding And Mulching		Acre	12	550.00	6,600
21	SIGNING Removal Of Existing Sign Installations		Lump Sum	All		160
22	Wood Sign Posts		Lump Sum	All		680
23	Type "C" And "D" Signs In Place		Sq. Ft.	135	7.50	1012.50
24	Type "EE" And "V" Signs In Place		Sq. Ft	12	12.	144.00
					Total	458,836.50
~~25~~	~~Temporary Protection And Direction Of Traffic~~		~~Lump Sum~~	~~All~~		~~250~~
26	Temporary Barricades		Each	4	100.	400
27	Flagmen		Hour	40	18.00	720
	ROADWORK					
1	Clearing And Grubbing		Lump Sum	All	—	2,000.
8	General Excavation		Cu Yd	4650	1.75	8,137.50
9	Overhaul		M. Yd. Sta.	235	0.50	117.50
10	Trench Excavation		Cu. Yd.	40	10.00	400
11	Finishing Roadbed And Slopes		Lump Sum	All	—	2,000.00
12	Watering		M-Gal	170	10.00	1,700
13	Coarse Aggregate Base		Ton	5,000	3.50	17,500
~~14~~	~~3/4" Aggregate Base~~		~~Ton~~	~~—~~	4.00	~~280~~

OREGON STATE HIGHWAY DIVISION

SUMMARY—BID SCHEDULE—COST ESTIMATE

Sheet 1 of 2

Date

Section Rhea Road Relocation Unit

County

Kind Of Work Grading & Oiling

Length 1.8 mi

Name

No	ITEM	Code	Unit	Quant.	Unit Cost	Total
1	Furnishing Field Laboratory		Each	1	1500.00	1500
2	Mobilization (8%)		Lump Sum	All		34,000
3	Temporary Protection And Direction Of Traffic		Lump Sum	All		500
4	Temporary Signs		Sq. Ft.	60	6.50	390
5	Temporary Barricades		Each	4	100	400
6	Flagmen		Hour	40	18.00	720
	ROADWORK					
7	Clearing And Grubbing		Lump Sum	All	—	5,000.00
8	General Excavation		Cu. Yd.	103,250	1.95	201,337.50
9	Rock Ditch Protection		Cu. Yd.	700	6.00	4200
10	Overhaul		C. Y. Sta.	5100	0.50	2,550
11	Trench Excavation		Cu. Yd.	350	10.00	3500
12	Finishing Roadbed And Slopes		Lump Sum	All	—	4,500.00
13	Watering		M. Gal	1400	6.50	9100
14	Coarse Aggregate Base		Ton	20,700	3.50	72,450
15	3/4"-0 Aggregate Base		Ton	3950	4.00	15,800
16	Aggregates for Asphalt Macadam		Cu. Yd.	1660	10.00	16,600
17	AR-2000 Asphalt for Asphalt Macadam		Ton	125	120.00	15,000
18	Asphalt for Seal Coat		Ton	35	130.00	4550
19	Extra For Asphalt Macadam Approaches		Each	2	150.00	300
~~20~~	~~30-inch Arch Type Pipe~~	~~—~~	~~Lin. Ft.~~	~~80~~	~~19.50~~	~~1560~~
21	42-inch Arch Type Pipe		Lin. Ft.	90	32.50	2925
22	54-inch Culvert Pipe		Lin. Ft.	310	65.00	20,150
23	Type 1-SW Fence		Lin. Ft.	19,100	1.50	28,650

8639

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: 511-1997

Bend, Oregon 97701
September 15, 1977

FROM: John E. Holcomb
Regional Federal Aid Engineer

SUBJECT: John Day Hwy.-PGE Power Plant
Rhea Road, Gilliam County
Prefix No. 511-1997

TO: Gerald Wimer
Project Development Engineer

ATT: Harold Reynoldson
Local Projects Coordinator

As per your request of September 14, I have contacted County Judge Leo Barnett concerning changes in the matching ratio for the subject project.

The ratio will now be 86 percent Federal, 7 percent State, 7 percent County.

The new estimate eliminates the left-turn refuge at the John Day Highway and access to the PGE plant.

JEH:mr

cc: Judge Leo Barnett
Dick Hawkins

Dick Hacek
Cliff Laux

PROJECT MANAGEMENT
PME ☑ CCE ☐ OM ☐
LGE ☑ FAE ☐ OPE ☐
SEP 16 1977
File: PM FA
LG OP
TAA Reynoldson

863 Rhea Road Relocation Unit

Section Loc. Prog. - Gen. Fig. Programming Estimate $ _____

Highway Rhea County Road

County Gilliam Project Length 1.80 mi. ±

Kind of Work Const. & Surf. Completion Time 150 cal. w/in 2 yrs. Est. 78

Prefix STP-180-7 FA Project No. RS-8452(1)

Sept. 13, 1977

ESTIMATED CONSTRUCTION AUTHORIZATION

Estimated Contract Amount $ 462,291 00

ROUTING SLIP	Date: 9/14/77
DEPARTMENT OF TRANSPORTATION	
Director	FHWA
Chief of Operations	General Files
Asst. Dir.-Administration	General Services (DOT)
Asst. Dir.-Transportation Policy & Program Develop.	Information Systems (Lana Ave.)
Accounting (Highway)	Landscape
Administrative Services	Library
Chief Counsel	Location
Commission Services	Mail Room
Computer Center (Lana Ave.)	Materials & Research
Construction	Motor Vehicles
Data Processing (Transp.Bldg.)	Organization & Manpower Services
Employee Development	Parks & Recreation
Engineering (Design)	Permits & Weighmaster
Environmental	Personnel Operations
Equipment Shops	Photocopy
Finance (DOT)	Proj. Mgmt. & Operations Planning
	Public Affairs
	Public Transit
	Radio
	Right of Way
	Safety & Health Services
	Sign Shop
	State Highway Engineer
	Structures
	Technical Services Engineer
	Traffic Support Services
	Transportation Policy & Program Development
	Travel Information
	Utilities
	Metropolitan
	Region Number 4
	District Number
ATTENTION: John Holcomb	
FROM: Loc. Prog. Unit.	
A copy of the latest estimate for the Rhea Road project is attached. This eliminates the channelization on our Hwy and the access to the PGE Plant.	
Form BI-731-0022 (7/71)	

2,000
600
1000

$ 3,600

$ 465,811

Contingencies (4-1/2%) 20,965 10

Engineering (9 %) 41,930 19

SUBTOTAL $ _____

Credit for _____ . . . . . _____

Estimated Net Authorization, Construction . . . . . $ 528,786 29

APPROVED

_____

Road Design Engineer

Rhea Road Relocation Unit

Section Lt. Rhea Rd - Rhea Rd Prog[illegible]ming Estimate $ _____

Highway Rhea County Road V Project Length 1.80 mi. ±

County Gilliam Completion Time 150 cal. days

Kind of Work Grade & Surf. V.L.S.D. -78

Prefix 511-1980-7 V FA Project No. RS-6452(1)

Sept. 13, 1977

ESTIMATED CONSTRUCTION AUTHORIZATION

Estimated Contract Amount $ 462,291.00

Anticipated Additional Items:

Royalty Payment	
Building Permit Fees	
Slide Correction	2,000
Railroad Protective Costs	
Other Railroad Costs	
Permanent Signing	
Permanent Pavement Striping	600
Temporary Pavement Striping	
Remove Pavement Striping (Exist. & Temp.)	
Temporary Erosion Control	1000
State Furnished _____	
Install Water Meter	
Furnish Water	
Laboratory Fees	
On the Job Trainees	
State Responsibility for Damages	
Signal Controller Testing	
Bikeway Signs	
Furnish Mail Box Posts	
Adjust Utilities _____	
_____	
_____	
_____	
Misc. Permit Fees _____	
_____	

$ 3,600.00

$ 465,891.00

Contingencies (4-1/2%) 20,965.10

Engineering (9 %) 41,930.19

SUBTOTAL $

Credit for _____ . . . . . _____

Estimated Net Authorization, Construction . . . . . $ 528,786.29

APPROVED

_____

Road Design Engineer

OREGON STATE HIGHWAY DIVISION

SUMMARY—BID SCHEDULE—COST ESTIMATE

Sheet 1 of 2

Date

Section Rhea Road Relocation Unit

County

Kind Of Work Grading & Oiling

Length 1.8 mi

Name

No	ITEM	Code	Unit	Quant.	Unit Cost	Total
1	Furnishing Field Laboratory		Each	1	1500.00	1500
2	Mobilization (8%)		Lump Sum	All		34,500
3	Temporary Protection And Direction Of Traffic		Lump Sum	All		500
4	Temporary Signs		Sq. Ft.	60	6.50	390
5	Temporary Barricades		Each	4	100	400
6	Flagmen		Hour	40	18.00	720
	ROADWORK					
7	Clearing And Grubbing		Lump Sum	All	—	5,000.00
8	General Excavation		Cu. Yd.	103,250	1.95	201,337.50
9	Rock Ditch Protection		Cu. Yd.	700	6.00	4,200
10	Overhaul		Sta. Yds.	5100	0.50	2550
11	Trench Excavation		Cu. Yd.	380	10.00	3800
12	Finishing Roadbed And Slopes		Lump Sum	All	—	4,500.00
13	Watering		M. Gal	1400	6.50	9100
14	Crushed Surfacing Base		Ton	20200	3.50	70,700
15	3/4-0 Aggregate Base		Ton	3950	4.00	15,800
16	Applicators For Asphalt Macadam		Cu. Yd.	1660	10.00	16,600
17	AR-2000 Asphalt For Asphalt Macadam		Ton	125	120.00	15,000
18	Asphalt For Seal Coat		Ton	35	130.00	4550
19	Extra For Asphalt Macadam Approaches		Each	2	150.00	300
20	30-inch Arch Type Pipe		Lin. Ft.	80	19.50	1560
21	42-inch Arch Type Pipe		Lin. Ft.	90	32.50	2925
22	54-inch Culvert Pipe		Lin. Ft.	310	65.00	20,150
23	Type 1-SW Fence		Lin. Ft.	19100	1.50	28,650

OREGON STATE HIGHWAY DIVISION
SUMMARY—BID SCHEDULE—COST ESTIMATE

Sheet 2 of 2
Date
County
Name

Section Rhea Road Rehabilitation
Kind Of Work Grading & Oiling
Length

No	ITEM	Code	Unit	Quant.	Unit Cost	Total
24	Loose Riprap Class 50		Cu. Yd	270	13 00	3,510
25	Filter Blanket		Cu. Yd.	32	11 00	352
26	30-inch Culvert End Sections		Each	2	260 00	520
27	42-inch Culvert End Sections		Each	2	360 00	720
28	54-inch Culvert End Sections		Each	4	560 00	2240
29	Delineators		Each	90	18 00	1,620
30	Roadside Seeding And Mulching		Acre	12	550 00	6600
	SIGNING					
31	Removal Of Existing Sign Installations		Lump Sum	All		160
32	Wood Sign Posts		Lumpsum	All		680
33	Type "C" And "D" Signs In Place		Sq. Ft.	135	7 50	1012 50
34	Type "E" And "I" Signs In Place		Sq. Ft	12	12	144 00
					Total	462,291
	~~Guide Reflectorized Sheet Aluminum~~		~~Lump Sum~~	~~All~~		~~285~~
35	Temporary Barricades		Each	4	100	400
36	Flagmen		Hour	40	18 00	720
	ROADWORK					
37	Clearing And Grubbing		Lump Sum	All	—	2,000
38	General Excavation		Cu Yd	4650	1 75	8,137 50
39	Re. haul		Sta. Yd.	235	0 50	117 50
40	Trench Excavation		Cu. Yd.	40	10 00	400
41	Finishing Roadbed And Slopes		Lump Sum	All	—	2,000 00
42	Watering		M-Gal	170	10 00	1,700
43	Coarse Aggregate Base		Ton	5,000	3 50	17,500
44	~~3/4" Aggregate~~		~~Ton~~		4 00	~~2800~~

1639

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

September 12, 1977

FILE:

FROM: Duane O. Christensen
Final Design Engineer

SUBJECT: Rhea Road Relocation Unit
FAS B-452 (Rhea Road)
Gilliam County

TO: MEMORANDUM TO THE FILES

Received telephone information from Robert Pool on Monday, September 12, 1977, that the Gilliam County Court wants to remove the left-turn refuge on the John Day Highway and access road into the proposed PGE plant and go to contract with the proposed work on Rhea Road.

The County will furnish the State a letter to the effect that if and when the access road to the proposed PGE plant is constructed they will also finance the construction of the left-turn refuge on the John Day Highway. The plans will be revised by us (at the request of the consultant) to reflect the above.

The project is presently being prepared for an October 20, 1977, bid letting.

DOC:jh
cc: E. S. Hunter
Carl Williams
J. B. Boyd
Bob Prange
D. H. Moehring
Gary Potter
Lyle Watson
Art Brummitt

PROJECT MANAGEMENT
PME ☒ CCE ☐ OM ☐
LGE ☒ FAE ☒ OPE ☐
SEP 13 1977
File: PM FA
LG OP
TAA

Because of R/W difficulties, project will be postponed to Nov. 17 bid letting.
10/3/77

C.C. D.E. Swan
J.H Verstoeg
Ben Gifford

8639

STATE OF OREGON

INTEROFFICE MEMO

TO: Memo to Files

DATE: July 27, 1977

FROM: Robert H. Prange
Local Projects Manager

SUBJECT: John Day Hwy.-PGE Power Station
FAS B452, Rhea Rd.
Gilliam County

Because of the uncertainty of the actual construction of PGE's nucleur power plant at the Pebble Springs site, it is recommended that the subject FAS-C project be rescheduled from Aug. 25, 1977 to Sept. 22, 1977. Oct

PGE is to meet next week to determine the feasibility of constructing the power plant and the results of that meeting will reach us toolate for the "ads" to be sent out.

RHP:dmc

cc DE Swan
Forstag prefers this job be rescheduled for Oct 27, 1977.
Please comply.
A Kimes

cc Hal Forsteg Sent 7/28/77
Carl Williams

N HOTEL

81-125-1387

9639

FAS958

ENVIRONMENTAL REVIEW CHECKLIST

ALL CLEAR 7/22/77
Harold K. Dent

~~9-28-77~~ 8-25-77 Bid Letting _____ All Clear Deadline

SECTION John Day Hwy - P.G.E. Power Sta.
Highway FAS 9458 Obea Road
County Gilliam Region ____
Type of Work C-P Funds FAS-C
State __ Consultant __ Plans Avail. __ Yes __ No

	Not Required	Required	Mitigation Required	Mitigation/Plans	ALL CLEAR
DOCUMENTS:					
EIS	X				
Negative Declaration		X	X	X	X
Project Assessment		X			
Write-off Letter	X				
PERMITS:					
Division of State Lands	X				X
D.O.G.M.I.	X				X
Corps of Engineers	X				X
Coast Guard	X				X
Co. Conditional Use	X				X
NPS Air Pollution	X				X
NPS Water Pollution	X				X
CULTURAL:					
Cultural Survey		X			X
Cultural Salvage	X				
NOISE:					
Noise Study		X			X

Mat'l Source in roadbed cut

9639

7-19-77

c.c. J.H. Versteeg
DE Swan
Jim Chidsey

OREGON STATE HIGHWAY DIVISION
117 DOT Building
Salem, Oregon 97310

Attention: Right-of-Way Section

Subject: Federal Aid Project No. RS-609(1)
Project Name John Day Hwy.-P.G.E. Power Plant Section
Rhea Road, FAS B-452 (Formerly FAS 958)

Regarding the above referred to federal aid project, we hereby certify that to the best of our knowledge and belief:

A. Existing Right-of-Way

☐ 1. All construction can be accomplished completely within the existing right-of-way. This existing right-of-way was acquired prior to January 2, 1971.

B. New Right-of-Way

☒ 1. This project required additional right-of-way purchased after January 2, 1971. Right-of-way, easements, or rights-of-entry required for this project have been secured in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and all incidental charges related to the transfer of property will be paid by the county in accordance with said Act.

☒ a. There has been no displacement of persons from residences, farms or businesses.

OR

☐ b. There has been displacement of persons from either residences, farms or businesses and in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, displaced persons, businesses, or farm operations have been provided relocation payments, if eligible, and relocation assistance. Displaced individuals or families have been relocated to decent, safe and sanitary housing or have been offered decent, safe, sanitary and fair housing immediately available on the open market.

C. Utilities

☒ 1. The occupancy and/or adjustment of existing utilities within the right-of-way of the above referred to federal aid project have been authorized by permit, franchise, or other approved procedure.

Signed at Condon, Oregon, this 19th day of July, 1977

County of Gilliam

Lee Barnett
County Judge/~~Chairman~~

Commissioner

Commissioner

Certified By:

Regional Right-of-Way Supervisor
Date 9-10-77

Instructions: Complete A or B and C.
R/W File No. _____
Rev. 1/76

Section 9630 John Day Hwy. PGE Power Plant Rd. Programming Estimate $ _____

Highway Alkali Canyon Road Project Length 2.52

County Gilliam Completion Time 240 cal. work days.

Kind of Work Grading and Paving (Sept 1, 1978)

Prefix 511-1967 FA Project No. _____

ESTIMATED CONSTRUCTION AUTHORIZATION

ROUTING SLIP DATE: 7/19/77

DEPARTMENT OF TRANSPORTATION

DIRECTOR	FINANCE (DOT)	PROGRAM MANAGEMENT
CHIEF OF OPERATIONS	GENERAL FILES	PUBLIC AFFAIRS
ASSISTANT DIR FOR ADMIN.	GENERAL SERVICES (DOT)	SAFETY
ASSISTANT DIR FOR PLANNING	INFORMATION SYSTEMS	TRANS. POLICY & RESEARCH
CHIEF COUNSEL	LABOR RELATIONS	MAIL ROOM
COMMISSION SERVICES	LIBRARY	MASS TRANSIT DIVISION
COUNTY-CITY RELATIONS	PERSONNEL OPERATIONS	MOTOR VEHICLES DIVISION
EMPLOYEE DEVELOPMENT	PHOTOCOPY	COMPUTER CENTER (MVD)

HIGHWAY DIVISION

STATE HIGHWAY ENGINEER	EQUIPMENT SHOPS	RESEARCH (HWY)
DEPUTY STATE HWY ENGINEER	FHWA	RIGHT OF WAY
ASSIST. STATE HWY ENGINEER	LANDSCAPE	ROAD DESIGN
METROPOLITAN ENGINEER	LOCATION	SIGN SHOP
ACCOUNTING (HIGHWAY)	MAINTENANCE	TRAFFIC ENGINEERING
BRIDGE DESIGN	MATERIALS	TRAVEL INFORMATION
CONSTRUCTION	PARKS AND RECREATION	UTILITIES ENGINEER
DATA PROCESSING	PERMITS & WEIGHMASTER	REGION NO. 4
ENVIRONMENTAL	RADIO	DISTRICT NO.

ATTENTION: John Holcomb FROM: Loc. Prog. M.

COMMENTS:

Please forward copy to county for their info.

FORM 81-734-3100 (REV. 9-76) SP*35582-734

Contract Amount	$ 634,820
	2,500
	3,000
	100.
	$ 5,500
	$ 640,320
Contingencies (4-1/2%)	28,814 40
Engineering (9 %)	57,628 80
~~Credit for~~ ~~SUBTOTAL~~	$
Estimated Net Authorization, Construction	$ 726,763 20

APPROVED

_____

Road Design Engineer

Section T. 6s R. 19E W.M. Heppner Highway John Day Hwy to PGE Power Plant Rd. Programming Estimate $ _____

Highway Rhea Canyon Road Project Length 2.52

County Gilliam Completion Time 240 cal. work days.

Kind of Work Grading and Paving (Sept 1, 1978)

Prefix 511-1997 FA Project No. _____

ESTIMATED CONSTRUCTION AUTHORIZATION

Estimated Contract Amount $ 634,820

Anticipated Additional Items:

Royalty Payment	
Building Permit Fees	
Slide Correction	2,500
Railroad Protective Costs	
Other Railroad Costs	
Permanent Signing	
Permanent Pavement Striping	2,000
Temporary Pavement Striping	
Remove Pavement Striping (Exist. & Temp.)	
Temporary Erosion Control	1000
State Furnished _____	
Install Water Meter	
Furnish Water	
Laboratory Fees	
On the Job Trainees	
State Responsibility for Damages	
Signal Controller Testing	
Bikeway Signs	
Furnish Mail Box Posts	
Adjust Utilities _____	
_____	
_____	
_____	
Misc. Permit Fees _____	
_____	

$ 5,500

$ 640,320

Contingencies (4-1/2%) 18,814 40

Engineering (9 %) 57,628 80

~~SUBTOTAL~~ $

~~Credit for~~ _____

Estimated Net Authorization, Construction $ 726,763 20

APPROVED

_____

Road Design Engineer

OREGON STATE HIGHWAY DIVISION (Plan 20) Sheet 1 of 4

SUMMARY—BID SCHEDULE—COST ESTIMATE Date 4-1-77

Section Rhea Road Relocation Unit County Gilliam

Kind Of Work Grading, Oiling & Paving Length A-0.27 B-1.80 C-0.45 Name Galloway

5-17-77

No	ITEM	Code	Unit	Quant.	Unit Cost	Total
	PART A - HIGHWAY 19 CHANNELIZATION					
1	Mobilization (8%)		Lump Sum	All		3,700
2	Temporary Protection And Direction Of Traffic		Lump Sum	All		1,000
3	Temporary Signs		Sq. Ft.	90	6.50	585
4	Temporary Barricades		Each	4	100	400
5	Flagmen		Hour	500	18.00	9,000
	ROADWORK					
6	Clearing And Grubbing		Lump Sum	All	—	1,000.00
7	General Excavation		Cu. Yd.	1800	3.00	5,400
8	Finishing Roadbed And Slopes		Lump Sum	All	—	1,000.00
9	Watering		M. Gal	40	10.00	400
10	Coarse Aggregate Base		Ton	1600	3.50	5,600
11	¾"-0 Aggregate Base		Ton	270	4.00	1,080
12	Class "C" Asphalt Concrete		Ton	780	22.00	17,160
13	Extra For Asphalt Approaches		Each	8	125.00	1,000
14	Delineators		Each	16	18.00	288
	SIGNING					
15	Removal Of Existing Sign Installations		Lump Sum	All	—	40
16	Wood Sign Posts		Lump Sum	All	—	815
17	Type "C" And "D" Signs In Place		Sq. Ft.	144	7.50	1080
18	Type "EE" And "U" Signs In Place		Sq. Ft.	6	12	72
						$49,620

Subtotal

OREGON STATE HIGHWAY DIVISION — Sheet 2 of 4

SUMMARY—BID SCHEDULE—COST ESTIMATE — Date

Section Rhea Road Relocation Unit — County

Kind Of Work Grading, Oiling & Paving — Length — Name

No	ITEM	Code	Unit	Quant.	Unit Cost	Total
	PART B - RHEA ROAD					
19	Furnishing Field Laboratory		Each	1	1500.00	1500
20	Mobilization (8%)		Lump Sum	All		37100
21	Temporary Protection And Direction Of Traffic		Lump Sum	All		500
22	Temporary Signs		Sq. Ft.	60	6.50	390
23	Temporary Barricades		Each	4	100	400
24	Flagmen		Hour	40	18.00	720
	ROADWORK					
25	Clearing And Grubbing		Lump Sum	All	—	5,000.00
26	General Excavation		Cu. Yd.	103,250	2.30	237,475
27	Rock Ditch Protection		Cu. Yd.	700	6.00	4200
28	Overhaul		C. Yd. Sta.	5,100	0.50	2,550
29	Trench Excavation		Cu. Yd.	380	10.00	3800
30	Finishing Roadbed And Slopes		Lump Sum	All	—	4,500.00
31	Watering		M. Gal	1,400	6.50	9,100
32	Coarse Aggregate Base		Ton	20,200	3.50	70,700
33	3/4"-0 Aggregate Base		Ton	3,950	4.00	15,800
34	Aggregates In Asphalt Macadam		Cu. Yd.	1,660	10.00	16,600
35	AR-2000 Asphalt In Asphalt Macadam		Ton	125	120.00	15,000
36	Asphalt In Seal Coat		Ton	35	130.00	4550
37	Extra For Asphalt Macadam Approaches		Each	2	150.00	300
38	30-inch Arch Type Pipe		Lin. Ft.	80	19.50	1560
39	42-inch Arch Type Pipe		Lin. Ft.	90	32.50	2925
40	54-inch Culvert Pipe		Lin. Ft.	310	65.00	20,150
41	Type 1-SW Fence		Lin. Ft.	19,100	1.50	28,650

OREGON STATE HIGHWAY DIVISION

SUMMARY—BID SCHEDULE—COST ESTIMATE

Sheet 3 of 4

Date

Section Rhea Road Relocation Unit

County

Kind Of Work Grading Oiling & Paving Length Name

No	ITEM	Code	Unit	Quant.	Unit Cost	Total
42	Loose Riprap Class 50		Cu. Yd	270	13 00	3,510 -
43	Filter Blanket		Cu. Yd.	32	11 00	352 -
44	30-inch Culvert End Sections		Each	2	260 00	520 -
45	42-inch Culvert End Sections		Each	2	360 00	720 -
46	54-inch Culvert End Sections		Each	4	560 00	2,240 -
47	Delineators		Each	90	18 00	1,620 -
48	Roadside Seeding And Mulching		Acre	12	550 00	6,600 -
49	SIGNING Removal Of Existing Sign Installations		Lump Sum	All		160 -
50	Wood Sign Posts		Lump Sum	All		852 -
51	Type "C" And "D" Signs In Place		Sq. Ft.	117	7 50	877 50
52	Type "EE" And "V" Signs In Place		Sq. Ft	6	12 -	72 -
	PART C - PGE ACCESS				St.	500,993 50
53	Mobilization (8%)		Lump Sum	All		6,200 -
54	Temporary Retention And Direction Of Traffic		Lump Sum	All		250 -
55	Temporary Barricades		Each	4	100 -	400 -
56	Flagmen		Hour	40	18 00	720 -
	ROADWORK					
57	Clearing And Grubbing		Lump Sum	All	—	2,000 00
58	General Excavation		Cu Yd	4650	1 75	8,137 50
59	Overhaul		C. Yd. Sta	235	0 50	117 50
60	Trench Excavation		Cu. Yd.	40	10 00	400 -
61	Finishing Roadbed And Slopes		Lump Sum	All	—	2,000 00
62	Watering		M-Gal	170	10 00	1,700 -
63	Coarse Aggregate Base		Ton	5,000	3 50	17,500 -
64	3/4"-0 Aggregate Base		Ton	950	4 00	3800 -

OREGON STATE HIGHWAY DIVISION

SUMMARY--BID SCHEDULE--COST ESTIMATE

Sheet 4 of 4

Date

Section Rhea Road Relocation Unit

County

Kind Of Work Grading, Oiling, & Paving

Length

Name

No	Item	Code	Unit	Quant.	Unit Cost	Total
5	Class "C" Asphalt Concrete		Ton	1200	22.00	26,400
~~6~~	~~Aggregate for Asphalt Mixture~~		~~Co. M.~~	~~430~~	~~11.00~~	~~4,730~~
~~6~~	~~AR-2000 Asphalt for Asphalt Mixture~~		~~Ton~~	~~35~~	~~140.00~~	~~4,900~~
~~7~~	~~Asphalt for Seal Coat~~		~~Ton~~	~~10~~	~~160.00~~	~~1,600~~
10	30-inch Arch Type Pipe		Lin. Ft.	60	25.00	1,500
7	Type 1-5W Fence		Lin. Ft.	4900	2.00	9,800
38	Loose Riprap, Class 50		Cu. Yd.	40	15.00	600
39	Filter Blanket		Cu. Yd.	5	20.00	100
10	30-inch Culvert End Sections		Each	2	260.00	520
11	Delineators		Each	24	18.00	432
12	Roadside Seeding And Mulching		Acre	2	650.00	1300
	SIGNING					
13	Wood Sign Posts		Lump Sum	All		145
14	Type "C" And "D" Signs In Place		Sq. Ft.	15	7.50	112.50
15	Type "E" And "V" Signs In Place		Sq. Ft.	6	12	72
					SY	84,206.50
				Total		634,820

John Day Hwy.- PGE Power Station Section
Rhea Road FAS-B452
Gilliam County

Estimated Cost of Construction	726,763.20
Estimated Cost of PE and R/w	50,000.00
Total	776,763.20

County's Federal Funds (includes 5 yr. Advance) $538,826.00

Based on a total cost of $776,763.20 county advance deposit would be :-

at 78%

690,802 at 78% = 538,826
State 11% 75,988
Co: 11% 75,988

538,826
75,988
614,814

776,763.20
less 614,814.00
less 3 870.00 Co. Ad. Deposit for PE.

158,079.00

at 86%

626,542 at 86% = 538,826
State 7% 43,858
Co. 7% 43,858

538,826
43,858
582,684

776,763.20
582,684.00
3870.00

190,209

So using 78% Federal funds Co. Ad. Deposit would be
158,079

and using 86% Federal the match would be
190,209

8639

Gillian

Salem, Oregon
June 23, 1977

J. E. Versteeg
Road Design Engineer

J. B. Boyd
Right of Way Engineer
BUILDING

44755
~~40925~~ - Krebs
John Day Hwy.-PGE Power Station
Section
Rhea County Road
Gilliam County

Attached is a description, an authorization and prints covering right of way required for the P.G.E. Pebble Springs access road.

Also attached is correspondence etc., pertaining to this matter.

BY: R

Robert R. Rounds
Right of Way Description Supervisor

RRR:mg

Attach.

8639

FORM 61-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

May 31, 1977

FILE:

FROM: Adele L. Egan
Right of Way Office Manager

TO: H. G. Brainerd
Reg. R/W Supervisor

REGION IV

SUBJECT: Files 48922 and 48924

John Day Hwy.-P.G.E. Power Station
Rhea County Road
Gilliam County

Attached you will find two revised Option forms in sextuplet covering right of way to be acquired in connection with the John Day Highway-P.G.E. Power Station Section of Rhea County Road in Gilliam County.

The distribution number to be used for the acquisition of this file is 7870.

These descriptions have been revised because the end of the taking has been changed from 132+75.29 to 115+50.

Enclosed for your information is a copy of the Revision Request.

We are attaching two prints of a section of Map 9B-14-21 covering this area and bearing our date of February 27, 1977.

File No.	Name	Area
48922	Krebs Brothers, Inc.	20.7 ac
48924	Portland General Electric Co.	5.70 ac

AC:nn
Enc. 2 Options, etc.
cc: Carl Williams/1 print
Milner Mead/1 print
Frank Lowe
Title/1 print
A. Riveness/Exhibit
Don Harwell

PROJECT MANAGEMENT

JUN 1 '77

REFER TO:

FOR

Handle | Investigate | R/D | Action | File | Letter | See me

NOTED

...NOR C. HOL...

8639

May 24, 1977

TO Dave Fenton
Region 4 Federal Aid Engineer

FROM R. H. Prange
Local Projects Manager

SUBJECT Consultant P.E. Costs
John Day Highway - P.G.E. Plant Road Section
Rhea Road FAS 8452 (formerly 958)
Gilliam County

I am returning the billing, from J. Val Toronto, in the amount of $27,057 for the P.E. costs on the subject project. A lump sum billing for P.E. costs is acceptable, but to satisfy accounting it must be:

1. The original billing (perferred on company lettarhead).
2. Signed by the consultant
3. App'd by the county
4. App'd by the highway project laison engineer

These approvals may be noted on the consultants billing form.

RHP:re

FORM 81-784-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: 511-1997

Bend, Oregon, 97701

May 17, 1977

FROM: David S. Fenton
Regional Federal Aid Engineer

SUBJECT: Billing - - Consultant Fees
John Day Highway-Heppner Hwy
Rhea Road, Gilliam County

TO: H. Reynoldson
Local Project Coordinator

I'm forwarding the consultant's request for partial payment for services-to-date on this project, as you and I discussed on the phone. Also included is a copy of the Consultant's letter to the County, and the County's letter of approval to me.

Neither the consultant nor the County has signed on the bill itself. I'm sending it to you anyway, because I think that you'll have other criticisms of the billing and I can get all deficiencies corrected at the same time. For example, don't the consultant's services have to be itemized?

Thanks for your help.

David S. Fenton

DSF:pw
Enclosure

HAL-FRED

PROJECT MANAGEMENT

MAY 18 '77

REFER TO:

FOR

Info	Investigate	R/D	Action	File	Letter	See me

NOTED
[illegible] C. H[illegible]

GILLIAM COUNTY

CONDON, OREGON 97823

May 11, 1977

–COUNTY OFFICIALS–

COUNTY JUDGE
Leo Barnett
384-2791
384-3461

COMMISSIONERS
Lester Brooks
William D. Hardie, Jr.

ASSESSOR
Judy Griffith
384-3781

CLERK-RECORDER
Christopher N. Childs
384-2311

DISTRICT ATTORNEY
William A. Bennett
384-3352

JUSTICES OF THE PEACE
Marvin A. Albee
Condon, 384-5821
William Marshall
Arlington, 454-2923

SHERIFF
Volney Thomas
384-2851

TREASURER/TAX COLLECTOR
Margaret Grabenhorst
384-6321

ROAD DEPARTMENT
384-2381

PLANNING DEPARTMENT
384-4243

Mr. David Fenton
Oreg. State Highway Div.
Region 4
Bend, Oregon 97701

Dear Dave,

Enclosed is a billing from Val Toronto for engineering services performed on the Rhea Road F.A.S. project. Please set the wheels in motion to authorize payment. The county commissioners and I have reviewed the billing and can find no reason the bill should not be paid.

Have also enclosed a copy of Toronto's cover letter that was included with the billing.

Very truly yours,

Leo Barnett

Leo Barnett
Gilliam County Judge

LB/cc

Encl - (2)

CONSULTING
Engineers
J. VAL TORONTO & ASSOCIATES, INC.

STATE OF OREGON
LICENSE #5802
STATE OF WASHINGTON
LICENSE #11766
STATE OF ALASKA
LICENSE #1413

TELEPHONE (503) 276-7402
219 S. E. 2ND
PENDLETON, OREGON 97801

April 21, 1977

Judge Leo Barnett
Gilliam County Court
Condon, OR 97823

Dear Judge,

We have attached a partial engineering billing for services performed on Rhea Road. The amount requested is $27,057. This represents 90% of the unpaid basic fee. In discussion with David Fenton, OSHD, following County approval the billing should be submitted to his office with a request for payment. } participating

We have also submitted a billing for the final design of the P.G.E. Road. These plans were approved by P.G.E. on March 11, 1977. The engineering fee on the P.G.E. Road was based on a percentage of the actual construction cost. Therefore the basic fee as presented may have to be adjusted upwards or downwards (as the case may be) when the road is let for construction. } non-participating

The statements for the two projects are seperate so that the County can obtain Federal monies on the Rhea Road Statement. The P.G.E. Road of course will receive no reimbursement from Federal or State Funds. We have assured the OSHD that ail billings will be kept seperate.

If you have any questions please call this office.

Sincerely yours,

J. Val Toronto, P.E.

JVT/dar

April 21, 1977

J. Val Toronto & Assoc., Inc.
219 S.E. 2nd
Pendleton, Oregon 97801

Gilliam County Court
Condon, Oregon 97823

Engineering Services

Rhea Road, FAS 958, John Day Highway to P.G.E. Plant Section

Partial payment request for preliminary design services . . . $27,057.00

FAS-C

Negative Declaration (Final)
John Day Highway-Heppner Highway Section
Rhea Road
Gilliam County, Oregon 4-26-77

This negative declaration for the above Federal Aid Secondary County Road Project has been prepared in consultation with the Federal Highway Administration pursuant to regulations in the Federal-Aid Highway Program Manual, Volume 7, Chapter 7, Section 2 and the Oregon State Highway Division.

PROJECT MANAGEMENT
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PROJECT DESCRIPTION

Location

Rhea Road is an east-west route between State Highway 19 at Arlington (population 490) and State Highway 74 located in north Gilliam County. State Highway 19 is commonly referred to as the "John Day Highway" and State Highway 74 as the "Heppner Highway."

The westerly terminus of Rhea Road is at its intersection with State Highway 19, located approximately 1 mile south of the City of Arlington's main core area. Rhea Road terminates to the east at its intersection with State Highway 74. The total project length including an Airport Road spur of 1.2 miles is 9.4 miles. Project termini are designated on the attached sketch map.

History

For the past 5 decades Rhea Road has served as a local road linking State Highway 19 with State Highway 74 in northern Gilliam County, thus providing access to 14 sections of adjacent ranch land and to northwestern and southern Morrow County. This road further provides access to the Arlington City Airport facility.

Over the past five years there has been a tremendous increase in agricultural development and agricultural industry in the vicinity of western Morrow County. Two large agricultural complexes, "Simplot" and "Taggaras" (Sim-Tag) have been built in northwestern Morrow County approximately 1 mile from the terminus of Rhea Road and State Highway 74.

A large agri-business development involving the purchase of 1766 acres of land and contemplating employment of approximately 400 workers is being planned for the Willow Creek area. The development site is situated adjacent to and north of the eastern terminus of Rhea Road.

Portland General Electric has plans for the construction of a nuclear power plant scheduled for late 1978-1979. This facility would be located in the area known as Pebble Springs situated approximately 2½ miles east of the westerly terminus of Rhea Road and State Highway 19.

Limited site preparation work for the proposed Pebble Springs Nuclear Plant has been performed. The Energy Facility Siting Council has not concluded hearings on the site certificate. Construction of the power plant will not commence until such time as this certificate has been approved.

Construction of the power plant would take 7 years to complete. The labor force would peak at approximately 1,400 about 4 years after construction commences. The plant will require an operational work force of 170 full-time employees.

Bonneville Power is planning the construction of a regional power substation (Pebble Springs-Marion 500 KV Line) adjacent to the P.G.E. Nuclear Site.

Portland General Electric's coal-fired plant at Carty is now under construction in northwestern Morrow County. This plant is located approximately 11 miles from the east terminus of Rhea Road.

Construction began in December 1975, and will reach a peak labor force of 730 in the fourth quarter of 1978. The plant is scheduled to be on-line in 1980 with a permanent operational work force of 100 full-time employees.

Construction of the P.G.E. Nuclear Plant, the Bonneville Power Sub-Station and the agri-business facility at Willow Creek, although anticipated, has not yet commenced. The need for improvements to Rhea Road is imminent regardless of the development of proposed industry. The first mile of Rhea Road provides the only access available to the Arlington Airport and improvements to this first section of Rhea Road is critical to the operational use of the airport. This airport provides the only air transportation facility in the northern half of Gilliam County. Rhea Road further serves a vital transportation function providing a highway route to northwestern and southern Morrow County. The existing condition of this road, with steep grades and inadequate alignment, necessitates reconstruction to provide the safety and mobility factors needed to adequately protect the general public who use this road.

In 1975, the Gilliam County Planning Commission and Gilliam County Court filed an application for the inclusion of Rhea Road in the Federal Aid Secondary System. Subsequently, the application was approved, and Rhea Road was accepted. The County Planning Commission and the Gilliam County Court have endorsed this project, which is designated in the comprehensive plan as the number one priority in the Gilliam County Road Construction program.

Purpose

The proposed project is a component of the Gilliam County Road System. The county's policy relative to transportation facilities is to

concentrate its maintenance and construction efforts on county roads of major significance to the overall economy of the county.

Rhea Road is a 20-foot-wide gravel road with no shoulder. Portions of this road contain sharp curves with inadequate sight distance which seriously interfere with vehicular mobility and traffic safety. The existing road alignment is hazardous to all types of traffic. The east and west sectors contain sight distances for 10 mph on adverse grades of 13 percent. During periods of snowfall, the steep vertical alignment and the sharp horizontal curves make this road virtually impossible to negotiate.

Existing Rhea Road contains no guard rail and is approximately 50 years old, reflecting the basic design and structural practices for county roads in the 1920's and 1930's. The existing road right-of-way is completely unfenced and, consequently, the range land (especially in the westerly portion of this project) is interlaced with car and truck tracks where vehicle operators have driven.

The primary transportation goal served by the proposed project is to improve mobility and safety. This is to be accomplished by reconstructing and realigning the existing roadway which consists of gravelly sand and is now unpaved. Specifically, the proposed project would upgrade the existing road by providing a paved, all-weather section consisting of two 12-foot traffic lanes, painted traffic stripes and markers, and 4-foot paved shoulders.

The reconstruction of this section will shorten travel time and eliminate hazardous conditions caused by the narrow gravelled roadway, severe grades, and poor passing sight distance.

Scheduling

Preliminary plans call for a three-stage construction; the staging has been divided as follows:

1. The first unit originates at State Highway 19 and extends approximately 2.2 miles east. Existing Rhea Road forms the access road to the Airport Spur Road. By continuing to use realigned Rhea Road as the access road to the Airport Spur Road, any improvements made to Rhea Road would provide a direct improvement to the Airport Spur Road, and subsequent benefit to the public traveling to the airport. The Airport Spur Road would be rerouted at the intersection of realigned Rhea Road and existing Rhea Road (easterly terminus of Unit 1). The rerouted Airport Spur would then consist of about 3/4 of a mile of existing Rhea Road and a portion of the existing old Airport Road (both on top of the plateau). The rerouting of the Airport Spur Road would add an additional 3/4 mile of travel to the airport, but would provide an all-weather facility over which the City of Arlington and traveling public could reach the airport. The relocation of the first unit of Rhea Road would, therefore, eliminate the hazardous and steep grades previously encountered while traveling to the airport.
2. The second unit (beginning at M.P. 2.2) extends approximately 3 miles along the present alignment from Unit 1 and includes relocation of 1.2 miles of Airport Spur Road. During this phase the Airport Spur Road would be realigned in a more direct manner to the Airport facility, which would eliminate the additional travel distance of 3/4 mile required by construction of Unit 1, and would provide for a paved section of two 12-foot traffic lanes.
3. The third unit extends along the present alignment for approximately 3 miles. This unit requires a new structure across Willow Creek replacing the existing steel beam, wooden deck bridge. Unit three terminates at State Highway 74.

Present scheduling would allow road construction to commence in the Fall of 1977 on Unit 1 (2.2 miles). Unit 2 construction would probably commence sometime in 1979. The last unit would probably be scheduled for construction in 1980.

The construction period for each unit is estimated at approximately 6 months, barring unforeseen construction difficulties or inclement weather. The road units have been staged over a three-year period for budgetary reasons. If adequate funding were available the entire section of road would be completed in two seasons.

EXISTING ENVIRONMENTAL SETTING

Physical

Rhea Road traverses in a west-east fashion a predominantly flat range land area located between Alkali and Eight Mile Canyon. The westerly portion of Rhea Road rises from an elevation of 390 feet at the base of Alkali Canyon to an elevation of 800 feet at Hurlburt Flats and traverses easterly across Hurlburt Flats for approximately 7 miles, decending to an elevation of 394 feet at the base of Eight Mile Canyon. The only drainage basin traversed by Rhea Road is situated on the easterly terminus at Willow Creek and Eight Mile Canhon. Willow Creek Basin includes a drainage area of 850 square miles and has an average discharge of 27.7 cfs. or 20,070 acre feet per year. Irrigation rights totai approximately 20.53 cfs. This data is obtained from records compiled over an 8 year period. The flood of December 22, 1964, recorded a maximum discharge of 14,700 cfs. at the Arlington gauging station located 3.8 miles downstream from Eight Mile Canyon.

The Willow Creek Bridge was damaged during the 1964 flood. The bridge has subsequently been repaired at the same alignment as existed prior to the 1964 flood.

Average annual temperature is 54°F. Temperatures equal to or higher than 90°F can be expected 48 days per year. Temperatures 32°F or below normally occur 89 days per year. Average annual precipitation at Arlington is 9.04 inches. Winter storms from the Pacific contribute 4.01 inches of this total during the three winter months. Only 0.95 inches occurs in the summer season, mostly in the form of local showers. January is the wettest month, with 1.44 inches; July the driest, with 0.14 inches. The average annual snowfall is 10.7 inches. In general, the relative humidity is quite low in summer, (33 percent in July) and much higher in winter (83 percent in December). Dense fog (visibility less than 0.25 miles) occurs 30 days per year, mostly in the cooler half of the year (October-March). Thunder storms occur in the region on a frequency of approximately 11 days per year, generally occurring May through August, and can be accompanied by some flash flooding. The maximum recorded rainfall experienced during a 24-hour period is 2.27 inches.

Calm winds (wind speed less than 0.27 yards/sec) are rare and they occur only 0.14 percent of the time. Wind speeds between 2.25 to 3.73 mph occur approximately 43 percent of the time, and wind speed between 11.21 and 22.38 mph occur approximately 36 percent of the time. Winds in excess of 22.38 mph occur approximately 12 percent of the time.

Rhea Road traverses range land that is situated in a semi-arid, nonforested region of Gilliam County. The original cover of vegetation over this area probably was dominated by sagebrush and rabbitbrush with perennial bunch grass dominated by blue bunch wheat grass, needle-and-thread grass, and sandberg blue grass as the undercover.

Following the introduction of sheep and cattle in the early 1800's, massive changes occurred in the vegetation. Overgrazing has encouraged the

growth of inferior species of vegetation such as cheatgrass. Sagebrush and rabbitbrush exist over portions of the project. Most of the area is devoid of shrubs, and livestock overgrazing is probably the principal reason. The occurrence of natural vegetation within the existing and proposed project right-of-way is primarily limited to cheatgrass, sagebrush, rabbitbrush, jagged checkweed, Russian thistle and tumbleweed.

Wild terrestrial animals in the area of the project include the coyote, the bobcat (in very limited numbers), and black-tailed jackrabbit. Small mammals in the area consist of the pocket mouse and deer mouse.

Only a few bird species depend on the vegetation of the area for nesting. Common breeding birds include horned lark, western meadowlark and morning doves.

Willow Creek is dry during the summer periods and consequently sustains no year-round aquatic life.

A thin loess mantle covers most of the area. The silty soils developed in the loess on Hulbert Flats are an average of 12" - 18" deep. Basalt rock outcropping are common. The soil mantle on steep slopes at the easterly and westerly termini is very stony and shallow and contains major rock outcroppings.

Land use capability in the area traversed by Rhea Road is listed as Class VI and VII by the Soil Conservation Service. Class VI is prevalent in the westerly sections, and Class VII in the easterly section. Capability Class VI is generally described as soils well suited for grazing. This class is not arable because of steep slopes, susceptibility to erosion, shallow soils, alkali or other unfavorable conditions. It requires careful range management. Capability Class VII is generally described as soils fairly

well suited for grazing or forestry. It has major hazards or limitations for use because of very steep slopes, shallow or droughty soils, excessive erosions, or severe alkali conditions. Requires very careful management.

Cultural

The present inhabitants in the vicinity of Rhea Road reside exclusively at the projects westerly terminus. The project area is entirely rural-agricultural with the exception of the westerly terminus and part of the first road unit. State Highway 19 at its junction with Rhea Road is zoned as the City of Arlington's Commercial-Industrial Area. Commercial enterprises, consequently, front State Highway 19, being situated immediately south of the west terminus of Rhea Road. No commercial or industrial enterprises are located immediately adjacent to the Rhea Road right-of-way.

The entire 9.0 miles of road involves only five property owners and the existing land use adjacent to the proposed project is grazing with "scab" land at the westerly and easterly terminus of the road.

ALTERNATIVES AND THEIR IMPACTS

Three improvements alternatives have been studied as options to maintaining the existing of Rhea Road (no-build). Since the main objective of this project is to upgrade Rhea Road to acceptable Federal Aid-Secondary highway standards, modal alternatives were not considered prudent.

Alternate 1 (No-Build)

The existing alignment and the road structure have been in existence for the last 50 years. In the early life of this road section, the road served as a means for access to ranch land on Hurlburt Flats. However, in the last 20 years vehicle mobility has increased and this road now serves as local intertie between State Highway 19 and 74 and as an access road to

the Arlington Airport. This alternate would maintain the existing roadway in its present condition.

Maintaining the present road condition would seriously interfere with vehicular mobility and traffic safety. The existing road bed of 20 feet does not provide for safe passing of vehicles. Tnere is a one-mile stretch of road in which automobiles travelling in the same direction cannot pass. On 1/3 mile of this road, (0.7 miles from western terminus) vehicles must stop to let vehicles from the opposite direction pass. When two large trucks meet, one of the trucks must yield on the 13 percent gradient. During snow conditions and heavy precipitation, vehicles cannot operate over this section because of the steep grade; the road surface becomes muddy, slippery and the tires of vehicles cut through the gravel surface into the roadbed subgrade. Dust conditions during dry weather and loose gravel cause a hazard to all traffic and increase the accident potential. As traffic volumes grow, the no-build alternate would lead to a progressive deterioration in traffic service and safety.

The existing right-of-way is unfenced and provides no protection to vehicular traffic from cattle or sheep grazing in the vicinity of the road.

Leaving the present roadbed unaltered would avoid additional use of range land for right-of-ways. Operation of a rock crushing plant for base material would not be needed and the short term dust conditions associated with road construction would be avoided.

The no-build alternate was rejected because this roadway is of sub-standard width, contains steep grades and sharp curves with little or no stopping sight distance which seriously impede vehicular mobility and traffic safety. The no-build alternate does nothing to improve alignment and grade and does not comply with established design and construction minimums for FAS highways.

Alternate 2

This alternate would follow the existing Rhea Road alignment and use the existing road section as a part of the reconstruction. In order to use the existing road section, additional subbase and base rock would be required. The existing roadbed contains from 0" to 3" of gravel surface.

Approximately 70,000 cubic yards of crushed rock aggregate would be necessary for roadway base and paving for the entire section. Crushed rock aggregate for this project could be supplied by contractor-furnished or commercial sources. Under this alternate no additional range land would be required for right-of-ways.

This alternate would eliminate the current dust problem and the nuisance and hazards of flying gravel now created by vehicular traffic on the existing road.

There would be no "cut" or "fill" on this alternate and erosion control through seeding and mulching would not be required.

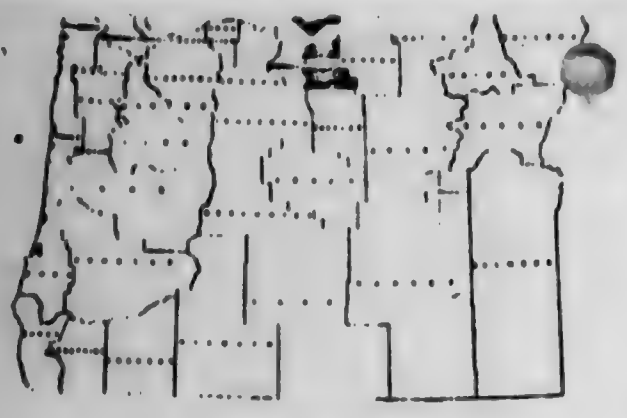
During the progress of the work there would be an increase in dust and emissions from construction equipment. The existing roadbed is 20 feet wide, and contains no shoulders. In the first 2.2 miles, the road is on a hillside cut and no drainage is provided. In general, the road is below ground surface thereby trapping precipitation runoff which results in instability caused by saturation of the subgrade. The narrow roadbed width would require paving for the full 20-foot width; this is not sufficient width for safe passing. No shoulders could be provided on this alternate without reconstructing the entire roadbed.

The first 2 miles of this existing alignment contain 16 horizontal curves with a combined angular curvature of 480^{o}. The table below illustrates the number of curves, degree of curves, total angle and curve length.

Curve No.	Degree of Curve	Total Angle	Length
1	11° - 25'	40°	350'
2	1° - 20'	3°	225'
3	1° - 20'	2°	150'
4	10° - 40'	24°	225'
5	6° - 00'	30°	500'
6	3° - 00'	6°	200'
7	9° - 30'	19°	200'
8	11° - 30'	23°	200'
9	44° - 00'	110°	250'
10	22° - 43'	50°	220'
11	10° - 40'	16°	150'
12	64° - 00'	96°	150'
13	8° - 40'	13°	150'
14	8° - 40'	13°	150'
15	6° - 40'	10°	150'
16	10° - 00'	25°	250'
Total		480°	3,520'

The tabulation indicates that 12 of the curves contain degrees of curvature in excess of design standards and that all of the curves are of substandard arc lengths. The sharp degree of curvature greatly reduces the sight distance required for safe driving, and the short arc lengths of the curve make it impossible to provide the proper amount of super elevation at standard design rates of rotation. The absence of shoulders on this alternate would not allow for vehicle parking without greatly disturbing the flow of traffic, and vehicle parking or stalled vehicles would result in one lane of traffic. The 13 percent grade for one-third of a mile is generally extremely difficult to negotiate during winter months and freezing weather.

This alternate was rejected because the road would still contain steep grades, sharp curves with little or no stopping sight distance. Placement of pavement on a substandard roadbed where proper drainage is not available would result in pavement failure and high maintenance costs. Under this alternate the roadway would still be substandard for the Federal Secondary Highway System and would seriously interfere with vehicular mobility and traffic safety.



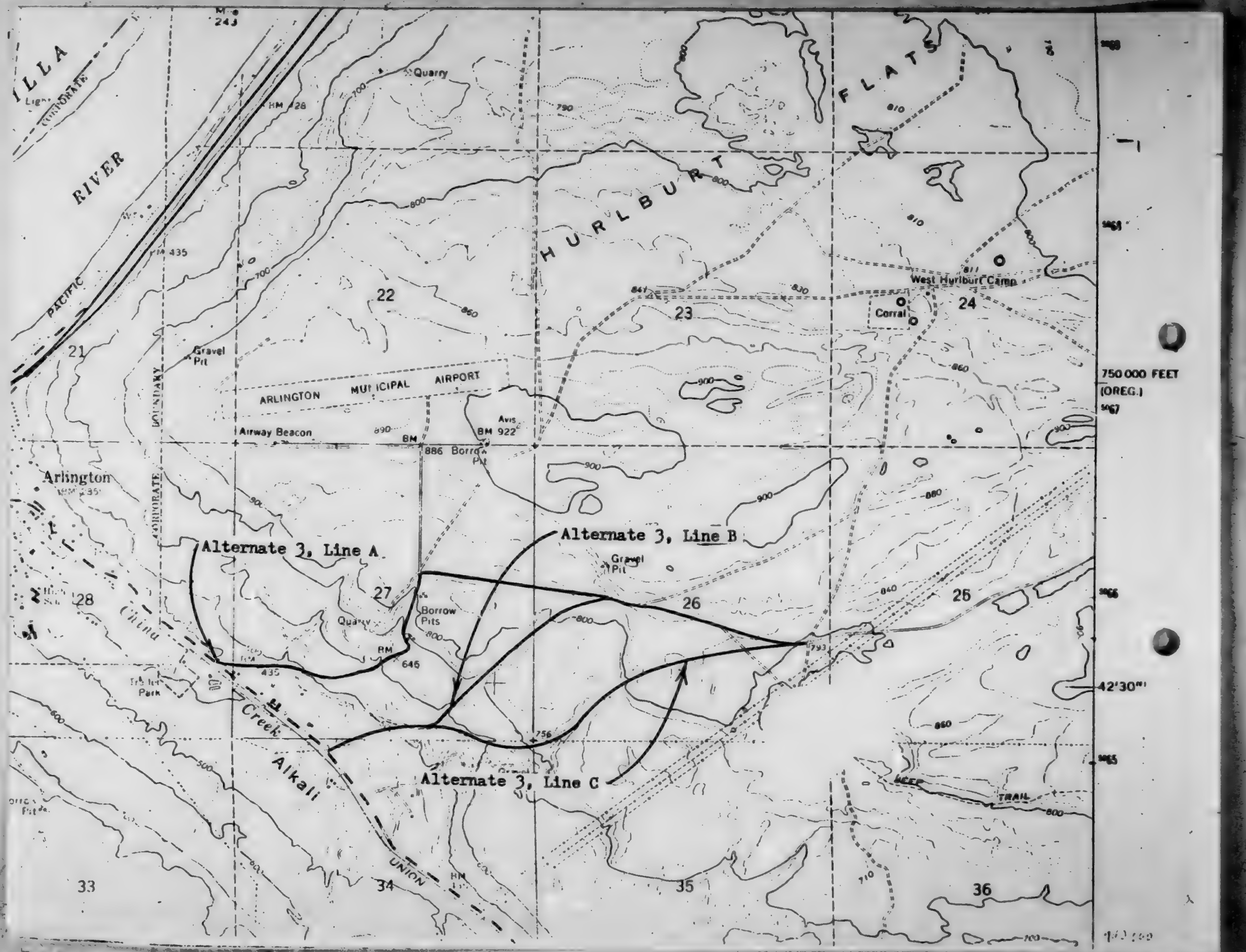
Population of Gilliam County, 1970 Census
2,342

GENERAL HIGHWAY MAP
GILLIAM COUNTY
OREGON

PREPARED BY THE

OREGON STATE HIGHWAY DIVISION
IN COOPERATION WITH THE
U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

SCALE


RIVER
PACIFIC
Quarry
HURLBURT
FLATS
West Hurlburt Camp
Corral
ARLINGTON MUNICIPAL AIRPORT
Airway Beacon
Avis
Gravel Pit
Arlington
Alternate 3, Line A
Alternate 3, Line B
Alternate 3, Line C
Borrow Pits
Alkali Creek
UNION
TRAIL
750 000 FEET
(OREG.)
42°30"
21
22
23
24
25
26
27
28
33
34
35
36

Alternate 3

This alternate would upgrade Rhea Road to acceptable Federal Aid-Secondary Highway standards through realignment, grading and paving. Because it offers substantially greater service potential than alternates 1 or 2, it is being recommended for design approval.

Three study lines were evaluated for the improvement of Unit 1. First consideration was given to reconstructing the existing roadway (Line "A"). In order to provide a facility that limits grades to 8 percent, excavations up to 60-70 foot depths would be required in the first mile of road construction.

As a result of the excessive amount of excavation required under this alternate, two other line locations were developed during the preliminary study phase: Line "B" and Line "C". Preliminary line studies for B and C originated at the junction of Rhea Road and State Highway 19. In order to obtain grades at this intersection which would meet FAS Standards, right-of-way would require acquisition of a large portion of the State Highway Maintenance Shop property. Acquisition of this right-of-way would significantly reduce the maintenance yard area beyond practical use. Therefore, an alternate location of the western terminus Lines B and C was investigated. It was determined that the west terminus would be located approximately 2,000 feet south on State Highway 19 from the existing Rhea Road intersection and traverse from this point in a southeasterly direction for a distance of approximately .70 miles. At mile 0.70, the common alignment of B and C separate and Line B runs in a northeasterly direction on the east-side slopes of an existing canyon (unnamed) for a distance of approximately 4,500, then joins the existing Rhea Road alignment. Line "B" would also require excavations from 60- to 70-foot depths in the last one-third of the first mile. Existing ground slope in this area is 13 percent with sidehill cuts

extending in some areas to the top of the canyon. Conferences with the property owner, the Gilliam County Planning Commission, and the Gilliam County Court regarding the excessive excavation on this preliminary line, greater length than Line "A", and the poor alignment, resulted in an alternate study Line "C."

At the point of separation of common alignment B and C, Line "C" continues along an abandoned haul road for about 1,000'. Maximum ground slope between mile 0.70-1.26 is approximately 6.5 percent. However, between miles 1.26-1.28 (440') removal of a rock bluff would be required. From miles 1.28 to 1.67 ground slope is approximately 8 percent. From miles 1.67 to the easterly terminus of Line "C" (mile 2.25), ground slope is relatively flat, sloping from 1 to 3 percent.

Line "C" could be constructed to highway design standards without excessive amounts of excavation. The rock bluff which requires removal was investigated by County officials and determined to be a desirable and adequate source for the production of crushed rock aggregate. Approximately 119,000 cubic yards of crushed aggregate are obtainable from the bluff. Plans call for a rock-crushing operation to be established at this location. The plan is to utilize the excavated material and to produce the aggregate required for roadway base and paving. The right-of-way width at this point has been increased to accommodate removal of the rock bluff.

Preliminary engineering figures indicated that in order to provide a facility compatible with highway design standards, excessive excavation would be required on Line "A" and "B", thereby increasing costs on these two alternate line studies beyond the County's funding ability. Line "C" provides the most suitable alignment for construction of the first unit at less cost than "A" or "B."

Approximately 50,000 cubic yards of fill would be required for the first unit. An estimated 20,000 yards of crushed rock aggregate would be necessary for roadway base and paving requirements.

The second unit of the project involves reconstruction of approximately 3 miles of existing Rhea Road. Approximately 60,000 cubic yards of fill would be required and approximately 25,000 cubic yards of crushed rock aggregate would be necessary for roadway base and paving requirements. This stage also includes realignment of the Airport Spur Road. The spur originates in Unit 1 at mile point 1.46 and extends in a northerly direction approximately 6,300 feet to the airport. Approximately 15,000 cubic yards of fill would be required for the spur roadway and approximately 8,500 cubic yards of aggregate would be necessary for roadway base and paving requirements.

The third unit extends the road to its easterly terminus and involves reconstruction of approximately 3 miles of Rhea Road, including the replacement of Willow Creek Bridge. The horizontal and vertical alignment of this portion of road would be basically similar to that of the existing roadway. Approximately 70,000 cubic yards of fill would be required and approximately 25,000 cubic yards of aggregate would be necessary for roadway base and paving requirements.

IMPACT OF PREFERRED ALTERNATIVE

Land Use and Social Impacts

Due to the narrow 60-foot right-of-way obtained 50 years ago, the proposed reconstruction would require additional right-of-way.

The total amount of additional land required for all right-of-way, including relocation of 2.2 miles of Rhea Road at the westerly section, 1.2 miles of Airport Spur Road, and widening of 7.2 miles of existing right-of-way, is 78 acres; 20 acres of existing right-of-way would revert back to the property owners, making a net total of 58 acres of land required for right-of-way.

Approximately 50,000 cubic yards of fill would be required for the first unit. An estimated 20,000 yards of crushed rock aggregate would be necessary for roadway base and paving requirements.

The second unit of the project involves reconstruction of approximately 3 miles of existing Rhea Road. Approximately 60,000 cubic yards of fill would be required and approximately 25,000 cubic yards of crushed rock aggregate would be necessary for roadway base and paving requirements. This stage also includes realignment of the Airport Spur Road. The spur originates in Unit 1 at mile point 1.46 and extends in a northerly direction approximately 6,300 feet to the airport. Approximately 15,000 cubic yards of fill would be required for the spur roadway and approximately 8,500 cubic yards of aggregate would be necessary for roadway base and paving requirements.

The third unit extends the road to its easterly terminus and involves reconstruction of approximately 3 miles of Rhea Road, including the replacement of Willow Creek Bridge. The horizontal and vertical alignment of this portion of road would be basically similar to that of the existing roadway. Approximately 70,000 cubic yards of fill would be required and approximately 25,000 cubic yards of aggregate would be necessary for roadway base and paving requirements.

IMPACT OF PREFERRED ALTERNATIVE

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This acreage comes from portions of five ownerships which consist in part of steeply sloped hillside (20 percent) and gently rolling range land (80 percent). The project will require the relocation of two Pacific Power and Light (PP&L) 115 KV power poles and one Pacific Northwest Bell (PNWB) telephone pole.

The first 2.2 miles of road under Unit 1 would be relocated and would require approximately 29 acres of right-of-way. The 16 acres which now make up the existing right-of-way on this unit would subsequently revert back to the property owner.

Realignment of 1.2 miles of the Airport Spur Road would require approximately 14½ acres of new right-of-way. The 4 acres of the existing right-of-way which contain the existing Airport Spur would revert back to the property owner. This realignment is planned to be built in conjunction with Unit 2. The remaining portion of the project contains 7.2 miles of road and would require approximately 35 acres of additional land to provide for increased right-of-way width.

The hillside acreage under Unit 1 involves the east slope of Alkali Canyon. The steep slopes in this area have little economic value for development. As the road rises to the top of the Canyon the land required for right-of-way is poor quality range land. The first unit of the project involves only 3 property owners.

Three property owners have extensive land holdings in the area: Hulden Farms, Kreb Bros. Farms, and Portland General Electric (P.G.E.). The road alignment would not detract from the value of the surrounding property, but would tend to increase the value by virtue of providing an adequate road facility.

In the second unit of the proposed project, the land required for right-of-way lies within Hurlburt Flats and is also marginal quality range land. An additional 40 feet of right-of-way would be obtained by widening

the existing 60 foot to a 100 foot right-of-way. Three property owners are involved: Kreb Bros., P.G.E. and Bureau of Land Management (B.L.M.).

In the third unit of the proposed project, a portion of the land lies within the Hurlburt Flats with the last 3/4 mile consisting of steeply-sloped hillsides descending into Eight Mile Canyon. The Hurlburt Flats land is marginal quality range land and the steep slopes descending into Eight Mile Canyon have little or no economic value. Only one property owner is involved in this stretch of road (Kreb Bros.).

Residential areas are located on the more gently sloping sidehills which make up the lower base of the Alkali Canyon directly above the City of Arlington's core area. The only access to the developable areas situated on the easterly plateau above the Canyon is by way of Rhea Road. The present inhabitants in the vicinity of Rhea Road reside exclusively at the project's westerly terminus. Reconstruction of Rhea Road would provide an all-weather access road to the City Airport and improve through traffic.

Long-range land use planning in the area of Units 2 and 3 indicates that this land will remain agricultural. The County's Comprehensive Plan is in the draft stage, but no development is planned or contemplated along Unit 2 or 3 of Rhea Road. The construction of an improved highway in this agricultural area would affect adjacent property through the acquisition of right-of-way and subsequent loss of agricultural land. Some tourist traffic would occur with construction of the first unit. Tourist traffic over Units 2 and 3 would be negligible. The sparse range land is not conducive to picnicking, hiking or sight seeing. Units 2 and 3 would be through traffic to State Highway 74 or State Highway 19.

As the right-of-way is now currently unfenced, activities from the traveling public now consist of uncontrolled "dirt biking" and "four wheeling" off of the highway on private property, which consequently is ruining adjacent range land.

Design plans for all three units require 5-strand barbwire fencing, not only for the protection of range land and range animals, but also for protection of the traveling public. Fencing would provide protection from uncontrolled recreational activity. Open grazing would be restricted by the fence. Gates would be provided at two-mile intervals to allow for movement of cattle across the fenced right-of-way. Gates and fencing would be made a part of right-of-way obligations at the owner's request.

Three land owners are involved on Units 2 and 3. Road access to these properties would be provided at the owners request. Currently no building or access roads are located in this entire area.

The proposed road improvements originate at State Highway 19 and terminate at State Highway 74. All right-of-way would be fenced, with gated access points to adjacent properties placed only at the owners request. Therefore, tourists would have little impact on surrounding land.

The agricultural complex, Simtag, located in Morrow County does on occasion experience "tourist problems." These problems develop from sightseers who picnic and leave litter on Simtag's private property. The reconstruction of Rhea Road, however, should not add to these existing problems as Rhea Road terminates at State Highway 74 and does not traverse Simtag property. The no-build philosophy would not solve "tourist problems" at Simtag, as tourists gain access to Simtag property by way of State Highway 74 and Simtag private access roads, and do not now, nor would they in the future, necessarily use Rhea Road for this purpose. In order to avoid "tourist problems" it is imperative, however, that the entire road be provided with right-of-way fencing, that the property owners be given private access with lockable gates, and this requirement be made a condition of the final design plans on Rhea Road.

Wildlife

Highway construction in the project area cannot be accomplished

without some effect on wildlife habitat. Adverse impacts largely stem from stripping, excavation and embankment placement operation.

As wildlife is limited basically to rabbits and mice in the area, the impact of road construction to wildlife is considered very minimal.

Road embankment and/or cut areas will be reseeded to grass which would replace the existing rangeland grasses. Planted grasses would take one growing season to reestablish. Bridge reconstruction should be no problem since Willow Creek is dry during the summer months.

Traffic

As discussed under "Project Description," the intent of this project is to improve vehicular mobility and safety over this section of road. This would be accomplished by the upgrading of the road facilities including complete realignment of the westerly sector of Rhea Road. Unit 1 replaces existing 10 mph vehicle speeds with a facility providing safe operational design speeds of 50 mph. Safe operational design speeds through Units 2 and 3 would, in general, be 55 mph.

The traveling public would continue to use existing Rhea Road until such time as the realignment portion of Rhea Road (Unit 1) is completed. No disruption of traffic should take place. Under Units 2 and 3 some disruption of traffic and time delays would occur as the contractor performs his operation on the existing alignment. The length of delay or difficulty of travel cannot be precisely gauged until plans are prepared, although initially, delays could be 10 minutes. Such delays would occur thorughout the first construction operation but progessively lessen as work is completd.

Average 1975 daily traffic for the first unit of existing Rhea Road is approximately 80. Average 1975 daily traffic for the remaining portion of Rhea Road is estimated at approximately 60. Improvements to Rhea Road would increase the average daily traffic (ADT) because the existing adverse

driving conditions of Rhea Road discourage its use. Motorists driving to southern Morrow County from northern Gilliam County prefer to detour south over a circuitous route by way of State Highway 206 I80N-Highway 74. With improvements, 1985 ADT volumes have been projected to reach approximately 160 for Unit 1, 40 for Airport Spur and 120 for Unit 2 and 3.

This estimate does not take into consideration projected traffic volume for the nuclear power plant, Bonneville substation or the agri-business facility at Willow Creek. If the nuclear power plant is constructed on the P.G.E. property located at Pebble Springs, ADT over the first unit of the subject road would reach approximately 2,538, with a probable ADT of 450 for Unit 2 and 3. If the Bonneville Power Administration constructs the Pebble Springs substation the ADT over the first unit of Rhea Road would be further increased by 102. ADT over Unit 2 and 3 would be increased by about 18.

Preliminary plans for the agri-business plant at Willow Creek indicates a work force of 400 within the next five years. It is estimated that approximately 38 percent of these workers will reside in Arlington and the probable ADT over the entire three units would be 152.

The probable ADT volumes are illustrated in tabular form for existing volume; estimated future travelling public volume; P.G.E. Power Plant, Bonneville Substation and agri-business development. Exhibit 1 reflects distribution of workers by community on a percentage and population basis, probable route to work site, and ADT on Rhea Road.

The ADT estimate is based on improvements being made to the subject road. If improvements are not made, the ADT would probably not increase over the existing volume because of present road conditions. However, ADT volumes estimated for P.G.E. Bonneville Power Substation would occur regardless of improvements. The ADT volume estimated for the agri-business development is

based on improvements made to the subject road. If improvements are not made workers would probably use State Highway 19, I80N and State Highway 74 to reach Willow Creek area, (17 miles), in lieu of driving the 8½ miles of gravel road.

Material Sources and Erosion

All three units of road construction involve cut and fill in various locations. Seeding and mulching will be performed in all areas where cut and fill is required. Unit 1 entails removal of a rock bluff (119,000 cubic yards) and seeding and mulching cannot be performed on near vertical rock slopes that will remain. The rock bluff section would be cut to 3/4:1 slope.

In all other areas of the project, cut and fill slopes would vary from 1¼:1 to 4:1. The fill slopes are expected to vegetate rapidly from seeding and mulching as well as from natural seeding. The contractor will be working under requirements of the Oregon State Highway Division which stipulates in its road grading contracts that all ground surfaces exposed to erosion be seeded and mulched.

Approximately 195,000 cubic yards of fill would be required for the total 9.4 miles of road. All of this amount will be excavated from within the new right-of-way. An estimated 78,500 cubic yards of aggregate would be required for roadway base and paving requirements for the entire 9.4 miles of road. All of this amount could be manufactured from the rock bluff that lies within county right-of-way in the vicinity of the westerly portion of the project. Crushed rock aggregate for the project could also be supplied by contractor-furnished or commercial sources; however, it is more likely that the county source (rock bluff) will be used. Cut and fill operations have been planned to balance earthwork quantities so that unsightly excavation marks would be kept to a minimum.

PROBABLE 1980 ADT VOLUMES WITH RHEA IMPROVEMENTS

	Unit 1 ADT	Unit 2 ADT	Unit 3 ADT
(Existing) 1975	(80)	(60)	(60)
Probable travelling public	160	120	120
*P.G.E. Power Plan (1492 total workers)	2,538	450	450
*Bonneville Power Substation (60 total workers)	102	18	18
*Agri-business Development (400 total workers, 38% Arlington)	152	152	152
*Based on percentage presented on Exhibit.	2,952	740	740

EXHIBIT I
1980 DISTRIBUTION OF WORKER BY COMMUNITY FOR PEBBLE SPRINGS

	* % Distribution of Workers	Distribution of Workers 1492*	Probable Route to Rhea Road	Probable Rhea Road ADT Volume Unit 1	Unit 2&3
Arlington	38%	567	Highway 19	1,134	---
Boardman	26%	388	I80N-Highway 19	776	---
Condon	4%	60	Highway 19	120	---
Heppner	7%	105	Highway 74	-----	210
Hermiston	12%	168	I80N-Highway 19	356	---
Ione	6%	90	Highway 74	-----	180
Irrigon	1%	16	I80N-Highway 19	32	---
Lexington	2%	30	Highway 74	-----	60
Rufus	2%	30	I80N-Highway 19	60	---
Umatilla	2%	30	I80N-Highway 19	60	---
				2,538 (85%)	450 (15%)

*May 1974 Housing Study
Bechtel Power Corporation
San Francisco, California

A surplus of approximately 40,000 cubic yards of rock would be available from excavation of the rock bluff. The county plans to use this rock as an aggregate source for other county roads. This material would be stockpiled on an abandoned quarry which is adjacent to the rock bluff.

Contractor operation on the above county-furnished aggregate source would be guided by all pertinent laws, statutes, ordinances and regulations promulgated by local, state and federal governments. The "General Requirements Concerning Sources of Borrow and Aggregate" to be followed by contractors are enumerated in Section 106, Part 106.05, of the State Highway Division's Standard Specifications for Highway Construction. If the contractor furnishes the source of aggregate, the specifications in Section 106 would still apply.

Air Quality

On a road improvement project the environmental impact on the air quality is directly related to the increase in traffic volume. This effect is caused by increased auto emission. The severity of the increase is generally directly related to the number of additional automobiles anticipated on the road and the climatological conditions that exist in the area. Calm winds (speeds less than 0.56 mph) occur in this area only about 0.14 percent of the time. The terrain is primarily flat, contains rolling hills and a steady wind from the Columbia Gorge is considered common. The possibility of the formation of inversion layers which tend to trap auto emission is considered rare. Considering wind velocities in this area, it is extremely doubtful any degradation of air quality would occur from the increased traffic volume.

All construction projects in which earth movement and subsequent earth-moving equipment is required, as in road construciton, will have some adverse effect on the air quality during the period of road construction. During progress of the work, there will be an increase in dust and emissions from construction

equipment. Since the area contains little or no natural species sensitive to these effects, the implications on the human environment is of more relevant concern.

Air quality impacts of construction activities will be of a transient, short-term nature and limited to the immediate project environs. Some noxious odors from diesel equipment will occur. Particulate loading can be moderately severe during excavation, hauling and compacting of soil and gravel as well as during movement of construction equipment which would be controlled by "watering." This situation can be expected to last for the duration of the construction period. Contractor's operations on earth-moving work will be governed by requirements of the Oregon State Highway Division which sets out dust control measure under Section 233 of Standard Specifications.

The overall effect on the human environment, however, is minimal. The project area is uninhabited for the entire 9.4 miles of project with the exception of the westerly terminus in Unit 1. In this area (junction of Rhea Road and State Highway 19), a few commercial and residential buildings extend along Highway 19 northerly for a distance of approximately one mile.

Rhea Road traverses the hillside at an angle behind these commercial establishments. A trailer park containing approixmately 90 spaces is situated about 500 feet west of State Highway 19 and the existing Rhead Road junction.

The setback distances between right-of-ways and residential/commercial buildings are as follows:

State Highway Shop	1000'
Residence	650'
Texaco Bulk Station	150'
Standard Oil Bulk Station	550'
Hulden Farms	1000'
Trailer Park	1250'

None of the above listed commercial or residential buildings are dependent on Rhea Road for access.

As these buildings represent the only inhabited area on the project, the detrimental conditions set out above will be of a very short-term duration. Once construction of the first mile of Unit 1 was completed, all adverse effects of the human environment would recede and the air quality would be restored. The construction of this road when completed would have a long-term beneficial effect on the air quality in that currently existing Rhea Road consists of a gravelly-sand surface and the immediate adjacent areas are now subjected to dust conditions when vehicles use this road. If the P.G.E. plant and Bonneville Power Substatation are constructed as planned, traffic flow over Rhea Road would increase even if road construction does not take place, and the dust conditions mentioned above will progressively increase in direct relationship to the increased traffic flow.

Noise Levels

The noise impact generated by construction of the proposed project on the natural and human environment would originate from two specific sources: increased traffic volume and construction equipment during period of road improvement.

It is difficult to state with accuracy, ambient sound levels which currently exist on this section of road. There are no receptors in close proximity to Rhea Road and only a general assessment can be made. Average daily traffic for the subject road for 1975 is approximately 80. Traffic volumes have been projected to reach approximately 160 by 1985.

Currently light truck traffic comprises an estimated 30 percent of the total traffic. Virtually no heavy truck traffic (three axle and greater) uses

this road. The high percent of light truck volume is due in most part to the fact that automobile operators hesitate to attempt the existing steep grade found in the westerly sector of Unit 1. A large proportion of light trucks, jeeps and four-wheel drive vehicles use Rhea Road in comparison to passenger vehicles. With realignment and surfacing the ratio of truck to passenger cars can be expected to drop to about 15 percent. This drop in percentage would be due to more passenger cars using the road facility and does not indicate a lesser use of the facility by truck traffic.

The distance from the Rhea Road right-of-way to residences and commercial establishments is indicated under the air quality section. Noise levels generated by additional traffic volume would produce no significant effect on these residences. The basic purpose of reconstruction on this section of road is to provide a safe and adequate driving facility for through traffic to western and southern Morrow County. Vehicular traffic now wishing to reach these points must either use Rhea Road or detour by way of State Highway 19 and State Highway 206 to reach State Highway 74. Consequently, much of this traffic now passes closer to the residential and commercial establishments found in the immediate area.

A comparison of the distance to Rhea Road right-of-way and State Highway 19 right-of-way is indicated below.

	Rhea Road	State Highway 19
State Highway Shop	1000' ±	250' ±
Residence	650' ±	25' ±
Texaco Bulk Station	150' ±	25' ±
Standard Oil Bulk Station	550' ±	25' ±
Hulden Farms	1000' ±	25' ±
Trailer Park	1250' ±	400' ±

The performance of the contractors construction operation on the subject road construction would tend to increase the noise level for the period of time that construction was underway. This would be a very short-term effect and is not considered significant when compared with the long-range benefits

Relocation

The project will not require relocation of any residential, commercial or industrial buildings.

INTERAGENCY COORDINATION

From the Oregon Project Notification and Review System (State A-95 Review) process, it was determined that no significant conflict with plans, policies or programs of State Government should occur with implementation of the subject proposal. Review comments were received from the Department of Agriculture; the Department of the Army, Portland District, Corps of Engineers; Department of Transportation; United States Coast Guard; and the East Central Oregon Association of Counties. These remarks are appended to the document.

In response to the Soil and Water Conservation Commission's remarks, all cut and fill areas will be seeded and mulched and would constitute a part of the construction contract.

Regarding comments from Corps of Engineers, detailed hydraulic analysis would be performed for Willow Creek drainage basin and the Willow Creek bridge would be constructed to withstand the 100-year flood.

PUBLIC HEARING

The Public Hearing for the reconstruction of Rhea Road, Gilliam County was officially opened for public comment and testimony at 7:30 p.m., January 6th, 1977, at the Arlington City Hall.

Approximately 18 individuals attended the meeting and oral comments were received by four separate interests and/or individuals. Written comments were received by two separate interests and/or individuals.

Oral comments consisted of statements by representatives of the Port of Arlington; City of Arlington; Simplot, an agri-business enterprise; and H. Krebs, major land owner on the Rhea Road right-of-way acquisition. Written comments were received from representatives of the arlington Chamber of Commerce and B & V Industries.

In general, concern over the proposed construction was expressed in only two areas:

1. Lack of sufficient funds to reconstruct the airport spur road.
2. Fencing of right-of-way.

Access to the airport would be greatly improved by the reconstruction of the first unit of Rhea Road. The first unit would eliminate the steep hazardous grades that are now encountered by the public when travelling to the airport. The realignment of Rhea Road would require the airport users to travel approximately 3/4 mile further to gain access to the airport; however, the additional distance is over flat terrain. The construction of the airport spur from Rhea Road to the Airport, under the second unit, would eliminate the additional 3/4 mile now required to travel to the airport, and would be constructed as soon as monies become available. Subsequent oral and written comments received after the initial concern was expressed indicated that the majority of the participants recognized the benefits to be derived by the airport through the construction of the first unit of Rhea Road.

Design plans would require fencing of all right-of-way on Unit 1, Unit 2, and Unit 3 of Rhea Road. The road will be designed to Oregon State Highway Division standards and includes construction of a 5-strand barbwire

fence on both sides of the road.

No adverse statements were received and all respondents acted in favor of the proposed Rhea Road improvement of Unit 1, and Unit 2. One respondent reserved judgment on improvement of Unit 3.

BASIS FOR NEGATIVE DECLARATION

It is the conclusion of the Oregon State Highway Division that this project constitutes a "major action" as defined in the Federal-Aid Highway Program Manual, Volume 7, Chapter 7, Section 2 and that implementing the action will not have a significant impact upon the quality of the human environment of a magnitude to require the processing of an environmental impact statement.

Concurred in by:

E J Hurte — Deputy State Highway Engineer — 4-26-77 — Date

G R Green — FHWA Division Administrator — 5-6-77 — Date

8639

FASB452

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

April 18, 1977

Salem, OR 97310

FILE:

FROM: Pieter T. Dykman
Research Coordinator

SUBJECT: John Day Hwy - P.G.E. Power Sta.
Cultural Resources Procedures
Rhea Road, Gilliam County

TO: Don Trout
Road Design

The Rhea Road project area is known to contain fossil deposits, and excavations into these deposits could expose such materials. If fossil bones, petrified wood or shale or chalk-like deposits containing plant remains are exposed during excavations, they should be collected and sent to the Museum of Natural History, University of Oregon, for identification and recording. Information about where they were found and a description of the deposit should be included. If there are concentrations of fossilized bones (e.g., ten bones per cubic foot of deposit, or several large bones), construction at the site of discovery should be halted and personnel at the Museum should be contacted for further instructions.

There were no archeological sites identified in this area, but it is possible that such materials could be exposed during construction. Such a circumstance is covered by Section 105.13, Standard Specifications for Highway Construction (Oregon Transportation Commission 1974) of archeological remains are discovered during excavation for the project. Construction activities should be halted and Museum personnel notified.

Versteeg
Olson
Christensen
Scott
Swenson
Savage
Trout

RECEIVED
AUG 0 1 1977
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up ___/___/___
Other

PTD:MB:cjh

cc: Gary Potter
Maxine Banks

Versteeg
Olson
Christensen
Scott
Swenson
Savage
Trout

RECEIVED
APR 19 1977
ROAD DESIGN SECTION

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Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up ___/___/___
Other

4-19-77
Dykman, Day & Trout discussed this – it was felt it could be handled better through the Res. Engr. than through the Special Provisions.

DLT

8639

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem 97310

February 8, 1977

FILE:

3-3-77

FROM: Rod J. Henry
Regional R/W Supervisor

TO: L. W. Rulien
Program Management Engineer

SUBJECT: PROGRAMING
P.G.E. Power Station Section
John Day Highway
Gilliam County

We have received four files on the above project. The acquisition of this right-of-way is estimated at $23,300.00 and does not involve any relocation.

Please request Federal Highway Administration programing and provide a prefix number.

Rod J. Henry x2641
x6299

RJH:ha
cc Frank Lowe
Bob Poggione
Alma Cresswell

Rod was informed the following —

There are not sufficient Federal funds to cover the construction of this project, so the R/W will be 100% county funds.

The files referred to above are for the FAS-C project. The private connection is not included.

3/3/77

PROJECT MANAGEMENT
FEB - 8 '77
RECEIVED
Info | Investigate | R/D | Action | File | Letter | See me

Fas B452
Gilliam Co

FORM 61-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
January 11, 1977

FROM: Duane O. Christensen
Final Design Engineer

TO: Carl Williams
Region 4 Engineer

SUBJECT: Rhea Road Relocation Unit
John Day Highway-Heppner Hwy. Sec.
FAS B452 (Rhea Road)
Gilliam County

The following data was given to J. V. Toronto, Consulting Engineer.

1 Set Const. Plans (prints - with revisions)
Sheets 1, 2, 2A and 3-20 Incl.

1 Set Const. Plans (mylar)
Sheets 1, 2, 2A and 3-20 Incl.

1 Roll Cross Sections

The following suggested revisions were shown in red on the prints - for correcting the mylars.

TITLE SHEET

Show mandatory material source location.

Show road connection to Rhea Road westbound.

Remove heavy line beyond the end of the project.

Remove Sheet 13 from the index of sheets.

Include FAS B452 (Rhea Road) in the title block on all sheets.

SHEET 2

Add right-of-way map file nos. 8B 34-22 and 9B 14-21.

On the typicals the roadside ditch width and depth are variable.

Show the nominal thickness for the ditch lining to be 4", review aggregate size.

Add "Pipe Bedding Material" and "Approach" details.

On all plan sheets show the right-of-way ties. Revise right-of-way line on Sheets 3, 4, 5, 14 and 17.

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UNIT

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Other

SHEET 3

Show alignment and curve data.

Add earthwork brackets and quantities for John Day Highway.

Show railroad track to be removed by others.

Show approaches to be constructed - 8 (total).

SHEET 4

Add fence drawing no. 2085.

Include loose riprap, filter blanket and bedding material quantities in the culvert notes. Also show riprap on plan sheets 4, 5 and 6.

SHEET 5

Show limits of mandatory material source.

Remove note on profile for disposal area.

SHEET 6

Indicate the profile for Airport Road as future construction.

Refer to the plan sheets on the profile for Pebble Springs Plant Site Road.

SHEET 8

Show the existing right-of-way on the county road.

Revise the temporary connection inside the right-of-way limits.

SHEET 11 (Pipe Data)

Revise cover depth.

Indicate arch pipe instead of structural plate.

Indicate metal end sections instead of inlets.

Revise size of corrugations to 2-2/3" x 1/2".

Allow aluminum and concrete pipe.

SHEET 13

Void this sheet by including Drawing No. 2085.

SHEET 16

Show the existing right-of-way on the county road.

Revise the temporary connection inside the right-of-way limits.

Remove John Day Highway layout.

SHEETS 17-20 Incl.

Revise signing as indicated in red.

I recommend that you up-date your standard drawings for signs.

Earthwork should be reviewed to be sure that quantities are adequate for variable ditch grades called for on typical sections. Cross sections do not indicate variable ditch grades.

Review culvert trench excavation; quantities shown look to be excessive.

Installation of round instead of arch pipes should be considered due to lack of cover and cost. Arch pipe requires 1.0' cover. Roadside ditch could be deepened or oversize round pipe could be installed with pipe flow line countersunk below the flow line of the ditch. Review the necessity for pipe bedding material.

Possible additional drainage on the John Day Highway should be reviewed. Are ditches required (See Sheet 2A)?

DOC:jh
cc: J. V. Toronto, Consulting Engineer
Lyle Watson
Art Brummitt
Robert Prange

8639

FAS B452
Gilliam Co

OREGON STATE HIGHWAY DIVISION

January 10, 1977

ROBERT W. STRAUB
GOVERNOR
F. B. KLABOE
Administrator and
State Highway Engineer

Mr. Glen L. Green
Division Administrator
Federal Highway Administration
P. O. Box 300
Salem, Oregon 97308

Dear Mr. Green:

Re: Mandatory Aggregate Material Source
Rhea Road Relocation Unit
John Day Highway-Heppner Highway Section
FAS B452 (Rhea Road)
Gilliam County

The subject project will require approximately 20,000 cubic yards of aggregate base and 0-11 oil mat aggregates.

The source of this material is located within the roadbed section, Sta. 62+50 to Sta. 69+50.

We consider it to be in the public interest to use this source for the following reasons:

1. The source is located within the limits of the project.

2. The source will be a part of the roadway construction so there will be no additional impact on the environment.

3. If this material is not used for surfacing materials, it would be excess.

We seek your approval of our proposal to make use of this source mandatory.

Hopkins
Harwell
Holmes
Prange
Unrein

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JAN 12 1977
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Bring Up ___/___/___
Other

Very truly yours,

J. H. Versteeg
Road Design Engineer
By:

Duane O. Christensen
Final Design Engineer

DOC:az
cc: W. C. Williams
L. W. Rulien
L. K. Watson
A. Brummitt

PROJECT MANAGEMENT
JAN 11 '77
REFER TO
FOR
Info | Investigate | R/D | Action | File | Letter | See me

Form 81-734-3122

PROJECT MANAGEMENT

PME ☐ CCE ☐ OM ☐

LGE ☒ FAE ☐ OPE ☐

MAR 2 1978

File: PM FA

TAA Reynoldson LG OP

SUMMARIZATION OF PUBLIC HEARING

1-6-77

The Public Hearing for the re-construction of Rhea Road, Gilliam County was officially opened for public comment and testimony at 7:30 pm, January 6th, 1977, held at the Arlington City Hall.

Approximately 18 individuals attended the meeting and oral comments were received by four seperate interest and/or individuals. Written comments were received by two separate interests and/or individuals.

Oral comments consisted of statements by representatives of "The Port of Arlington"; City of Arlington; Simplot, an agri-business enterprise, and H. Krebs major land owner on the Rhea Road right-of-way acquisition. Written comments were received by representative of Arlington Chamber of Commerce and B & V Industries

General concern over the proposed construction was expressed in only two areas.

1. Lack of sufficient funds to re-construct the airport spur road.
2. Fencing of right-of-way.

Access to the airport will be greatly improved by the re-construction of the First Unit of Rhea Road. The First Unit will eliminate the steep hazardous grades that are now encountered by the public when travelling to the airport. The realignment of Rhea Road will require the airport users to travel approximately 1 mile further to gain access to the airport, however, this additional distance is over flat terrain. The construction of the airport spur from Rhea Road to Airport under the Second Unit will eliminate the additional 1 mile now required to travel to the airport, and will be constructed as soon as monies become available. Subsequent oral and written comments received after the initial concern was expressed indicated that the majority of the participants recongnized the benefits to be derived by the airport through the construction of the First Unit of Rhea Road.

Design plans require fencing of all right-of-way on Unit One, Unit Two and Unit Three of Rhea Road. The road is designed to O.S.H. Standards and includes construction of a 5 strand barb wire fence on both sides of the road.

No adverse statements were received and all respondents acted in favor of the proposed Rhea Road re-construction of Unit 1, and Unit 2. One respondent reserved judgement on re-construction of Unit 3.

GILLIAM COUNTY

RHEA ROAD PUBLIC HEARING

January 6, 1977

Presiding Hearing Officer:

"It is now 7:30 and time to begin our meeting. I'm Bill Hardy and I represent Gilliam County Court. In the absence of Judge Barnett, I'll call the meeting to order. If you will bear with me I will read a statement for Judge Barnett."

"The purpose of this meeting is to ask for your comments and testimony regarding the County's proposal to improve Rhea Road from the John Day Highway to PGE Power Plant initially, and all the way to the Heppner Highway eventually. We will go into an explanation of the project in more depth a little later. This is what we call a combination project in design and hearing. It is being held in compliance with the Oregon Action Plan. The Oregon Action Plan is a plan that tells us, among other things, how to conduct our preliminary design work so that we involve the public in all phases of our preliminary work. If any of you are interested in becoming more involved in our planning work, we have a brochure that describes the Action Plan. Any of you can pick it up if you like, and it will tell you how to get more involved in our work.

I would like to describe for a moment how we operate this hearing so that you will have a little idea what you can expect from us and what we can expect from you. First we will have a description of the project. We had an informal session here this afternoon for people to come in and to become acquainted with the proposal. After the project is described, we'll have a description of the right-of-way process, acquisition of right-of-way and then turn the meeting over to you and we'll ask for your comments.

We receive comments in one of three ways. You should all have received a card as you came in the room tonight. We would like you to fill in this card and turn it in whether you testify or not, because we would like to have a roster of those who are here so that we know who is interested in the project in case we want to get in touch with you later. On that card you can indicate that you wish to testify. We are taping the entire proceedings tonight. We will make up a transcript of every thing that is said and that will be used to determine your comments. Your thoughts on this project and those comments will be used in developing the project. If you dont' chose to do so, or don't care to testify, write your comments on the card. It is equally as valid as oral testimony.

If you are not prepared to testify tonight, if you want to think about the project somemore, or if you want to talk to your friends, if you want more information from us, we can take written testimony in the form of letters, notations, whatever, within ten days of tonights date. Tonight is the 6th, ten days is the 16th, the 16th being on Sunday, you get a free day. Anytime before the 17th any written comment will become part of the transcript. Send your comments to the Gilliam County Clerk, Gilliam County Court House, Condon. There are self-addressed stamped envelopes at the door.

Before we get into the description of the project, I might give you the schedule of the project as we see it right now. After 10 days from tonight we will make a transcript of all things we get from you tonight and in the next ten days the transcript will be used by our Engineer; by the State Highway Division, and by the Federal Highway Administration to analysis our design, to make sure we conform as best we can to what the citizens desire. Assuming that the testimony we get tonight is favorable, and after an interval of about approximately two months, we will get what we call design approval. We receive that from the Oregon Transportation Commission and from the Federal Highway Administration. The Federal Highway Administration is putting up the majority of the monies for this project. They have a voice in the design of the project. When we get those approvals, that triggers our right-of-way acquisition process and also the final design of the project. We anticipate the right-of-way acquisition process to take about two months. After that we will go to contract for the first Unit. the John Day Highway to PGE Power Plant. We will advertise the work for competitive bid. The project will be awarded to the low bidder. We hope that we can go to contract by May or June."

"Val Toronto will give us a description of the proposal. First I'd like to introduce some people that we will probably be calling on from time to time. Bob Pool on my left, Assistant Regional Engineer, Bend; Harold Brainerd Regional Right-of-Way Supervisor, Bend; Dave Fenton, Regional Environmentalist and Federal Aid Engineer, Bend; Max Farr, Assistant Design Engineer, Bend; Don Harwell, County-City Engineer, Salem; Dave Carter, Federal Highway Administrator, Salem; Val Toronto, Engineer for Gilliam County."

"Val, if you would like to give a description of the project."

Val Toronto:

"I'm Val Toronto, acting as County Engineer on this project and I will attempt to described the project as it is planned, and answer some of the questions. For those of you that are not familiar with the first Unit of existing Rhea Road. it is located approximately on a 16% grade and when inclement weather such as

snow or heavy rains occur it is very difficult and sometimes impossible to negotiate. The County has for many years been attempting to improve the westerly section of Rhea Road and as a means of assisting in the financing of the road improvements, the County placed Rhea Road on the Federal Aid system. It would have been virtually impossible for the County to finance any part of this construction without maximum grant assistance from the Federal and State Governments. Original preliminary studies included costs of widening and re-aligning existing Rhea Road to present day State Standards which consist of a 32 foot wide, all paved, all weather road section. This study attempted to set 6% as a maximum gradient, which is the preferred maximum gradient for this class of FAS road. Supporting justification is required for designing a gradient in excess of 6%. Studies on the first Unit consisted of existing Rhea Road and 4 alternative alignment studies. Each line study considered the minimum attainable standards and the cost of construction. Line A followed existing Rhea Road alignment. Line B, C and D traversed separate Canyons situated south of each other. The purpose of selecting a canyon alignment was to eliminate the massive cuts that would be incurred by approaching perpendicular to the hillside. Line D ultimately provided the least cost with the greatest benefits to reduced grades, minimum number of verticle curves, minimum number of horizontal curves. The proposed County Road Project is approximately 8½ miles, and has taken some 9½ years of accummulating FAS Funds in order to construct Unit One. The project as proposed has been broken into Unit One, Unit Two and Unit Three.

"Based on past history it will take approximately another 10 years for the County to accummulate funds to do the next three miles and another 10 years to do the last three. The purpose for showing the total project and preparing the negative declaration for the entire road was so that we would not have to duplicate in the future the same proceedings, the explanation of the road and the justification for it. Part of the FAS Road is a spur to the airport and do not know at this time whether the airport road would be constructed in the second unit. There has been some apprehension by the property owner of having the alignment as shown. I'm not sure at this moment if the alignment is locked in or whether this is flexible. I would say that the alignment to the airport would be negotiable in some other location. It is not going to be in our first unit of construction, and very likely will be a low priority road in the next few years. The bridge at Willow Creek may be more important to the County and the safety of the traffic than the spur road to the airport, until such time as there is more air transportation generated at the airport. Under the first 1.8 mile unit, access to the airport road will still be available on top of the plateau.

Presiding Hearing Officer:

"Any questions of Val?"

"Thank you Val. We might ask Harold Brainerd to elaborate a little on right of way acquisitions.

Harold Brainerd:

"The hearing being held this evening is to afford interested people the opportunity to express their views regarding the general location and design of this county road facility. Additional right of way necessary for the reconstruction of this section of County Road will not require the displacement of any residences, business, or non-profit organizations. The first section of road reconstruction will involve the acquisition of lands of four ownerships. The property to be acquired in fee simple ownership. An explanation of the right-of-way acquisition process is contained in this leaflet "Acquiring Lands for Highways." This leaflet covers the matter of the Public Hearing; the appraisal proceedure; the definition of market value; the procedure for handling payments for the property; and an explanation of eminent domain proceedings, with addresses of the various right of way regional offices in the State. This leaflet is available at the meeting tonight and we urge you to take one with if you might have property involved in the project tonight. The time required for the right of way acquisition is estimated at three months from the date of authorization of the project, or it could be slightly less. This would permit adequate appraisal negotiation time. The right of way program for this project will be under my supervision, my name is Harold Brainerd, offices located North The Dalles, California Highway, Bend, Oregon, telephone number 382-1911. The Oregon State Highway Division is acting in behalf of Gilliam County in the acquisition of the necessary highway right of way.

Presiding Hearing Officer:

"Thank you. Any questions of Harold?"

Audience:

"Yes. Is this a County Highway or a State Highway?"

Harold Brainerd:

"Strickly County. We are acquiring the right of way in the name of Gilliam County."

Audience:

"What was your phone number again?"

Harold Brainerd:

"382-1911. We urge you to take a copy of the leaflet if you are interested in it."

Presiding Hearing Officer:

"Are there any further questions? At this time does anyone want to make any comment, or interject any testimony into the record?"

Les Grant:

"Commissioner Hardy. I'm not quite clear on what Val Toronto mentioned. Are we going to stub a piece of road out there to meet the type of roads we have? We are not talking about going to the airport on the first part. The plant hasn't started, a - I think that the Port, I'm President of the Port of Arlington, I think we are interested in going all the way through on the road, to the airport, but you actually mean that it might be years before its completed?"

"I think we have been doing that now for 40 or 50 years tyring to get to Heppner or Condon on roads that were partially finished and never ever repair them because of funds. Its kind of funny, even though this is a grant, to start to spread roads out into the wilderness if we don't have more assuridly of whats going to happen to it in the future."

Presiding Hearing Officer:

"The idea of this hearing is to get approval for the whole project. Highway 19 to the Heppner Highway. With the limited amount of money that we have got, it would take us now from Highway 19 to the top of the hill and this is the first phase. We can't say the number of years that it would take to complete the project."

Les Grant:

"It could take 10, it could take 30?"

Presiding Hearing Officer:

"There could be a boon open up, depending on how things go on top of the hill. It depends to a certain extent upon Federal funding too of course and their programs. Ultimately the whole problem is funding. There may be some changes at the National level that would make Federal funding for secondary roads easier to obtain.

Les Grant:

"May I ask one more question? One of things that has been a problem, we probably got as good as airport as there is any place in the Country. There's lights on it, and a beacon, but we don't have much business because it is pretty hard to get there. You can get up there if you want to take your pick-up, but a passenger car just isn't worth a damn. As a Port Commissioner, and living in the City I'm not too anxious to get to Willow Creek right now, and most of us are'nt, but we may if we have the big project come into the area, but right now I think all our people are interested in is getting to the airport, and I think that the airport could develop and it won't be developed unless we can get to it."

Presiding Hearing Officer:

"The big bottle neck right now Les, is getting to the top of the hill."

Les Grant:

"About how far toward that there airport road do you think that we could go with what funds that we have, is there any point on there?"

Val Toronto:

"There are no funds left. That first part of Rhea Road is 1.8 mile and takes us to the top of the hill. If we did have the funds available, Airport Spur of 1.1 mile could be considered in the project.

Presiding Hearing Officer:

"It's going to add up to how the bids come in on this road."

Audience:

"This 1.8 miles, does that take you onto the present Rhea Road up there?"

Val Toronto:

"Yes Sir. This is to the top of the plateau area and approximately 3/4 of a mile from the old Airport Road Intersection."

Audience:

"Is it by Pebble Springs, right there by your finger?"

Val Toronto:

"The Airport Spur has been placed on the FAS System, so that when funds become available it could be constructed, but the funds only accummulate approximately $35,000 a year, and it has taken 9½ years accummulation to fund 1.8 miles. We are not able to build the 1.1 mile of Airport Road and 1.8 mile of Rhea Road together, so a decision had to be made which to build first."

Les Grant:

"Will you grade the road into - if you go a mile and one-quarter up the hill on the regular contour shown here and it passes - but your airport road is up in there a half a mile - and you still have to go back and go up the airport road to get to the airport. The same one we have now."

Val Toronto:

"Yes."

Les Grant:

"We can't use any part of the new road to get to it?"

Val Toronto:

"Yes. You will be using all of the new road in order to get up on top of the plateau."

Les Grant:

"In other words you go back on the present road to get to the airport."

Val Toronto:

"Yes. Until such time as there are funds available to re-construct it, but the grade would be eliminated."

Foster Odom:

"I would like to testify for the City of Arlington. My name is Foster Odom, and I am the Mayor of the City. I think that this road will be a great asset for the City of Arlington due to the fact that it gives the possibility to get to the Airport in all kinds of weather. We realize that we will possibly have to drive approximately a mile further. There is approximately 150 yards of that old road that even in good weather, with a light pick-up or something like that, without any weight in back, is impossible, and I have been authorized by the City to testify here tonight in favor of Rhea Road and anything that the City can do to promote the road, we will try to do our best to help."

Les Grant:

"Just to clarify, I'm not opposed to the road and I don't think that the Port is. We are just trying to get something that might help this end of it as much as possible because we have had a lot of requests for a better road to the airport and being on the County Commission you folks know that to get to our airport is difficult."

Miles McKay:

"Where is this road going to take off from? Highway 19?"

Presiding Hearing Officer:

"Yes. Do you want to describe it Val?"

Val Toronto:

"Just south of the Texaco Bulk Station."

Miles McKay:

"I would like a little closer definition than south."

Val Toronto:

"We have highway maps here that will show it a little closer. Do we have the right of way map? I don't have the names on this map and the right of way map shows the names of the property owners. If you happen to know your property, I can show you on these drawings and Harold Brainerd will bring the right of way maps that show the actual names of the property owners."

Miles McKay:

"Thats all I would like to know is the names of the property owners."

Val Toronto:

"Would you care to step forward and look at the drawings and I will see what I can do."

Miles McKay:

"Thats my property right there."

Val Toronto:

"The road right of way does not touch your property."

Presiding Hearing Officer:

"Any further testimony?"

Henry Krebs:

"Yes. I'm Henry Krebs and I'm going to speak for myself rather than Krebs Brothers. My partner and I really haven't had too much time to discuss this. In your introduction you said that you wanted approval for the entire project. I can't go for that today. There are too many unknows out there. The Country is changing fast and for me to get approval for a road from Condon Highway to Heppner Highway, I can't. I'm speaking for myself. Also, you State people and Environmentalist - whenever we get these reports your always increasing the value of the land. You know we got a factory out there ourselves, Dick and I. Springtime its green grass when we have some rain and in fall a little feed and we are converting removable resources to food and fiber. Its a factory. There you are cutting this factory right in two. Okay, now your initial project, your Phase One as you call it, I think we need that, and I'll go along with that. Your Phase Two into the airport, I feel we will have to negotiate. It gets right back to this factory bit again, that your cutting us in two. Also, in this "Poop Sheet" you put out, I don't know whether you had a machine counting all those vehicles running over that road or not. If you did I wished I had one of those to count my dollars because if I did I would be better of than I am now, I think. Maybe I'm a little bit like the Mayor. You all read in the paper some time ago he kind of like Arlington like it is. Well, I kind of like the Country the way it is. However, this is progress and I realize we have to go along, but I know I couldn't go home tonight and sleep without voicing my opinion. Thank you."

"One other statement and I know Dick will go along with me on this. On easements or road right of ways, it is a must that they will have to be fenced on both sides. I noticed also you mentioned highway traffic now on rangeland, well what are we doing - we are starting with a nice new inviting road off the highway, we are going to get the tourists right up on top, and where are they going to go, right out in the middle of our factory again, tear up the ground, so this is a must as far as we are concerned - fences."

Bob Pool:

"Excuse me - did I understand you to say that the rest of Rhea Road should be fenced if the first part was built? If Phase One was built, you would like the rest of it fenced?"

Henry Krebs:

"Well not the existing road, I wouldn't think. Would you Dick? Not with no more traffic than there is now."

Presiding Hearing Officer:

"Any further testimony?"

Audience:

"Is this road really being built for really the County or is it being built for this Pebble Springs?"

Presiding Hearing Officer:

"It's being built for both. I'd say the weight of it is probably for Pebble Springs. It is being funded 86% Federally, 7% Stated and 7% County funded."

Audience:

"Does PPL or PGE have any participation what so ever in this road?"

Presiding Hearing Officer:

"Yes, in a roundabout way they do."

Bob Pool:

"Mr. Krebs, I appreciate your frank comments, and I wonder if you could clarify one thing for me. You indicated that you would not approve other than Phase One, up to the top of the plateau. Do you mean that you do not approve of the concept of going clear over to the Heppner Highway or you just want to withhold judgement on the final location of it?"

Henry Krebs:

"I want to withhold judgement until we see what happens out there."

Bob Pool:

"Thats on the concept of continuing on, perhaps not exactly where the line is shown. Or don't you understand what I mean?"

Henry Krebs:

"You ask if I want to withhold judgement on continuing with the road."

Bob Pool:

"Correct, not necessarily perhaps exactly here but, maybe it would be a little one side or the other."

Henry Krebs:

"Thats right."

Bob Pool:

"And you withhold judgement on the entire second and third phases."

Henry Krebs:

"Third Phase - until we see what developes in the area ."

Sam Martin:

"My name is Sam Martin and I am the manager of Simtag and I noticed that we are mentioned in your brochure here as being one of the agricultural complexes in Northwestern Morrow County and Gilliam County. Probably one of the things that is not known is that we don't use this particular road now. We most

certainly agree with Krebs Bros aspect of what has happened or what will happen when we build a road, but we are most assuredly for the road because we realize that Pebble Springs is important to all of us and we will be one of the big users of their power as anybody will, but the everday tourist or sightseer that drops onto the property as they have done to us is a real problem. We have just spent several thousand of dollars fencing the project that we have there for this very reason, vandalizm, and with this problem, I can surely see Henry's and Dick's plight when they say they would like to see this road fenced when they continue on and withhold their judgement on it. It makes good sence when you are there fighting the everday battle, because they just don't come by the car, they come by the motor home and the busloads and I swear someday I'm going to Portland and have a picnic on somebody's front lawn and leave all the garbage right there. But thats one of the things that I would like to say too. I'm sure that we could, if the road was available come in that way, because it is a lot shorter. It would cut off 6 - 7 miles from the back side of the ranch to Arlington where we haul all of our grain. But I think we want to be very careful with it because it could cause a lot or problems. Thank you."

Presiding Hearing Officer:

Is there any other formal testimony? If not we will conclude the formal testimony and declare the hearing closed. We will, however, remain here and answer any questions that anybody might have."

Written Comments:

G.B. Frost
P.O. Box 6
Arlington, Oregon 97812

Organization Represented: Arlington Chamber of Commerce

"The new grade to the plateau is much needed, especially as access to the airport. Unit One portion would do this."

Written Comments:

Paul Vaden
P.O. Box 399
Arlington, Oregon 97812

Organization Represented: B&V Industries

"I agree to the proposed new road."

N
COLUMBIA RIVER
WASHINGTON
OREGON
UNION PACIFIC RAILROAD
COLUMBIA RIVER HIGHWAY
To Heppner Jct.
city limits
Municipal Airport
Hurlburt Camp
HURLBURT FLATS
JOH
I 80 N
To The Dalles
ARLINGTON
city limits
MAIN ST.
JOHN DAY
China Creek
AIRPORT RD.
ALKALI CANYON RD.
W. END OF PROJECT
RATTLESNAKE RD.
U. P. R. R.
HIGHWAY
To Condon
Pro
Pe
Pla
Pebble Spring Camp

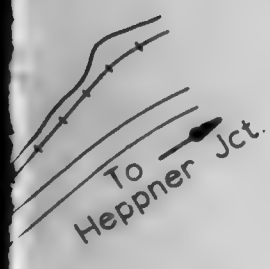
Hopkins
Harwell
Holmes
Prange
Unrein

CORRIDOR & DESIGN HEARING MAP

JOHN DAY HWY. HEPPNER HWY.

RHEA ROAD

GILLIAM COUNTY



HURLBURT FLATS

HEARING

Prange

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Harwell
Holmes
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CORRIDOR & DESIGN HEARING MAP

DAY HWY. HEPPNER HWY. SEC.

RHEA ROAD

GILLIAM COUNTY

VIEWING SET FOR JAN. 6, '76

8639 Rhea Rd. Relocation Unit of 197
FAS B452 (Rhea County Rd.)
(Grading & oiling) #1

8639

Gilliam G.
FAS-C

OREGON STATE HIGHWAY DIVISION

REGION 4

P.O. BOX 1249 • BEND, OREGON • 97701 • Phone 382-1911

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

December 29, 1976

Judge Leo Barnett
Gilliam County Courthouse
Condon, OR 97823

Dear Leo:

We are drawing close to the Rhea Road hearing, and I wanted to make sure that you had reviewed the Oregon Action Plan prior to the 6th. The Action Plan contains the guidelines that must be followed for project development. On page 72, "STEP B - Public Hearing", the hearing is discussed. I suggest that you have stamped self-addressed envelopes available at the hearing, so that anyone wishing to add to the transcript within ten days after the hearing may do so. The county is responsible for transcribing the hearing, but we will tape record it and leave the recording with you.

On page 73 of the Action Plan the Design Study Report is explained ("STEP C"). Since Rhea Road is a local project, this report is the county's responsibility. Your duties are covered largely under the references to "the location engineer." Rhea Road is a relatively simple project, so the Design Study Report will not be as difficult as it might look. We will help, of course.

Hopkins
Harwell
Holmes
Prange
Unrein

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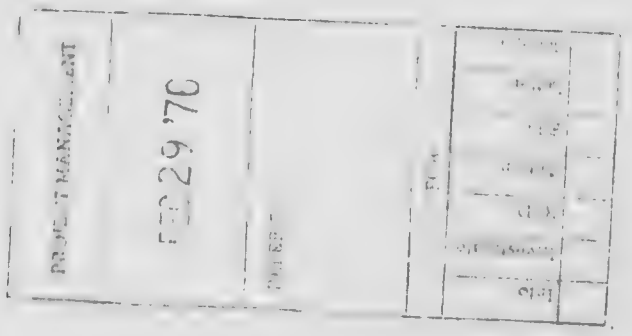
Other

Yours very truly,

Dave

David S. Fenton
Regional Environmentalist
Regional Federal Aid Engineer

DSF:pw
cc: J.Val Toronto
Don Harwell



Form 81-734-3122

8639

ROW 18-2

fas B452(958)
Gilliam Co

OREGON STATE HIGHWAY DIVISION

December 20, 1976

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

Union Pacific Railroad Co.
P. O. Box 8979
Portland, OR 97208

Attn: R. S. Orr

Crossing No. 2E-001.80-C
John Day Highway-Heppner Hwy.
Rhea Road
Gilliam County

Dear Sir:

The Highway Division has a future project proposed to improve Rhea Road from the John Day Highway to the Heppner Highway in Gilliam County. As a part of the project at the west end, certain improvements will be made to the John Day Highway at the intersection.

Adjacent to Rhea Road there is a spur track from the Condon Branch to a Texaco bulk plant which crosses the John Day Highway. This crossing is 2E-001.80-C. The representatives of Gilliam County have requested that we investigate the possibility of having this spur crossing of the John Day Highway removed. From the information they have given to my office, the crossing apparently has not been used for a considerable length of time and is felt to be no longer necessary to the function of the Texaco bulk plant.

It would be appreciated if you would investigate the possibility of having this spur track removed so that the improvement to the John Day Highway and the Rhea Road intersection vicinity can be made without provision being included for the spur track.

Yours truly,

J. E. Chidsey, P. E.
Railroad & Utility Engineer

JEC:jr

bc: Frank Terpin
J. H. Versteeg
W. E. Schwartz
Don Harwell
J. L. Sollis
J. B. Boyd

Hopkins
Harwell
Holmes
Prange
Unrein

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Do not File ☐
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Bring Up ___/___/___
Other

Form 81-734-3123

8639

Fwy B452(958)
Gilliam Co

Form 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE
Bend, Oregon, 97701
December 16, 1976

FILE: 511-1997

FROM: David S. Fenton
Regional Federal Aid Engineer

SUBJECT: John Day Hwy-PGE Power Plant Section
Rhea Road, Gilliam County

TO: MEMO TO THE FILES

We have today agreed to a request by Leo Barnett, Gilliam County Judge, to allow the PGE access road project to be included in the contract with the above section of road. It is understood by both parties that work on the PGE access road is not federally or state participating, and the county will pay for 100% of this project. Costs of work on the access road are to be kept separate from work performed on the John Day Highway - PGE Power Plant section of Rhea Road.

Gilliam County is responsible for building the PGE access road. The purpose of including it in Unit I of the Rhea Road project is to try and lower overall bid prices for the two projects.

David Fenton

DSF:pw
cc: Leo Barnett
David Carter
L.W.Rulien
C.G.Swenson
J. Val Toronto

PROJECT MANAGEMENT
DEC 17 '76
REFER TO
Frange
Info
Investigate

RECEIVED

U. S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

8639

FEDERAL AID PROJECT NO.: RS-609(1)

STATE PROJECT NO.: See below

FROM: G. L. Green, Division Administrator
Salem, Oregon
12-8-76

PROGRAM NO.:

ITEM NO.: RS-102

COUNTY NAME: Gilliam

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

Copy to Region

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	12-8-76	Secondary 958	County Road

GENERAL LOCATION:
"John Day Hway - PGE Power Station"

GENERAL DESCRIPTION OF WORK:
Supplemental Consultant Agreement

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY

PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☒ OTHER (Specify) Consultant Agreement

☐ ACQUISITION OF RIGHT-OF-WAY

CONSTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Rulien's letter of 11-22-76, I approve the supplemental consultant agreement with J. Val Toronto and Associates, Inc. for preparation of draft negative environmental impact statement not to exceed $4,723.00 as stated in the supplemental agreement.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
12-8-76	[signature]	Division Administrator

FORM PR-1240 (REV. 6-30) EXISTING STOCKS OF FORM PR-1240 (REV. 6-66) WILL BE USED

☆ U. S. GOVERNMENT PRINTING OFFICE: 1973—531-555

8639

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
December 2, 1976

FROM: Frank E. Terpin
Location Engineer

TO: Carl Williams
Region 4 Engineer

SUBJECT: Public Hearing
John Day Hwy-Heppner Hwy Section
Rhea Road, Gilliam County

Carl, have the presiding officer at the public hearing on subject section explain why the hearing is being held on the total project. Following is a sample.

Preliminary design plans have been completed on the 1.8-mile Relocation Unit only; however, to facilitate future construction, the public hearing will include the entire Rhea Road project including the airport spur and a left turn refuge at the proposed John Day Highway connection.

Environmental impacts for the entire project have been considered and are documented in the negative declaration.

DB:jp
cc Gary Potter
L.W. Rulien
J.H. Versteeg
W.N. Hackleman

Hopkins
Harwell
Holmes
Prange
Unrein

RECEIVED
DEC 7 - 1976
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UNIT

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PROJECT MANAGEMENT
DEC - 7 '76
FOR
Info | Investigate | R/D | Action | File | Letter | See me

8639
copy sent to Dave Fenton

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
November 23, 1976

FROM: Duane O. Christensen
Final Design Engineer

TO: R. Prange
Local Projects Manager

SUBJECT: ~~Rhea Road Relocation Unit~~ P.G.E. Power Sta.
John Day Hwy-~~Rhea Creek Hwy.~~ Sec.
FAS B452 (Rhea Road)
Gilliam County

Attached is a copy of Lyle Watson's memo to the file dated November 17, 1976, and one set of plans with suggested revisions in red. Also included is one set of cross-sections.

Following are several items not fully discussed during the meeting of November 17.

1. The base design should be reviewed for cost and type of construction preferred.

2. The roadside ditches should be reviewed for erosion control.

3. I believe it is possible to raise the grade, to reduce or eliminate the excess material, as shown in red on the plans. The right-of-way may be a limiting factor in raising the grade.

4. It is not good practice to place water from a natural drainage into our roadside ditch, so an additional culvert should be placed at Station 70+.

After your review, this data should be transmitted to the Region or Mr. J. V. Toronto as appropriate for their information and revision of the plans.

LKW:az
cc: R. C. Poole
L. K. Watson
C. G. Swenson

To: Dave Fenton:
For Region and consultant review and plan revision.

FORM 61-734-3050

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
November 24, 1976

FROM: Lyle K. Watson
Design Team Supervisor

TO: MEMO TO THE FILES

SUBJECT: ~~Rhea Road Relocation Unit~~ P.G.E. Power Sta.
John Day Hwy. -~~Heppner Hwy.~~ Sec.
FAS B452 (Rhea Road)
Gilliam County

On November 17, 1976, a meeting was held in Mr. Versteeg's office. The following people attended:

J. V. Toronto, Consulting Engineer
W. H. Sample, Final Design Supervisor
L. K. Watson, Design Team Supervisor
R. C. Poole, Region Maintenance Engineer
D. C. Bagger, Senior Designer
P. Galloway, Specifications Writer
N. L. Henry, Senior Designer

The following items were discussed:

1. Revision of the title.

2. Use of a roadside ditch with variable grade.

3. John Day Highway Channelization
   a. Decel. taper may be omitted.
   b. Additional right-of-way will be required.
   c. 3:1 rock slope.
   d. 1.5' wide and 0.5' deep roadside ditch.

4. Trench excavation should be reviewed.

5. Possible grade revisions to reduce excess material.

6. Temporary connections at end of project.

7. Use of the State's standard drawings.

8. The base design for the channelization on the John Day Highway is:

NEW WORK

1-1/2" Class "E" Mix
2" Class "C" Mix
6" Treated Base
4" Aggregate Base

OVERLAY EXISTING PAVEMENT

1-1/2" Class "E" Mix

Versteeg
Olson
Scott
Swenson
Savage
Trout

RECEIVED
NOV 26 1976
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up
Other

The 6" treated base would be at the contractor's option and would be either a Plant Mix Bituminous Base or a Cement Treated Base.

Two base designs for the Rhea Road construction are being submitted. Either one would be satisfactory.

DESIGN #1	DESIGN #2
4" Class "C" Asphalt Concrete	2" Asphalt Concrete (Future)
6" Treated Base	2" Calss "C" Asphalt Concrete
4" Aggregate Base	2" Aggregate Leveling Course
	17" Grid rolled base.

The grid rolled base could be obtained from the rock cut, Sta. 65+ if the material is suitable.

9. Clarification of bid items.

10. P. Galloway is to review the specifications and make recommendations to J. V. Toronto.

11. Capacity of the roadside ditch should be reviewed.

12. Disposition of excess material.
    a. Possible mandatory disposal area for excess material from Sta. 23 to 30.
    b. Alternate methods of handling excess material from Sta. 62 to 75.
    c. Requirements of sketch maps and typical sections for material sites.

13. Material source--Sta. 62 to 75.
    a. Mandatory or Prospective sources
    b. Requirements of sketch maps and typical section.

LKW:az
cc: F. E. Terpin
L. K. Watson
R. C. Poole
C. G. Swenson
G. N. Hopkins
R. Prange

8639

Form 81-784-3030

FAS-C

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon

November 22, 1976

FROM: Paul F. Galloway
Specifications Writer

SUBJECT: Rhea Rd. Relocation Unit
John Day Hwy. -Heppner Hwy. Section
Rhea County Road

TO: Bob Prange
County-City Unit

I have made some notations on the enclosed copy of Mr. Toronto's specifications to indicate differences between our normal specifications for a project of this type and those he submitted for review.

It is my understanding that our section will prepare the final specifications for the project once the final construction plans and typical sections have been decided. A copy of those specifications should be sent to Mr. Toronto's office for his review prior to advertising the project for contract.

PFG:fw

Enc.

TO:
DAVE FENTON:
Please give this to J. Val Toronto for his review. If he has any questions he can call C. G. Swenson at 378-6385 in Salem.

THANKS

STATE OF OREGON

8639

INTER[illegible]CE MEMO

Fas B-452
Gilliam C

TO: Mr. E. S. Hunter
Deputy State Highway Engineer

DATE: November 12, 1976

FROM: George N. Hopkins
Program Development Engineer

SUBJECT: Supplemental Consultant Agreement
John Day Highway-P.G.E. Power Plant Section
Rhea Road, FAS-C B-452
Gilliam County

Attached are three copies of a supplemental agreement covering additional consultant fees which were caused by an increase in the scope of work to be performed by J. Val Toronto & Associates, Inc.

The fees appear reasonable and we recommend your approval. If you concur, please sign all three copies and return to this office for further processing.

GNH/MCH:sch

Attachment

cc: C. M. Williams
D. E. Swan

2 copies to Cliff Saux 11/17/76.
Maine

RECEIVED
COUNTY & CITY SECTION
NOV 15 1976
☐ ENGR. ☐ COOR. ☑ OE ☒ AE ☐ UE
☑ UPE ☒ CE ☐ RE ☐ RPE ☐

PROJECT MANAGEMENT
NOV 15 '76
REFER TO
FOR
Info | Investigate | R/D | Action | File | Letter | Re

RECEIVED
STATE HWY ENGR
NOV 12 '76
REFER TO
FOR
D/R

81-125-1387

SUPPLEMENTAL AGREEMENT

J. Val Toronto & Associates, Inc.
219 S.E. 2nd
Pendleton, Oregon 97801

John Day Hwy. - PGE Power Plant
Rhea Road (FAS 958)
Gilliam County, Oregon

The County of Gilliam desires to supplement the agreement entered into with J. Val Toronto & Associates, Inc., and executed on May 19, 1976 and identified as Agreement No. 1.

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

Exhibit "A", is hereby changed to read:

1. The Consultant shall prepare and submit a draft negative declaration on the project.

2. The Consultant shall include in his design work, field surveys, office design and specification for the channelization and widening of State Highway 19 to and from the proposed Rhea Road Intersection.

General Provision, Paragraph 2 shall be amended to include the following: The County shall pay the Consultant, as full compensation for - (1) The draft negative declaration, the lump sum amount of $2,742.00 as set forth in the attached Exhibit "A" Supplement, and - (2) A lump sum amount of $1,981.00 as set forth in the attached Exhibit "A" Supplement.

Said amounts shall be made a part of the Rhea Road Unit 1, FAS-958 Engineering Work and included in the total project cost.

Consultant by and through
its Company Officers.

Firm: J. Val Toronto & Associates, Inc.

By: J. Val Toronto P.E.

CONCURRENCE:

OSHD Ed Tolentino

Date 11-15-76

Gilliam County, by and through
its County Court.

By: Leo Barnett
County Judge

By: Lester Brooks
Commissioner

By: [illegible]
Commissioner

ATTEST: [illegible]
County Clerk

Date: November 3, 1976

EXHIBIT "A"
Supplement 1

DRAFT NEGATIVE DECLARATION

Supervisor	1 Man	48 hrs.	$ 1,116.00
Report Writing and Research	1 Man	138 hrs.	1,228.00
	Subtotal		2,344.00
	Fixed Fee Amount		398.00
	Lump Sum		$ 2,742.00

EXHIBIT "A"
Supplement 1

STATE HIGHWAY 59 CHANNELIZATION
AT HIGH ROAD INTERSECTION

Preliminary Surveys	3 Men	11 hrs.	$ 313.50
Computing & Plotting	1 Man	16 hrs.	280.00
	1 Man	16 hrs.	240.00
Preliminary Design	1 Man	10 hrs.	180.00
Final Design	1 Man	21 hrs.	294.00
	1 Man	6 hrs.	57.60
Specifications	1 Man	16 hrs.	222.04
Supervision	1 Man	14 hrs.	385.64
	Subtotal		1,691.38
	Final Fee Amount		289.62
	Lump Sum		$ 1,981.00

SUPPLEMENTAL AGREEMENT

J. Val Toronto & Associates, Inc.
219 S.E. 2nd
Pendleton, Oregon 97801

John Day Hwy. - PGE Power Plant
Rhea Road (FAS 958)
Gilliam County, Oregon

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Said amounts shall be made a part of the Rhea Road Unit 1, FAS-958 Engineering Work and included in the total project cost.

Consultant by and through
its Company Officers.

Firm: J. Val Toronto & Associates, Inc.

By: _____

Gilliam County, by and through
its County Court.

By: Lee Barnett
County Judge

By: Lester Brooks
Commissioner

By: [illegible]
Commissioner

CONCURRENCE:

OSHD E S Hunter

Date 11-15-76

ATTEST: [illegible]
County Clerk

Date: November 3, 1976

EXHIBIT "A"
Supplement 1

DRAFT NEGATIVE DECLARATION

Supervisor	1 Man	48 hrs.	$ 1,116.00
Report Writing and Research	1 Man	138 hrs.	1,228.00
	Subtotal		2,344.00
	Fixed Fee Amount		398.00
	Lump Sum		$ 2,742.00

EXHIBIT "A"
Supplement 1

STATE HIGHWAY 19 CHANNELIZATION
AT RHEA ROAD INTERSECTION

Preliminary Surveys	3 Man	11 hrs.	$ 313.50
Computing & Plotting	1 Man	16 hrs.	220.08
	1 Man	16 hrs.	142.40
Preliminary Design	1 Man	10 hrs.	120.80
Final Design	1 Man	21 hrs.	291.48
	1 Man	6 hrs.	53.40
Specifications	1 Man	16 hrs.	222.08
Supervision	1 Man	14 hrs.	325.64
	Subtotal		1,691.38
	Fixed Fee Amount		290.00
	Lump Sum		$ 1,981.00

8639

fac 958
Gilliam Co

FORM 81.734-3030

OREGON STATE HIGHWAY DIVISION

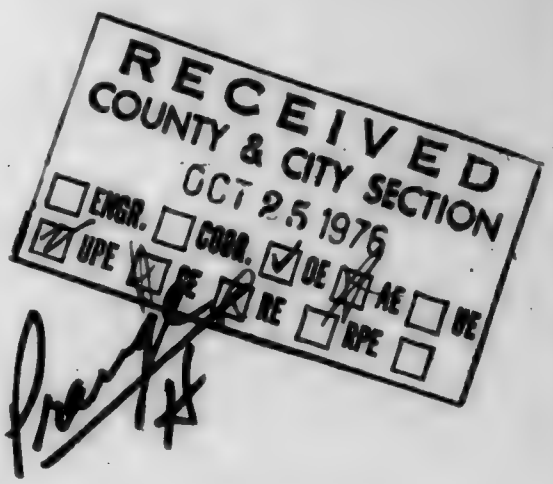
INTER-OFFICE CORRESPONDENCE
Bend, Oregon, 97701
October 22, 1976

FILE: 511-1997

FROM: David S. Fenton
Regional Federal Aid Engineer

TO: MEMO TO THE FILES

SUBJECT: Meeting in Arlington
John Day Hwy-PGE Power Plant Section
Rhea Road (FAS 958)
Gilliam County
October 20, 1976



ATTENDING:

Leo Barnett	County Judge
Lester Brooks	County Commissioner
Bill Hardie	County Commissioner
Dave Carter	FHWA
Dick Hawkins	OSHD
Bob Pool	OSHD
J. Val Toronto	Consulting Engineer
David S. Fenton	OSHD

The purpose of this meeting was to complete field review of the consultant's design plans. The Draft Negative Declaration has been approved by OSHD and FHWA and is currently being printed for distribution. A hearing can be held as soon as the consultant's design is approved (allowing for advertising time).

The first - and main - item for discussion was section width. The consultant designed for a 40' section, 32' of paving (Units 1 & 3). OSHD and FHWA originally approved a 40' section, but do not now believe it to be necessary. The County chose to go with a 32' section, in order to save money.

The hearing is presently scheduled for November 30. It is not possible to have the design approved, and then advertise the hearing, in time to make that date. We will try to have the hearing in December.

Subsequent to the hearing, a Final Negative Declaration must be published. It will be substantially the same as the Draft, but must respond to significant comments raised at the formal hearing. The consultant will be responsible for the Final Negative Declaration, as he was for the Draft.

The channelization of Highway 19 at the location proposed for Rhea Road's intersection was reviewed on the ground. Existing right-of-way width is restrictive. Total width of pavement will be reduced to 52' (4-14-16-14-4=52).

Required excavation can be reduced considerably by changing fill slopes from the designed 6:1 to 3 or 4:1. Standards have been checked, and they do allow this.

David S. Fenton

DSF:pw
cc: Dave Carter, D. Hawkins, Judge Barnett, J.Val Toronto, Bob Prange

8639

FORM 81-734-3030

Tax 958 Gilliam Co

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE
Salem, Oregon
October 12, 1976

FILE:

FROM: Adele L. Egan
Right of Way Office Manager

TO: Verne Allen
Region 5 R/W Supervisor
LAGRANDE

SUBJECT: Files 48921 thru 48924
John Day Highway
PGE Power Station
Rhea County Road
Gilliam County

Attached you will find four original option forms in quadruplet covering right of way to be acquired in connection with the John Day Highway-PGE Power Station Section of the Rhea County Road in Gilliam County.

The Project Number is 7870.

Do not appraise or negotiate until notified by John R. Oakes.

Please send cost estimates for programming purposes to John R. Oakes and submit a Relocation Plan to the Relocation Supervisor.

Enclosed for your information are copies of the Authorization List and Mr. Scott's letter of October 1, 1976.

We are forwarding, under separate cover, three prints of map 9B-14-21 covering this area and bearing our date of October 5, 1976.

Listed below are the file number, name, and area for each of the above mentioned files.

File No.	Name	Area
48921	Emco Investment, Inc.	2.0 acres
48922	Krebs Brothers, Inc.	20.7 acres
48923	Hulden, Walter & Florence	4.5 acres
48924	Portland General Elec. Co.	10.0 acres

AC:mp
Enc. - 4 options in quadruplet
Authorization List
c/Scott's 10/1/76 letter

cc: W. E. Schwartz
Milner Mead, w/c auth. list
Frank Lowe, w/c letter
Title
Armand Riveness, w/c exhibits
Don Harwell, County/City

RECEIVED
COUNTY & CITY SECTION
OCT 12 1976
☐ ENGR. ☐ COOR. ☑ UE ☐ AE ☐ UE
☑ UPE ☐ CE ☐ RE ☐ RPE ☐

8639

Co./City
FAS-C

DRAFT
RHP:sch
9/21/76

Mr. J. Val Toronto, P.E.
Consulting Engineers
219 S. E. Second Street
Pendleton, Oregon 97801

Re: John Day Hwy.-P.G.E. Power Plant
Rhea Road, FAS B452
Gilliam County

Dear Mr. Toronto:

Thank you for Gilliam County's offer to contribute the State's 7 percent matching share in addition to its own 7 percent share of the cost of the Rhea Road FAS-C project. We have studied the situation very carefully and regret to advise you that there are no more federal aid highway funds available to Gilliam County beyond the five-year borrowing limitation set up by the Association of Oregon Counties last year.

All of the county's available federal funds, both the current apportionment plus the five-year advance, have been committed to the project. As of now Gilliam County has nearly $540,000 of federal funds reserved. When 14 percent matching funds are added, the total amount available is about $628,000. Keep in mind that this figure covers actual construction, as well as your preliminary engineering costs, and all other items claimed for federal reimbursement.

Very truly yours,

E. S. Hunter
Deputy State Highway Engineer

cc: Gilliam County Court
Project Management

NOTE: Per C.F. Keasey on 10-4-76 in Hunter's absence I called Toronto & told him this was only for Unit 1 not all 3 & that the amount of $628,000 was quite short of the estimate.
Don H.

☑ ENGR ☐ ASST. ☑ OE ☑ AE ☐ UE
☑ UPE ☑ CE ☑ RE ☑ RPE ☐

CONSULTING
Engineers

J. VAL TORONTO & ASSOCIATES, INC.

STATE OF OREGON
LICENSE #5802
STATE OF WASHINGTON
LICENSE #11766
STATE OF ALASKA
LICENSE #1413

TELEPHONE (503) 276-7402
219 S. E. 2ND
PENDLETON, OREGON 97801

September 8, 1976

E.S. Hunter
State Oregon Highway Department
240 Cottage St. S.E.
Salem, OR 97310

Dear Mr. Hunter:

Reference our telephone conversation regarding completion of Rhea Road, FAS 958, Unit 2 and 3.

During this conversation this writer presented the possibility of completion of these two units by Gilliam County Contributing the States matching share (7%). It was my understanding that under these conditions the O.S.H.D. would facilitate obtaining the Federal portion of Unit 2 and 3 which is 86%.

We would appreciate receiving confirmation on the above. Any assistance you could give on the programming of the next two units will be sincerely appreciated.

Sincerely yours,

J. Val Toronto

J. Val Toronto, P.E.

JVT/dar

8637

OREGON STATE HIGHWAY DEPARTMENT

Form A-101—(7-68)
SP*F204

Request for Outside Billing

(Or Advice of Cash Transaction)

Address invoice to: Gilliam County Court Courthouse Condon, OR 97823 Attention of Leo Barnett County Judge	Request No. (assigned by staff engineer or head of division) cc 1612 Date August 17, 1976 Payer's Order No. (if any) Department Order No. (if any) (Number of "Order to Render Service")

Description and Authority: (Describe the service rendered, stating kind of service, location, etc. Also refer to agreements, letters and orders by which payer authorized the service.)

Itemized Statement: Preliminary Engineering — Advance Deposit $3,870.00

Quantity	Unit	Description	Unit Price	Amount
		Partial transfer of the advance deposit for the preliminary engineering for the John Day Hwy.-P.G.E. Power Plant Road Section, Rhea Road, FAS 958 Covered by agreement dated 11/25/75		$3,070.00
		To be retained B452		$ 800.00

If payer has made payment for this service, indicate the amount of payment. $.....

If payer has made a deposit with the Department to guarantee payment, indicate the amount of the deposit. $3,870.00

Is this a partial or final request for billing? Partial

If there have been any previous requests for billing in connection with this same service, indicate the total amount of all previous requests. $.....

Give the number of the last previous request in connection with this same service. .....

Credit distribution:
511-1997-297

Submitted by:
Harold Reynolds
Harold Reynolds

Approved:
~~E. H. Hopkins~~ Division Engineer

Approved:
George S. Baker
Department Head or Staff Engineer

Instructions: The original and duplicate copies shall be forwarded through the division engineer to the staff engineer or division head. Staff engineer or division head will forward original copy to the Accounting Division. Additional copies may be prepared for and retained by the division office and other field offices concerned. If the request is to be accompanied by a payment, an additional copy shall be submitted for the use of the Accounting Division.

8639

FAS 958
Gilliam Co

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

July 29, 1976

FROM: Frank E. Terpin
Location Engineer

TO: Carl Williams
Regional Engineer

ATTENTION: David Fenton

SUBJECT: John Day Highway-P.G.E.
Power Plant Section
FAS 958 (Rhea Road)
Gilliam County

Preliminary plans for the subject project were submitted for my review. I expect so much time has passed that any comments I might make will be received too late to be incorporated. At any rate, here they are.

1. Standard title sheet must be used. See my recent set of Highway Division plans.

   a. Correct project title. Is it Rhea Road Relocation or John Day Highway-P.G.E. Power Plant Section?

   b. Index of sheets placed in upper left corner.

   c. Names of the Transportation Commission members, Highway Engineer and Deputy Highway Engineer are to be shown on the title sheet.

2. CUT SLOPE IN SOLID ROCK detail is not appropriate for this class of project. This section has been used only on the Interstate System in Oregon.

3. General practice calls for full width paving of shoulders. Cross-slope on paved shoulders 4 feet in width should be at the same slope (0.02 foot per foot) as the travelled lanes.

4. Dimensions should be given for subgrade width.

5. Layout of the intersection at the beginning of the job is unacceptable. It should provide as near a right angle connection as terrain will permit. The proposed right of way limits will need to be adjusted to reflect the revised connection.

RECEIVED
COUNTY & CITY SECTION
AUG - 2 1976
☐ ENGR. ☐ COOR. ☑ DE ☐ AE ☐ UE
☑ UPE ☒ CE ☒ RE ☒ RPE ☐

6. Profile scale should be 1"=100' horizontal, 1"=10' vertical or 1"=50' horizontal, 1"=5' vertical. If plan scale is 1"=100',then 1"=100', 1"=10' is preferred.

7. Curves should be spiralized according to Technical Bulletin 19.

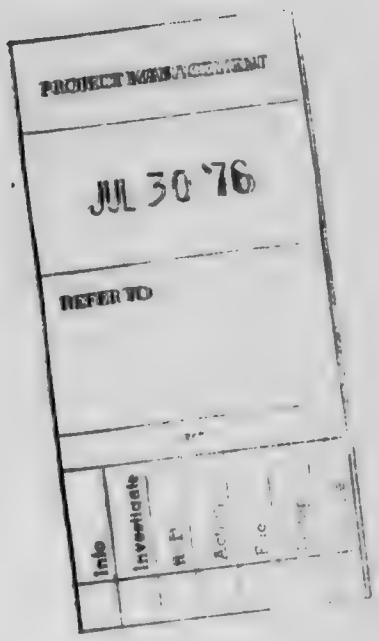
8. Use of odd degrees of curve and radii is not recommended. I don't believe it is necessary to introduce the additional difficulty in staking in order to fit the ground so closely.

9. The use of 8% gradient may be a deviation from approved standards and if so, must have prior approval from the FHWA. The questionable elements are design ADT, terrain classification and whether or not standards published in AASHTO's Local Roads and Streets apply.

Thank you for giving me the opportunity to review the plans at an early stage. I hope my delay in answering has not caused any inconvenience.

FET:mc

cc L. W. Rulien
J. H. Versteeg
Gary A. Potter



Form E-20 (Rev. 9-71)

8639

FAS 958
Gilliam C

OREGON STATE HIGHWAY DIVISION

AUTHORITY FOR SURVEY

Section John Day Highway-P.G.E. Power Plant

Highway Rhea Road FAS 958

County Gilliam

Date June 4, 1976

Authorization No. 1

Survey Prefix 511-1997 (Assigned by Salem office)

Description of termini, route, length, etc.:

This Authority for Survey is to establish engineering funds to perform engineering in conjunction with Gilliam County and or their consultant.

RECEIVED
COUNTY & CITY SECTION
JUN 22 1976
☐ ENGR. ☐ COOR. ☑ OE ☒ AE ☐ UE
☐ UPE ☐ CE ☒ RE ☒ RPE ☐

Purpose of survey: Review Plans, Specifications and any other incidental items that may be required in the design stages.

Estimate of cost:

Field	901	2,000	
Consultant	904	35,200	
Plans	905	300	
R/W	909	1,000	
Soils	910	300	
Traffic	911	100	
Liaison	913	400	
Utility	914	400	
Location Studies	918	100	
Specifications	921	100	
Environmental	923	2,000	RS-609(1) 5/19/76
Hearings	980	100	

INSTRUCTIONS

Submit four copies to Salem. After approval by the Assistant State Highway Engineer, one copy will be sent to the Regional Engineer and one copy to the Resident Engineer.

This form does not constitute authority for making survey until approved and returned.

Submit separate order for each survey.

Total estimated cost of survey . . . . . $ 42,000

Previous authorization . . . .

Additional authorization requested . . . .

Additional authorization approved (Salem) . .....

Total all authorizations approved (Salem) . . ..

Requests made by: [signature] Field Engineer

Recommended for Approval: [signature] Regional Engineer

Recommended for Approval: [signature] Location Engineer

Approved: [signature] Acting Assistant State Highway Engineer

SP*23604-734

5-19-76
RS

8639

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: May 19, 1976

In reply refer to: 1041EC.3

SUBJECT: Oregon Project RS-609(1)
John Day Highway-PGE Power Station
Consultant Agreement

FROM : G. L. Green, Division Administrator

TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer

The consultant engineering agreement with J. Val Toronto and Associates, Inc., is approved subject to the provisions outlined in Mr. George Hopkins' letter of May 6. A signed copy is returned herewith.

My letter of approval to advance this project has been issued with an effective date of May 19, 1976.

For G. L. Green

Attachment

cc:
OSHD (Rulien)
OSHD (Reynoldson)

COPY FOR:
D. Fenton
J. Val Toronto
Gilliam County

PROJECT MANAGEMENT
MAY 20 '76
REFER TO:
FOR
Info | Investigate | R/D | Action | File | Letter | See me

RECEIVED
STATE HWY ENGR
MAY 20 '76
REFER TO
Rulien
FOR
Info | Inves | R/D | D/R | Sign | Act | File

Draft

U. S. DEPARTMENT OF TRANSPORTATION — FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

8639 5-19-76

FEDERAL AID PROJECT NO. R[illegible]09(1)

STATE PROJECT NO. John Day Hwy-PGE Power Station

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.

COUNTY NAME: Gilliam

ITEM NO. RS-102

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. F. B. Klaboe
Administrator & State Highway Engineer
State of Oregon
Salem, Oregon

Copies to Hafford, Castruccio, Hempelder & Region 4

RECEIVED
STATE HWY ENGR
MAY 24 '76
REFER TO Rulien
FOR

Info	Inves	R/D	D/R	Sign	Act	File
					4	

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	5/19/76	Secondary Route 958	County Road

GENERAL LOCATION:

County Road 0.2 mile east of Arlington ECL east 2.0 miles

GENERAL DESCRIPTION OF WORK:

Preliminary engineering including utility preparatory work.

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☐ ACQUISITION OF RIGHT-OF-WAY

CONSTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☒ OTHER (Specify) Program Approval and all phases of preliminary engineering necessary to obtain an approved Negative Declaration at a total cost of $29,200, Federal funds $22,800.

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Rulien's 3/31/76 letter I approve this project for inclusion in the Federal-aid program.

Also as requested in Mr. Rulien's letter, I concur that the Negative Declaration for this project is not limited to the termini of approval, but includes the entire route between the John Day Highway (OR 19) and the Heppner Highway (OR 74).

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
5/19/76	G. K. Hoosner	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

NOTED
D. E. SWAN

☆ U.S. GOVERNMENT PRINTING OFFICE: 1978—831-888

8639

Hist. 958 Stellum Co.

May 6, 1976

TO: Glen L. Green
Oregon Division Administrator
Federal Highway Administration

Attn: Glen W. Gray
Administrative Manager

FROM: George N. Hopkins
Project Development Engineer

RE: Consultant Agreement
Oregon Project RS-609(1), FAS 958
John Day Highway-PGE Power Station
File: 1041AD

We have reviewed your memorandum of April 21, 1976 and have the following comments to make on your numbered paragraphs:

1. You are correct in that $35,200 was programmed for preliminary engineering and that the agreement showed a lump sum of $41,440 of which $11,375 worth of P.E. has already been spent. The consultant is aware, and you have our assurance, that federal participation will be limited to costs incurred only after your approval of the agreement and no federal funds will participate in any work that has already been completed.

2. The consultant will be advised that the "profit share" item is allowable provided the conditions of your memorandum are met. He will also be advised that this item, as well as all other items, in his engineering services will be subject to thorough audit.

The salary rate listed on sheet 6 should be:

Final Design, 1 man - 840 hrs. at $12.08/hr = $10,147.

There apparently was an error in transcribing figures from a work sheet.

3. The estimate sheets for preliminary engineering and construction engineering have been altered to show a more reasonable approach to the net fee and to eliminate any reference to the net fee being

☐ ENGR. ☐ ASST. ☐ OE ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☑ RPE ☐

predetermined percentage of actual costs. The consultant will be informed that the net fee is to be a fixed amount and can not change with fluctuations in the actual costs.

It is hoped that the above information and the attached replacement sheets 5, 6 and 7 of Exhibit A will enable you to give conditional approval of the subject consultant agreement so the project on Rhea Road in Gilliam County can be considered for early development.

RHP:dp

Attachments

☐ ENGR. ☐ ASST. ☒ OE ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE ☐

PRELIMINARY ENGINEERING

WORK COMPLETED TO DATE
(December 31, 1975)

Preliminary Surveys	3 man crew	125 hrs	$ 3,562.50
Computing and Plotting	1 man	285 hrs	3,442.80
Preliminary Design	1 man	225 hrs	2,718.00
Sub-Total			$ 9,723.30
Fixed Fee Amount 17%			1,650.00
Preliminary Engineering			$11,373.30
Lump Sum			$11,375.00

DESIGN ENGINEERING

Final Design	1 man	255 hrs	$ 5,931
	1 man	840 hrs	10,147
Quantity Summary	1 man	285 hrs	3,443
Specifications	1 man	160 hrs	2,221
Project Supervision	1 man	170 hrs	3,954
Sub Total			$25,696
Fixed Fee Amount			4,370
Design Engineering			$30,066
Lump Sum			$30,065

Estimated Cost of foundation drilling - 30 holes @ $125.00 ea	$ 3,750
Engineering Supervision and Evaluation - 45 hrs	1,050
Misc. materials, shipping and postage	300
Total Lump Sum Amount Soils Investigation	$ 5,100

CONSTRUCTION ENGINEERING

Monumenting & R/W & Property Line	3 man crew	255 hr	$ 7,268
Construction Staking	3 man crew	210 hr	5,985
Construction Inspection	1 man	800 hr	9,888
Meterial and Compaction Tests	1 man	350 hr	4,326
Reports, Estimates, Field Office	1 man	405 hr	4,892
Supervision	1 man	145 hr	3,373
Sub Total			$35,732
Fixed Fee Amount			6,075
Sub Total			$41,807
Misc. Materials & Expenses			
Compaction tests - shipping mailing & postage			520
Per Diem @ $14.00/day Travel - @ 20¢/mile			5,672
Construction stakes			150
		Total	$48,149
		Not to Exceed	$48,150

Estimated Construction Cost = $567,290

Construction Engineering = 8.5%

Explanatory Note:

Compensation for construction engineering is based on reimbursement of actual costs incurred plus a net fee amount. The amount actually paid the consultant may be adjusted upward or downward depending on the results of an audit which will be performed prior to payment of the final billings.

PRELIMINARY ENGINEERING

WORK COMPLETED TO DATE
(December 31, 1975)

Preliminary Surveys	3 man crew	125 hrs	$ 3,562.50
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Preliminary Design	1 man	225 hrs	2,718.00
Sub-Total			$ 9,723.30
Fixed Fee Amount 17%			1,652.96 1,650.00
Preliminary Engineering ~~Lump Sum~~			$11,376.26 11,373.30

Lump Sum 11,325.00

Exhibit A
Sheet 5 of 7

DESIGN ENGINEERING

Final Design	1 man	255 hrs	$ 5,931
	1 man	840 hrs	~~10,047~~ 10,147
Quantity Summary	1 man	285 hrs	3,443
Specifications	1 man	160 hrs	2,221
Project Supervision	1 man	170 hrs	~~3,954~~
Sub Total			$25,696
Fixed Fee Amount ~~17%~~			~~$4,368~~ 4,370
Total ~~Lump Sum Amount~~ Design Engineering			~~$30,064~~ 30,066
			Lump Sum 30.065

Estimated Cost of foundation drilling - 30 holes @ $125.00 ea	$ 3,750
Engineering Supervision and Evaluation - 45 hrs	1,050
Misc. materials, shipping and postage	300
Total Lump Sum Amount Soils Investigation	$ 5,100

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Reports, Estimates, Field Office	1 man	405 hr	4,892
Supervision	1 man	145 hr	3,373
Sub-Total			$35,732
Fixed Fee Amount ~~17%~~			6,075
Sub-Total			$41,807
Misc. Materials & Expenses			
Compaction tests - shipping mailing & postage			320
Per Diem @ $14.00/day Travel - @ 20¢/mile			5,672
Construction stakes			150
Total			$48,149
Not to Exceed			$ 48,150

Estimated Construction Cost = $567,290

Construction Engineering = 8.5%

Explanatory Note:

Compensation for construction engineering is based on reimbursement of actual costs incurred plus a net fee amount. The amount actually paid the consultant may be adjusted upward or downward depending on the results of an audit which will be performed prior to payment of the final billings.

Form FHWA 121 (Rev. 5-73)

8639

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: April 21, 1976

SUBJECT: Oregon Project RS-609(1)
John Day Highway - PGE Power Station Section
(Mr. Rulien's memo, 3-31-76)

In reply refer to: 1041AD

FROM : G. L. Green, Division Administrator

TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer

Based on our review of the Consultant Agreement with the engineering firm of J. Val Toronto and Associates, Inc., and the program data submitted with Mr. Rulien's memorandum, we are withholding program approval for this project pending clarification of the items detailed below:

1. The program submitted lists only $35,200 total for all phases of preliminary engineering. The General Provisions of the Consultant Agreement, however, provide for a lump sum payment of $41,400 - plus the actual costs of jobsite foundation drilling. Exhibit "A" of sheet 5 indicates that a portion of the $41,400 is for work already completed. Federal participation will be limited to costs incurred only after our approval of the Consultant Agreement. The General Provisions of the Agreement also provide for submission of preliminary plans to the Highway Division within 30 calendar days from the date work commenced. This represents approximately 240 hours of regular work time. Exhibit "A" of sheet 5 shows one (1) man "computing & plotting" for a total of 285 hours. Apparently this work will require the services of more than one man. However, Federal funds would not participate if this work has already been completed as indicated.

RECEIVED
STATE HWY ENGR
APR 22 '76
REFER TO Rulien
FOR
Info | Inves | R/D | R/R | Const | ... | ...

2. Exhibit "A" of sheet 4 provides support for the salary rates to be charged. One of the cost items listed for each engineer, except the technicians and engineering aids, is "profit share." This is an allowable cost item, provided such benefits are granted under approved plans and are distributed equitably to grant programs and

PROJECT MANAGEMENT
APR 22 '76
REFER TO Geo/R
FOR
Info | Investigate | R/D | Acq | ...

RECEIVED
COUNTY & CITY SECTION
APR 26 1976
☐ ENGR. ☐ COOR. ☑ UE ☐ AE ☐ UE
☐ UPE ☐ CE ☒ RE ☐ RPE ☐

to other activities. This must be an established practice of the firm, applicable to all jobs worked on, and not a benefit established solely for this particular project.

The following salary rate listed on sheet 6 is not supported by the schedule on sheet 4, Exhibit "A":

Final Design 1 man 840 hrs. @ $11.96 Should be 12.08/hr = 10,147

3. Paragraph 6d(3)(b) of FHPM 6-1-2-2, in referring to the cost plus a net fee method of reimbursement, states in part that, "A fair and reasonable net fee amount cannot be arrived at by applying a certain predetermined percentage to the estimated costs of providing the required services." The estimate for Construction Engineering Services, Exhibit "A" of sheet 7, applies a 17 percent factor to the estimate to arrive at the net fee. This is unallowable, as stated above. The basis for the net fee should be supported in accordance with the above-referenced paragraph of FHPM 6-1-2-2.

The Program Data and Consultant Agreement submissions will have to be revised and/or clarified in accordance with the comments contained herein prior to further action on our part.

For G. L. Green

8639

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

January 14, 1976

FILE:

FROM: L. W. Rilin
Project Management Engineer

SUBJECT: Consultant Agreement
John Day Hwy.-P.G.E. Power Station
Rhea Road, FAS 958
Gilliam County

TO: Mr. E. S. Hunter
Deputy State Highway Engineer
B U I L D I N G

Attached for your approval is a consultant agreement between J. Val Toronto and Gilliam County covering the subject FAS-C project. This agreement has been reviewed and found to be acceptable as to form and reasonable as to engineering fees and costs.

Please sign the agreement on the signature page (page 7) and the consultant's certification (Exhibit B) and return it for programming.

LWR/RHP:sch

Attachment

RECEIVED
STATE HWY ENGR
JAN 15 '76
REFER TO
FOR
Info | Investigate | R/D | Draft | File | Letter | See me

RECEIVED
COUNTY & CITY SECTION
JAN 20 1976
☐ ENGR. ☐ COOR. ☑ CE ☒ AE ☐ UE
☐ UPE ☐ CE ☒ RE ☒ RPE ☐

PROJECT MANAGEMENT
JAN 19 '76
REFER TO:
FOR
Info | Investigate | R/D | Draft | File | Letter | See me

MCH:sch
Rev. 12/4/75

CONSULTANT AGREEMENT
FAS-C PROJECT

THIS AGREEMENT, made and entered into by and between GILLIAM COUNTY, acting by the through its County Court, hereinafter referred to as "County"; and the firm of J. Val Toronto and Associates, Inc., an Oregon corporation, whose office address is 219 SE Second Street, Pendleton, Oregon, acting by and through its Company Officers, hereinafter referred to as "Consultant";

W I T N E S S E T H

RECITALS

1. County plans and proposes to construct the John Day Highway-P.G.E. Power Plant Section of Rhea Road (FAS 958).

2. County has determined that they do not have the necessary personnel to perform the required work and it is advisable and desirable to engage the professional services and assistance of consultant. County has further determined that Consultant is adequately staffed and suitably equipped to perform the engineering services required for completion of the project in a satisfactory, economical and expeditious manner.

3. Attached hereto, marked Exhibit A, and by this reference made a part hereof, is a copy of Consultant's proposed work program, including the cost basis schedule for payment of fees. Hereinafter, said work shall be referred to as "project".

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

THINGS TO BE DONE BY CONSULTANT

1. Consultant shall perform all of the work and services outlined in the attached Exhibit A, and shall confer with County during the project, whenever it is deemed necessary. As a minimum, conferences shall be arranged prior to proceeding with any work on the project, and upon completion of field work, but prior to proceeding with any structural design.

2. Consultant shall maintain or establish a working office within the State of Oregon, or in the close vicinity of the project, that will be convenient to County, the State Highway Division and the Federal Highway Administration for the review and discussion of the work as it progresses.

3. Consultant shall present bills directly to County for the cost of work performed in accordance with the provisions of Exhibit A.

THINGS TO BE DONE BY GOVERNMENT AGENCIES

1. County shall, immediately upon final approval and execution of this agreement, assign a liaison or contact person to be responsible for review of Consultant's work, and to receive, audit, approve, and forward to the State Highway Division all billings from Consultant.

2. County shall pay 100 percent of the difference between the actual total cost of the project and the amount contributed toward the cost of the project by the Federal government and the State of Oregon.

3. County shall enter into and execute this agreement during an authorized session of its County Court.

4. The Oregon Department of Transportation, Highway Division, pursuant to an agreement with County, shall assign a liaison engineer to review Consultant's work and approve billings submitted by County. All approved billings shall be paid by State, and State shall submit all claims for federal participation to the Federal Highway Administration in the normal manner.

5. No work on the project may begin until a letter of notification has been received by Consultant authorizing work on the project to proceed.

GENERAL PROVISIONS

1. Consultant shall begin performance under this agreement not later than 30 calendar days after notification in writing to proceed, and will have completed the services heretofore described to the point of submitting preliminary plans to the Oregon State Highway Division within 30 calendar days thereafter. If, in the opinion of County, an extension of time is warranted due to major changes, or due to weather conditions, or other factors beyond the control of Consultant, County shall determine the amount of such extensions in time and grant such extensions in writing.

2. County shall pay to Consultant, as full compensation for the preliminary and design engineering services herein described, the lump sum amount of $41,440.00 Dollars, payable in monthly increments based on periodic progress reports, plus the actual costs of jobsite foundation drilling.

3. County shall also pay to Consultant as full compensation for construction engineering services, based on Consultant's actual cost plus a fixed fee, an amount not to exceed $ 48,150.00 except as stipulated in paragraph 12 under General Provisions. No retained percentages will be withheld from Consultant's approved bills.

4. The parties hereto agree to maintain all books, documents, papers, accounting records and other evidence pertaining to cost incurred and to make such materials available at their respective offices at all reasonable times during the contract period and for three years from the date of final payment under the contract, for inspection by the State, Federal Highway Administration or any authorized representatives of the Federal Government, and copies thereof shall be furnished, if requested.

5. All data to be furnished by Consultant under this agreement shall be delivered to and become sole property of County. Consultant shall place his endorsement on all engineering data furnished.

6. Consultant warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this agreement, and that Consultant has not paid or agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gifts or any other consideration, contingent upon or resulting from the award or making of this agreement. For breach or violation of this warranty, County shall have the right to annul this agreement without liability, or, in its discretion, to deduct from the contract price or consideration or otherwise recover the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

7. The design standards and procedures shall be governed by the "Geometric Design Guide for Local Roads and Streets", Part 1-Rural, published by AASHTO, 1970, or "Geometric Design Standards for Highways Other Than Freeways", published by AASHTO, 1969. The specific design and dimensions will be determined from said standards using traffic volumes and terrain as warrants. The latest design standards adopted by AASHTO shall govern design of highway bridges and related structures. The Consultant shall use the Oregon State Highway Division's procedures, standards, related specifications and forms as a guide in the development and prosecution of the project.

8. County reserves the right to terminate this agreement at any time, upon written notice, in the event of any of the following contingencies.

a. At the termination of any phase of the agreement.

b. If the project is abandoned, or indefinitely postponed.

c. If the Consultant's services are, in the judgment of County, unsatisfactory.

d. If the Consultant fails to prosecute the work with due diligence or fails to complete the work within the time limits specified herein or as subsequently extended.

In the event County terminates this agreement, County shall be obligated to pay Consultant an amount equal in value to that of the services satisfactorily performed until the time of termination, and will acquire ownership of the work completed at termination date. Any dispute concerning a question of fact in relation to the work may be resolved by conference between the parties hereto, but the decision of State shall be final.

9. Consultant shall save and hold harmless the County, its officials and employees from all claims, suits or actions of whatsoever nature caused by or arising out of the negligence of Consultant, its subcontractors, agents or employees under this agreement.

10. The parties hereto agree and understand that they will comply with all applicable Federal and State statutes and regulations including, but not limited to: Title 6, U.S.C., Civil Rights Act; Title 18, U.S.C., Anti-Kickback Act; Title 23, U.S.C., Federal Highway Act; and Titles 2 and 3 of the Uniform Relocations Assistance and Real Property Acquisition Policies Act of 1970. Furthermore, such provisions as are necessary to comply fully with the laws of the State of Oregon concerning public contracts and provisions to be included therein are hereby made a part of this agreement by this reference, and Consultant shall comply with the obligations and other provisions of said laws the same as though such obligations and provisions were fully set out herein.

11. Except as may be specifically provided herein, Consultant shall not assign, transfer or subcontract this agreement, any part hereof or any part of the work covered by this agreement, without the prior written consent of County; and any such assignment, transfer or subcontracting without such prior written consent shall be grounds for immediate termination of this agreement by County. No consent of County shall be given in any case, however, to any subcontracting in excess of 50 percent of the work of Consultant under this agreement (excluding "specialized services" designated as such in this agreement), based on the amount of the total contract price attributable to such subcontracted work.

12. In the event County decreases or increases the amount of work specified under this agreement, or in the event it becomes necessary to change any of the work that has been approved and/or accepted by County, this agreement shall be amended or supplemented as to time for completion and compensation in such a manner as to be mutually acceptable to the parties hereto, and shall have approval of the State and Federal Highway Administration.

13. The provisions of this agreement and all rights and obligations hereunder shall extend to and bind the approved successor, assignee, transferee, and subcontractors of Consultant, and any legal successor or assignee of County.

14. The executed certificate attached hereto, marked Exhibit B, is by this reference made a part of this agreement.

15. Consultant shall not engage, on a full- or part-time basis, during the period of this agreement, any professional or technical personnel who are, or have been during the period of the agreement, in the employ of the Federal Highway Administration or the highway organization of any state, county or city, except regularly retired employees, without the written consent of the public employer of such person.

16. Equal Opportunity. During the performance of this agreement, Consultant, for itself, its assignees and successors in interest, agrees as follows.

a. Compliance with Regulations. Consultant shall comply with the regulations of the Department of Transportation relative to nondiscrimination in federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this agreement.

b. Nondiscrimination. Consultant, with regard to the work performed after award and prior to completion of the agreement work, shall not discriminate on the grounds of race, color, sex or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. Consultant shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the agreement covers a program set forth in Appendix B of the Regulations.

c. Solicitations for Subcontracts, Including Procurements of Materials and Equipment. In all soliciations, either by competitive bidding or negotiation made by Consultant for work to be performed under a subcontract, including procurements of materials and equipment, each potential subcontractor or supplier shall be notified by Consultant of Consultant's obligations under this agreement and Regulations relative to nondiscrimination on the grounds of race, color, sex or national origin.

d. Information and Reports. Consultant will provide all information and reports required by Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records,

accounts, other sources of information, and its facilities as may be determined by State or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

e. Sanctions for Noncompliance. In the event of Consultant's noncompliance with the nondiscrimination provisions of the agreement, State shall impose such agreement sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

(1) Withholding of payments to Consultant under the agreement, until Consultant complies; and/or

(2) Cancellation, termination or suspension of the agreement, in whole or in part.

f. Incorporation of Provisions. Consultant will include the provisions of paragraph 16a through 16f in every subcontract, including procurements of materials and leases of equipment, unless exempt by Regulations, order, or instructions issued pursuant thereto. Consultant will take such action with respect to any subcontract or procurement as State or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that, in the event Consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, Consultant may request State to enter into such litigation to protect the interests of State, and, in addition, Consultant may request the United States to enter into such litigation to protect the interests of the United States.

17. Jurisdiction. This agreement shall be governed as to validity, interpretation and performance by the laws of the State of Oregon. Consultant hereby consents to the jurisdiction of the courts of the State of Oregon and to the commencement and maintenance in the State of Oregon by State or any third party of any suit, action or proceeding based on any claim arising out of or in connection with Consultant's work under this agreement. In the event that Consultant is a corporation, but not an Oregon corporation, Consultant shall obtain a certificate of authority to do business in the State of Oregon from the Corporation Commissioner of the State of Oregon before entering into this agree-

ment. If such certificate is not obtained by Consultant, however, at the time it enters into this agreement, then Consultant hereby appoints the Corporation Commissioner of the State of Oregon as Consultant's agent for service of process in connection with Consultant's work under this agreement. Provisions of Oregon law applicable to public contracts of this type are hereby incorporated.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

CONSULTANT, by and through its Company Officers

Firm J. Val Toronto & Associates Inc.

By J. Val Toronto P.E.

CONCURRENCE

OSHD

Date 5-16-76

GILLIAM COUNTY by and through its County Court

By Lee Barnett
County Judge

By Lester Brooks
Commissioner

By
Commissioner

ATTEST

County Clerk

Approved subject to the provisions outlined in Mr. George Hopkins' letter of May 6, 1976 for Project RS-609(1) for which this agreement applies.

Approved May 19, 1976
G. L. Green, Division Administrator
FHWA - Oregon Division
By
Glen W. Gray, Financial Manager

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IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

CONSULTANT, by and through its Company Officers

Firm J. Val Toronto & Associates Inc.

By J. Val Toronto P.E.

CONCURRENCE

OSHD

Date 1-16-76

GILLIAM COUNTY by and through its County Court

By Lee Barnett
County Judge

By Lester Brooks
Commissioner

By Wm D Hoyt
Commissioner

ATTEST

Christopher N White
County Clerk

CERTIFICATION OF CONSULTANT

I hereby certify that I am the PRINCIPLE ENGR.

and a duly authorized representative of the firm of IVOI TORONTO ASSOC. INC.

whose address is 219 S.E. 2nd St. Pendleton, and that neither

I nor the above firm I here represent has:

(a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this contract,

(b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the contract, or

(c) paid or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract; except as here expressly stated (if any).

I acknowledge that this certificate is to be furnished to the State Highway Division.

Jan - 8 - 1976
DATE

J. Val Giaretto P.E.
SIGNATURE

CERTIFICATION OF STATE HIGHWAY DIVISION

I hereby certify that I am the Deputy State Highway Engineer of the Highway Division of the State of Oregon, and that the above consulting firm or his representative has not been required, directly or indirectly as an express or implied condition in connection with obtaining or carrying out this contract to

(a) employ or retain, or agree to employ or retain, any firm or or person, or

(b) pay, or agree to pay, to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind, except as here expressly stated (if any).

1-16-76
DATE

E S Hunter
SIGNATURE

Exhibit B

MCH:sch
11/17/75

EXHIBIT A

FOR: John Day Hwy.-P.G.E. Power Plant Section of Rhea (FAS 958) Road

BETWEEN: J. Val Toronto & Associates, Inc and Gilliam County, Oregon

The consultant shall furnish all personnel, materials, supplies, equipment and other incidentals necessary for the successful completion of the work in accordance with the standards, procedures and regulations of the Oregon State Highway Division (OSHD) and the Federal Highway Administration (FHWA), as follows:

All preliminary engineering, including the field surveys and investigative work required for design of the project.

The design shall be developed with the plans and specifications prepared to the scale and detail required for compliance with OSHD standards for contract plans, current standard specifications for highway construction, supplemental specifications, and necessary special provisions. The consultant shall also prepare a complete and accurate summary of quantities and estimate of cost to be submitted with the final plans.

It is the intent of the County that the final plans, specifications, special provisions, quantity estimates, estimates of cost, and contract documents furnished by the consultant shall be in a form and in a condition ready for preparation of contract documents by OSHD for the normal advertisement for bids on the project.

Documents and data prepared by the consultant which shall become the property of County include, but are not limited to: field notes, original drawings, profile sheets, cross-sections, mass diagrams, horizontal alignment data, computations, final construction plans, specifications, special provisions, summary of quantities, and cost estimates.

Upon award of a construction contract by State, the consultant shall provide the following construction engineering and supervision in a manner and to standards acceptable to OSHD and standard engineering practice.

1. Furnish all construction staking.
2. Check all shop drawings and estimates.
3. Provide all on-site construction inspection.
4. Provide normal on-site materials testing and compaction testing.
5. Obtain, prepare and forward to the OSHD testing laboratory such material samples as are required from the job-site and off-site.

6. Prepare weekly construction reports and monthly cost estimates.

7. Prepare necessary change orders, extra work orders and price agreements.

8. Interpret plans and specifications throughout.

9. Conduct final inspection.

10. Prepare final report and "as-constructed" plans.

11. Monument and plat the roadway right-of-way.

OSHD and/or FHWA may perform any preliminary engineering, material testing, plan review, construction inspection, or shop fabrication inspection deemed necessary to assure project control. State shall supply consultant with laboratory reports, inspection reports, or notes when applicable.

The consultant shall arrange a preliminary design conference and a final design conference with representatives of OSHD, County and Consultant in attendance.

All portions of the work covered by this proposal shall be subject to review by OSHD, County and FHWA at any time deemed appropriate. Any duly authorized representative of OSHD, County or FHWA may request and obtain conferences, visits to the project site and inspection of the work at any reasonable time.

The Consultant shall submit a monthly design progress report to OSHD and the County.

The Consultant shall obtain approval of the final plans and supporting data from OSHD and the County. Said approval shall not absolve the Consultant from any errors or omissions which may have been undetected during review by OSHD and the County.

BASIS FOR ENGINEERING FEE

The engineer has taken his current overhead costs, based on his present work force and present volume of work to project annual overhead cost and annual volume of work.

The salary cost is defined as the cost of salaries (including any sick leave, vacation and holiday pay applicable thereto) to the engineer, draftsman, inspectors, surveymen, etc. plus unemployment insurance, payroll taxes, contributions for social security, and state industrial accident insurance for time directly chargeable to the project.

J. VAL TORONTO & ASSOCIATES, INC.

OVERHEAD COSTS
Year ending December 1975

DESCRIPTION	AMOUNT	PERCENT
Administrative & Office Salary	$ 14,398.14	23.67
Auto Expense	2,429.12	3.99
Entertainment	1,686.65	2.77
Travel	1,955.43	3.22
Rep & Mtce - Equipment	1,962.57	3.23
Utilities	3,359.11	5.52
Supplies	7,953.16	13.07
Printing	261.00	.43
Insurance	677.05	1,10
Interest	602.96	.99
Per Diem	9,589.14	15.77
Licenses & Dues	82.06	.13
Janitorial	240.00	.39
Property Tax	283.64	.47
R & M Building	297.43	.49
Prof. Services	2,508.30	4.12
Depreciation	5,048.47	8.30
Parking	120.00	.001
Miscellaneous	180.50	.29
Aircraft Expense	951.10	1,56
Rent	600.00	.98
TOTAL OVERHEAD COSTS	$ 61,913.14	90.51

Estimated total direct project salary cost $60,804.00
Overhead at 90.51% of salary cost

Exhibit A
Sheet 3 of 7

METHOD OF ARRIVING AT ENGINEER RATES

	Chief Engineer	Const. Engineer	Office Engineer	Project Engineer	Field/Design Engineer	Technician	Eng'r Aid
Hourly Salary	$10.00	$10.00	$ 6.00	$ 5.20	$ 5.20	$ 4.00	$3.75
Payroll Tax 9.05	.90	.90	.54	.47	.47	.36	.34
Accident Ins. 2.0	.20	.20	.12	.10	.10.	.08	.07
Vac. & Holiday	.55	.55	.23	.19	.19	.15	.14
Sick Leave	.28	.28	.12	.10	.10	.08	.07
Profit Share	.28	.28	.28	.56	.28	.00	.00
Total Salary Expense	$12.21	$12.21	$ 7.29	$ 6.34	$ 6.34	$ 4.67	$4.12
Overhead Allowance (90.5)	11.05	11.05	6.59	5.74	5.74	4.23	3.73
Chargeable Engr's Fee	$23.26	$23.26	$13.88	$12.36	$12.08	$ 8.90	$7.85

Survey Crews:

2 Man Crew: $12.08 + (8.90 + 7.85) = 20.46 — Call $20.50

3 Man Crew: $12.08 + (8.90 + 7.85) + 7.85 = 28.31 — Call $28.50

4 Man Crew: $12.08 + (8.90 + 7.85) + 15.70 = 36.16 — Call $36.00

PRELIMINARY ENGINEERING

WORK COMPLETED TO DATE
(December 31, 1975)

Preliminary Surveys	3 man crew	125 hrs	$ 3,562.50
Computing and Plotting	1 man	285 hrs	3,442.80
Preliminary Design	1 man	225 hrs	2,718.00
	Sub-Total		$ 9,723.30
	Fixed Fee Amount 17%		1,650.00
		Preliminary Engineering	$11,373.30
		Lump Sum	$11,375.00

CONSTRUCTION ENGINEERING

Monumenting & R/W & Property Line	3 man crew	255 hr	$ 7,268
Construction Staking	3 man crew	210 hr	5,985
Construction Inspection	1 man	800 hr	9,888
Meterial and Compaction Tests	1 man	350 hr	4,326
Reports, Estimates, Field Office	1 man	405 hr	4,892
Supervision	1 man	145 hr	3,373
Sub Total			$35,732
Fixed Fee Amount			6,075
Sub Total			$41,807
Misc. Materials & Expenses			
Compaction tests - shipping mailing & postage			520
Per Diem @ $14.00/day Travel - @ 20¢/mile			5,672
Construction stakes			150
Total			$48,149
Not to Exceed			$48,150

Estimated Construction Cost = $567,290

Construction Engineering = 8.5%

Explanatory Note:

Compensation for construction engineering is based on reimbursement of actual costs incurred plus a net fee amount. The amount actually paid the consultant may be adjusted upward or downward depending on the results of an audit which will be performed prior to payment of the final billings.

DESIGN ENGINEERING

Final Design	1 man	255 hrs	$ 5,931
	1 man	840 hrs	10,147
Quantity Summary	1 man	285 hrs	3,443
Specifications	1 man	160 hrs	2,221
Project Supervision	1 man	170 hrs	3,954
Sub Total			$25,696
Fixed Fee Amount			4,370
Design Engineering			$30,066
Lump Sum			$30,065

Estimated Cost of foundation drilling - 30 holes @ $125.00 ea	$ 3,750
Engineering Supervision and Evaluation - 45 hrs	1,050
Misc. materials, shipping and postage	300
Total Lump Sum Amount Soils Investigation	$ 5,100

8639

for 958
Gilliam Co

OREGON STATE HIGHWAY DIVISION

REGION 4

P.O. BOX 1249 • BEND, OREGON • 97701 • Phone 382-1911

January 5, 1976

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

J. Val Toronto
219 S. E. Second
Pendleton, OR 97801

Dear Mr. Toronto:

The Consultant Agreement proposed between you and Gilliam County has been revised as a result of your meeting in Salem on December 29. The agreement is intended to cover only the realignment of Rhea Road from the John Day Highway east to the proposed intersection with the existing road. The Airport Spur is not included.

Four copies of the agreement are enclosed. Please return three signed copies, with Exhibit A attached. Fully executed copies will be returned to you and the County following final approval. A preliminary copy of the agreement is being furnished the County via this letter.

To ensure that we are all operating from a common base of information, I am also enclosing two other items. The first is a map showing all projects proposed for Rhea Road, and their respective costs. The second is a chart showing necessary actions and their probable time sequence, based on a proposed contract schedule of October, 1976.

I'm looking forward to hearing from you again soon.

Yours very truly,

David S. Fenton
Regional Federal Aid Engineer

RECEIVED
COUNTY & CITY SECTION
JAN 6 - 1976
☐ ENGR. ☐ COOR. ☑ CE ☐ AE ☐ UE
☐ UPE ☐ CE ☑ RE ☐ RPE ☐

DSF:pw

cc: Judge Barnett, w/encl.
Geo. Hopkins
Don Harwell

PROJECT MANAGEMENT SECTION
ROUTING | ACTION | INFO
JAN - 6 1976
REMARKS:

Form 81-734-3122

8639

Salem, Oregon
December 31, 1975

by Mainor

George N. Hopkins
Project Development Engineer

Consultant Agreement
John Day Highway-P.G.E. Power Plant
Rhea Road, FAS 958

Mr. Dave Fenton
Region 4 Federal Aid Engineer
Bend

Following a conference with Mr. J. Val Toronto on December 29, we have corrected two minor errors in the consultant agreement with Gilliam County and trasnmit herewith six copies for your presentation to the county and/or consultant. Please return three signed copies with Exhibit A attached. Fully-executed copies will be furnished the county and consultant upon final approval.

The Region office should initiate an "Authority for Survey" as soon as it has been determined what portions of the work are to be performed by State forces.

This agreement is intended to cover only the realignment of Rhea Road from the John Day Highway easterly to its intersection with the existing road, and does not include the Airport Spur.

GNH/MCH:sch

Attachment

8639

FAS 958
Hillsboro

OREGON STATE HIGHWAY DIVISION

REGION 4

P.O. BOX 1249 • BEND, OREGON • 97701 • Phone 382-1911

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

December 18, 1975

Note: J. Val Toronto was in Hopkins' office and discussed consult. agreement and project in general - 12/24/75

J. Val Toronto
219 S. E. Second
Pendleton, Oregon 97801

Dear Mr. Toronto:

The County-City Unit of the State Highway Division has reviewed your proposed Consultant Agreement and found that it is not acceptable in its present form. The primary point of contention is the payment of fees. Preliminary engineering (P.E.) must be paid for on a lump sum basis, and construction engineering is paid for on a cost plus negotiated fixed fee basis. There are no other options.

Several other points need to be changed: The agreement cannot include the .54 miles of PGE access road, since this is not on the FAS system; the easterly two-thirds of the project (units 2 and 3, slated for 1976-1979) should not be included in this agreement; the agreement must include a fee schedule, overhead percentages, and itemized engineering estimates for both PE and construction engineering.

I am enclosing four copies of a proposed Consultant Agreement and one copy of Exhibit A, Consultant's proposed work program. You may add to the Agreement in minor ways, but you may not significantly modify it. The proposed work program may be completed to fit your particular case, but it is strongly suggested that you follow our example.

You may wonder at the reason for the restrictions we have placed upon you. To clear up any questions you might have, I am also enclosing a copy of Federal Highway Program Manual guidance concerning "Engagement of Consultants for Engineering Services." Call me if you still have questions.

PROJECT MANAGEMENT SECTION
ROUTING | ACTION | INFO
DEC 22 1975

Yours very truly,

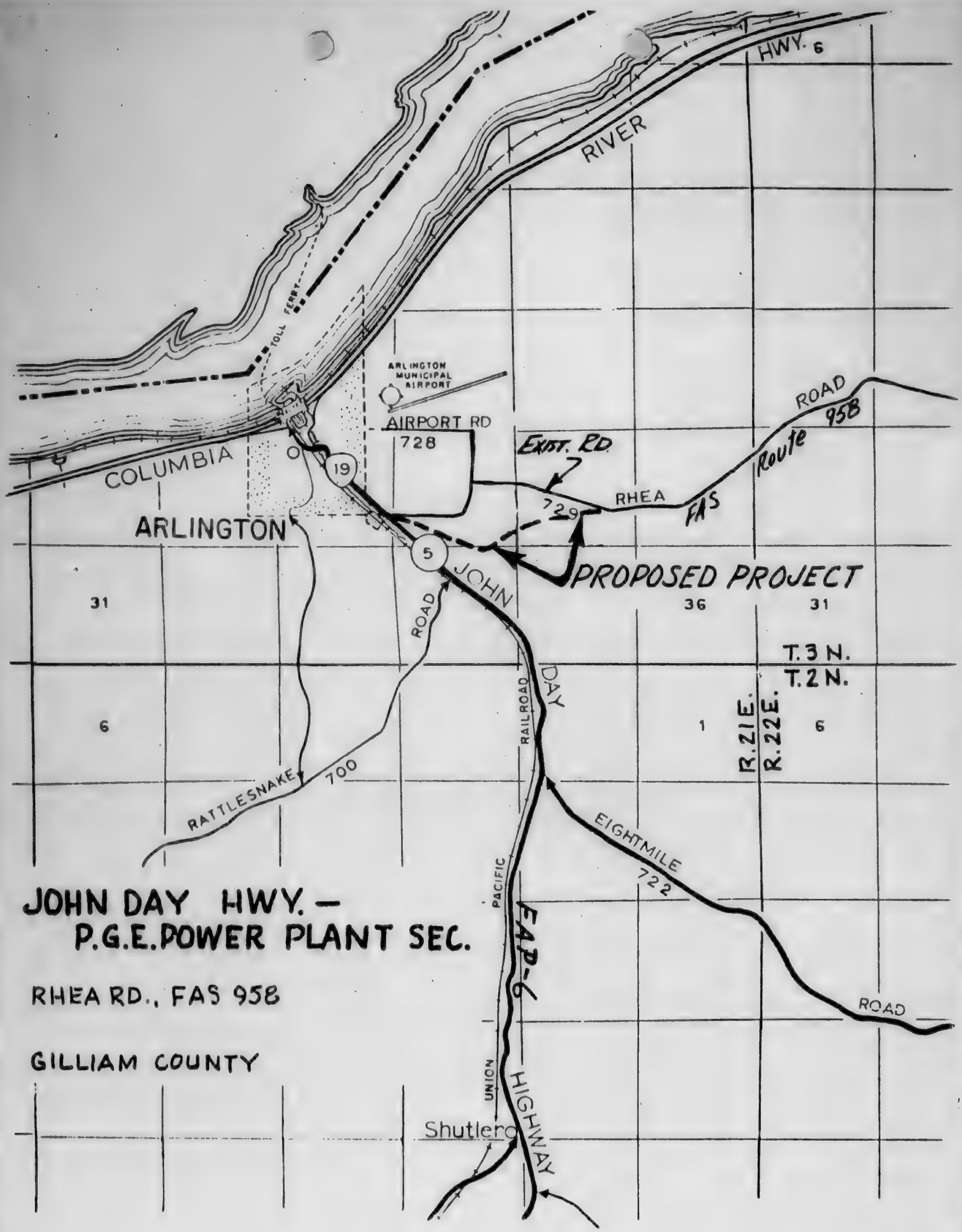
David S. Fenton

David S. Fenton
Regional Federal Aid Engineer

RECEIVED
COUNTY & CITY SECTION
DEC 24 1975
☐ ENGR. ☐ COOR. ☐ UE ☒ AE ☐ UE
☐ UPE ☐ CE ☒ RE ☒ RPE ☐

DSF:pw
Enclosures
cc: Judge Leo Barnett w/encl., L.W.Rulien

Form 81-734-3122



JOHN DAY HWY. — P.G.E. POWER PLANT SEC.

RHEA RD., FAS 958

GILLIAM COUNTY

8639

fas 958 - Gilliam Co

U. S. DEPARTMENT OF TRANSPORTATION — FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

5-19-76

FEDERAL AID PROJECT NO.: 609(1)

STATE PROJECT NO.: John Day Hwy-PGE Power Station

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.:

COUNTY NAME: Gilliam

ITEM NO.: RS-102

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. F. B. Klaboe
Administrator & State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
COUNTY & CITY SECTION
MAY 24 1976
☑ ENGR. ☐ COOR. ☑ OE ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☑ RPE ☐

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER / STATE ROUTE NUMBER
	5/19/76	Secondary Route 958 / County Road

GENERAL LOCATION:

County Road 0.2 mile east of Arlington ECL east 2.0 miles

GENERAL DESCRIPTION OF WORK:

Preliminary engineering including utility preparatory work.

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY

PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☐ ACQUISITION OF RIGHT-OF-WAY

CONSTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☒ OTHER (Specify) Program Approval and all phases of preliminary engineering necessary to obtain an approved Negative Declaration at a total cost of $29,200, Federal funds $22,800.

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Rulien's 3/31/76 letter I approve this project for inclusion in the Federal-aid program.

Also as requested in Mr. Rulien's letter, I concur that the Negative Declaration for this project is not limited to the termini of approval, but includes the entire route between the John Day Highway (OR 19) and the Heppner Highway (OR 74).

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
5/19/76	G. K. Hoerner	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1975—631-855

MONTHLY TRANSACTION NO.

DATE SUBMITTED TO W. O.

FORM PR-1 (REV. 4-61)

March 31, 1976

FEDERAL-AID PROGRAM DATA

CARD 2	REPORT NUMBER: 1 (10)(20)	PROJECT LOCATION (45 typewriter spaces): Co. Rd., 0.2 mi. E. of Arlington ECL, E.2.0mi. 21 69	ADT	PRESENT: 80 DHV 15	FUTURE: 600 (66)(70)	YEAR: 96 (71)(72)	REGION: 10	STATE NAME: Oregon			
CARD 3	CHARACTER OF PROPOSED WORK (35 typewriter spaces): Preliminary Engineering 28 62	NATL. FOREST (63)(68)	FH ROUTE NO. (69)(70)	SUPV AGCY (69)	DA CLASSIF. (70)	DA AREA (71)	EMERG. YR. (72)(73)	PL. AUTH YR (74)(75)	PROJECT NUMBER: PREFIX LETTER(S): RS- (14 23)	NUMBER: 609 (27)	
CARD 4	CLASS OF FEDERAL FUNDS: Rural Secondary						COUNTY NAME: Gilliam				
	NAME OF URBAN AREA: ---- (17-31)						ROUTE NO. S	FEDERAL-AID: 958	STATE: Co. Rd. (32)(36)	U.S. -- (37)	

CARD 5	LINE NO.	CHANGE CODE	PROJECT CODE	WORK CLASS	WORK TYPE	STEP	TERMINI (Full description)	MILES	ESTIMATED PROJECT COST BY PHASES: TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS
	(1-15)	(16)	41	42	43 46	53		(54)(58)	(59)(66)	(67)(76)		
5					PE		Co. Rd., Jct. ORE 19 0.2 mi. E. of Arlington E. City Limits, E. 2.0 mi.	2.0	35,200	27,500	3,850	3,850 (Co.)
5					ROW							
5					CONST (CODE)		"John Day Hwy.-P.G.E. Power Station Section"					
								2.0	35,200	27,500	3,850	3,850 (Co.)

RECEIVED
COUNTY & CITY SECTION
MAY 24 1976
☐ ENGR. ☐ COOR. ☐ LOC. ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE

CARD 1	CODE 1	PREPARED BY: JLG	PROJECT TOTALS	(16) (23) (24) (33)	REMARKS
1	14	PROGRAM APPROVAL DATES			

MAY 19 1976

FHWA OREGON DIVISION

FORM PR-1 (REV. 4-81)

March 31, 1976

FEDERAL-AID PROGRAM DATA

PROJECT LOCATION (45 typewriter spaces)		PRESENT	FUTURE	YEAR	REGION	STATE NAME	STATE CODE	APPN CODE	ITEM NO.
Co. Rd., 0.2 mi. E. of Arlington ECL, E.2.0mi.	ADT	80 DHV 15	600	96	10	Oregon	41	075	102

PROPOSED WORK (35 typewriter)	NATL. FOREST	FH ROUTE NO.	SUPV AGCY	DA CLASSIF.	DA AREA	EMERG. YR.	PL. AUTH YR.	PROJECT NUMBER PREFIX LETTER(S)	NUMBER	SEQ. NO.	T. Projects Only POST MI.	DESIG.
Engineering								RS-	609	(1)		

FUNDS: Rural Secondary

AREA: ----

COUNTY NAME: Gilliam — CODE: 021

ROUTE NO.: S — FEDERAL-AID: 958 — STATE: Co. Rd. — U.S.: ---

PROGRAM STAGE: [ ] 1 OR [X] 2

WORK TYPE	STEP	TERMINI (Full description)	MILES	TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS	CHARACTER OF PROPOSED WORK (Full description)
PE		Co. Rd., Jct. ORE 19 0.2 mi. E. of Arlington E. City Limits, E. 2.0 mi.	2.0	35,200	27,500	3,850	3,850 (Co.)	P.E. all phases incl. P.E. by Utility forces.
ROW								(Future 2-12' lanes with 8' shldrs.)
CONST (CODE)		"John Day Hwy.-P.G.E. Power Station Section"						ROW - 60' min.; Access control-none; Parking restrictions-none.
		PROJECT TOTALS	2.0	35,200	27,500	3,850	3,850 (Co.)	

ESTIMATED PROJECT COST BY PHASES

RECEIVED
COUNTY & CITY SECTION
MAY 24 1976
☐ ENGR. ☐ COOR. ☐ R/W ☐ UE
☐ UPE ☐ CE ☐ INC ☐ RPE

ED BY: JLG

M APPROVAL DATES: MAY 19 1976

FHWA OREGON DIVISION

REMARKS

-Over-

JOHN DAY HWY.-P.G.E. POWER STATION SECTION

PROJECT NO. RS-609(1)

Existing Facility:

Proposed-------Projection only.
Traveled Way---Westerly 0.5 mile has a 20-foot oil mat with 4-foot gravel shoulders. The remainder is a 20 to 24-foot gravel roadway.

Adjacent Sections:

West End---ORE 19 (FAP 6)
East End---24-foot gravel roadway

Project Data: Work under this project consists of all phases of preliminary engineering including preliminary engineering by Utility forces, as required, for the future construction of two 12-foot lanes high-type pavement with 8-foot shoulders.

Note: Engineering to be accomplished by the consultant engineering firm of J. Val Toronto and Associates with review and contracting by State forces.

System Action, Railroads, Water Development, Historical and Recreational Areas: None involved.

Airports: Arlington Municipal Airport lies northerly within two miles of the project. However, no convlict with the operation of the airport is anticipated as a result of this project.

FHPM 7-7-2 Requirements: Major (Non-Significant) action project requiring a negative declaration concurred in by FHWA on February 26, 1976.

IM 50-1-70 Requirements: State Clearinghouse and Distr
Clearinghouse A-95 review approval letters dated Marc
and March 22, 1976, respectively.

FHPM 7-7-5 Requirements: In conformance with the Orego
Federal Statutes and Regulations.

Route Data: This is a farm to market road, school bus
route and also serves as an access road to an electr

Data for PR-37:

Preliminary Engineering--Field Work	$29,200
P.S. & E. Preparation	6,000
Total	$35,200

Note:

(1) This project is in Congressional District No. 2
(2) The Negative Declaration will cover the entire
the John Day Highway (ORE 19) and the Heppner H

OHN DAY HWY.-P.G.E. POWER STATION SECTION

PROJECT NO. RS-609(1)

:

Projection only.
Westerly 0.5 mile has a 20-foot oil mat with 4-foot gravel shoulders. The remainder is a 20 to 24-foot gravel roadway.

:

19 (FAP 6)
oot gravel roadway

rk under this project consists of all phases of pre-ering including preliminary engineering by Utility ired, for the future construction of two 12-foot lanes ent with 8-foot shoulders.

g to be accomplished by the consultant engineering firm Toronto and Associates with review and contracting by es.

ilroads, Water Development, Historical and Recreational volved.

con Municipal Airport lies northerly within two miles of owever, no convlict with the operation of the airport is a result of this project.

ements: Major (Non-Significant) action project requiring aration concurred in by FHWA on February 26, 1976.

IM 50-1-70 Requirements: State Clearinghouse and District 12 Clearinghouse A-95 review approval letters dated March 9, 1976 and March 22, 1976, respectively.

FHPM 7-7-5 Requirements: In conformance with the Oregon Action Plan, Federal Statutes and Regulations.

Route Data: This is a farm to market road, school bus route, mail route and also serves as an access road to an electro-power plant.

Data for PR-37:

Preliminary Engineering--Field Work	$29,200
P.S. & E. Preparation	6,000
Total	$35,200

Note:

(1) This project is in Congressional District No. 2.
(2) The Negative Declaration will cover the entire route between the John Day Highway (ORE 19) and the Heppner Highway (ORE 74).

8639

EXECUTIVE DEPARTMENT

AN EQUAL OPPORTUNITY EMPLOYER

John Day Hwy.-Heppner Hwy. (Rhea Rd.)
[redacted] Rhea County Road
[redacted] County

INTERGOVERNMENTAL RELATIONS DIVISION

240 COTTAGE STREET S.E. • • • • SALEM, OREGON 97310

ROBERT W. STRAUB
GOVERNOR

STAFFORD HANSELL
Director

March 11, 1976

3/15/76

cc: G. L. Green, FHWA
F. B. Klaboe
F. E. Terpin
J. B. Boyd
R. E. Royer
J. H. Versteeg
Gary Potter
G. N. Hopkins, Co.-City
B. L. Gifford
D. E. Swan
Carl M. Williams
J. L. Gunter
Aeronautics Div.
W. J. Hart

L. W. Rullen
State Highway Division
State Highway Building
Salem, Oregon 97310

Re: John Day-Heppner Highway
PNRS #7602 2 320

The State Clearinghouse has received additional comments on your project from the Soil and Water Conservation Commission subsequent to issuance of its original sign-off letter of March 9, 1976. Soil and Water commented as follows:

Regarding the program review and comment:

EFFECTS, ALTHOUGH MEASURABLE, WOULD BE ACCEPTABLE: The Gilliam County SWCD informs us the soils in this area are capable of blowing. Care during construction to prevent blows should be emphasized. All cut or fill banks of soil should be seeded upon completion.

Regarding the Preliminary Environmental Assessment:

The Preliminary Environmental Assessment is adequate. No significant effect on the environment is indicated and a negative declaration is justified.

A copy of this letter should be forwarded to the federal funding agency as required by OMB A-95.

Sincerely,

William H. Young
Administrator

WHY:11h

RECEIVED
COUNTY & CITY SECTION
MAR 15 1976
☐ ENGR. ☐ COOR. ☑ OE ☒ AE ☐ UE
☐ UPE ☐ CE ☒ RE ☐ RPE ☐

BEN GIFFORD
2-10-76

PROJECT MANAGEMENT
MAR 12 '76
REFER TO
FOR
Info | Investigate | R/D | Action | File | Letter | See me

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

8639

STATE CLEARINGHOUSE

Gilliam Co.
FAS 958

Intergovernmental Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Leslie Lehmann, Coordinator Ph: 378-3732

STATE A-95 REVIEW CONCLUSIONS

APPLICANT: State Highway Division

PROJECT TITLE: John Day Hwy-Heppner Hwy

DATE: March 9, 1976

G. L. Green, FHWA
F. B. Klaboe
F. E. Terpin
J. B. Boyd
R. E. Royer
J. H. Versteeg
Gary Potter
W. J. Hart
G. N. Hopkins, Co-City
B. L. Gifford
D. E. Swan
Carl M. Williams
J. L. Gunter
Aeronautics Division

The state has reviewed your project and reached the following conclusions:

☒ No significant conflict with the plans, policies or programs of state government have been identified and your proposal is endorsed as presented.

☐ Relevant comments of state agencies are attached and should be considered in the final design of your proposal.

☐ Potential conflicts with the plans and programs of the state agency(s) have been satisfactorily resolved. No significant issues remain.

☐ Significant conflicts with the plans, policies or programs of state government have been identified and remain unresolved. The final proposal has been reviewed and the final comments and recommendations of the state are attached.

NOTICE TO FEDERAL AGENCY

The following is the officially assigned State Identifier Number:

7602 2 320

This number should be used on all correspondence and particularly on SF 240 as required by OMB A-98.

RECEIVED
COUNTY & CITY SECTION
MAR 15 1976

☐ ENGR. ☐ COOR. ☑ OE ☒ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE ☐

Copy of this notification and attachments, if any, must accompany your application to the federal agency as required by OMB A-95. Comments of the appropriate local reviewing agencies must also be included.

BEN GIFFORD
2-10-76

PNRS #2

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

Intergovernmental Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Ph: 378-3732

FEB 12 1976
Agricultural Development Div.

PNRS STATE REVIEW

Project #: 7602 2 320 ! Return Date: MAR 05 1976

The attached proposal is for your review and comment. Please notify us immediately if you will be unable to respond by the indicated due date. If no response is received by the due date, it will be assumed that you have no comment and the file will be closed.

PRELIMINARY ENVIRONMENTAL ASSESSMENT

( ) The Preliminary Environmental Assessment is adequate. No significant effect on the environment is indicated and a negative declaration is justified.

( ) The Preliminary Environmental Assessment is adequate. There is a significant effect on the environment and an Environmental Impact Statement should be prepared as required by the National Environmental Protection Act.

( ) The Preliminary Environmental Assessment is inadequate; further documentation is necessary. See remarks below.

- - - - - - - - - - - - - - - - - -

REMARKS

February 19, 1976

We support the application State Highway Division requesting funds to update a section of road between State Highway 74 and the Arlington John Day Highway.

Irrigation development in Northern Morrow County and the proposed Pebble Springs Nuclear Plant will greatly stimulate the use of this proposed highway.

This section of road will greatly enhance farm to market access for the section of Morrow and Gilham Counties and provide direct access for workers residing in this area.

Agency Aquaculture By Don McKenzie

8639 3-3-76

For valuable consideration, Gilliam County hereby assigns to Oregon State Highway Division any payments due the County from the Oregon State Highway Division in connection with the project engineering costs incurred by J. Val Toronto and Associates during the construction of the John Day Hwy.-PGE Power Plant Section, Rhea Rd., FAS 958, designated Oregon project no. RS-609(1), in Gilliam County.

Dated this 3RD day of MARCH, 1976.

Gilliam COUNTY, by and through its COUNTY COURT

Lee Barnett
Judge

Lester Brooks
Commissioner

Wm D Hendy
Commissioner

C.C. Dick Hacek - Finance

7/14/75
County

8639

fac 958 Gilliam Co

OREGON STATE HIGHWAY DIVISION

REGION 4

P.O. BOX 1249 • BEND, OREGON • 97701 • Phone 382-1911

February 19, 1976

ROBERT W. STRAUB
GOVERNOR

P. B. KLABOE
Administrator and
State Highway Engineer

Judge Barnett
Gilliam County Courthouse
Condon, Oregon, 97823

Dear Judge Barnett:

I have three items of business to conduct on the Rhea Road project. First, I have enclosed three copies of the Construction-Finance Agreement for the project. Please sign, have the clerk attest, and send the copies to us. An approved copy will be returned to you.

Second, we need an advance deposit for $3,870.00. Send the check directly to me.

Third, a Power of Attorney form is also enclosed for signature. This form makes it legal for us to pay the consultant directly. You will be notified of each payment we make.

Yours very truly,

David S. Fenton
Regional Federal Aid Engineer

RECEIVED
COUNTY & CITY SECTION
FEB 20 1976
☐ ENGR. ☐ COOR. ☒ OE ☒ AE ☐ BE
☐ BPE ☐ CE ☒ RE ☒ BPE ☐

DSF:pw
cc: Robert Prange
J. Val Toronto
Enclosure

Form 81-734-3122

8639

fas 958 (Rte Rd?)
Gilliam Co

ASSOCIATION OF OREGON COUNTIES

PRESIDENT • LOUIS OLSON - JEFFERSON
FIRST VICE-PRES. • HARRY CARSON - MARION
SECOND VICE-PRES. • ROY HIRAI - MALHEUR
TREASURER • HIRAM C. JOHNSON - SLATSOP

LOCAL GOVERNMENT CENTER • 1201 COURT STREET, N. E. • P. O. BOX 2051, SALEM, OREGON 97308 • (503) 585-8351

P. JERRY ORRICK
EXECUTIVE DIRECTOR

February 13, 1976

Judge Leo Barnett
Gilliam County Courthouse
Condon, Oregon 97823

Dear Leo:

This letter is to advise you that the AOC Board of Directors approved your request to obligate one additional year of FAS-C funds, or a total advancement of six years, for funding the road construction project in connection with the Pebble Springs nuclear power plant development by Portland General Electric Company. The Board approval is subject to the availability of FAS-C funds to your county in its current priority position.

As of the application deadline of February 1, the FAS-C unreserved balance of $2.4 million has been depleted with funding of projects for counties through the 21st priority. Therefore, the additional funds for your project will not be available until the fiscal year 1977 federal-aid appropriation is made sometime later this year.

If you have any questions about this authorization, please contact our office.

Sincerely,

P. Jerry Orrick
Executive Director

BP:lg

cc: F. B. Klaboe
Administrator and State Highway Engineer

L. W. Rulien
Project Management Engineer
State Highway Division

bcc: G. N. Hopkins

RECEIVED
COUNTY & CITY SECTION
FEB 17 1976
☐ ENGR. ☐ COOR. ☑ OE ☒ RE ☐ UE
☐ UPE ☐ CE ☒ RE ☒ RPE ☐

PROJECT MANAGEMENT
FEB 17 '76
REFER TO:
FOR
Info ✓ | Investigate | R/D | Action | File | Letter | See me

DIRECTORS: CHAS. D. BAILEY, TILLAMOOK; LARRY CALLAHAN, BENTON; GEORGE CALVERT, JOSEPHINE; MEL GORDON, MULTNOMAH; L. E. KASEBERG, SHERMAN; EARL C. MISENER, UNION; STAN SKOKO, CLACKAMAS; BRYANT WILLIAMS, KLAMATH; WARREN BARNES, OSSA; LARRY OLSON, DACEB; DON PENFOLD, DACC; LEONARD SHOEPF, DACT; VIRGIL TRICK, OSACA

5639

Jan 15 Y/C
Gilliam Co

Salem
February 13, 1976

Robert H. Prange
Rural Engineer

FAS Program Request

Mr. D. E. Swan
Federal Aid Engineer
Project Management Section

County: Gilliam Section: John Day Hwy.-PGE Power Plant Section
Rhea Rd., FAS 958

Termini: Running easterly approximately 2 miles from the jct. with FAP-6 John Day Hwy.

Proposed Work: All phases of P.E.

Project Length: Approximately 2 miles

Cost:	Total	Federal	State	County
P.E. Consultant	$35,200	$27,460	$3,870	$3,870

Existing Facilities: Existing roadway-0.5 mile has a 20-foot oil mat with 4-foot gravel shoulders, remainder is a gravel roadway 20-24 feet wide

Adjacent Section:
East End- 24-foot gravel roadway
West End- FAP-6

Project Data: All phases of P.E. for a project to grade, drain, base and pave a roadway on new alignment. Roadway is to have two 12-foot A.C. travel lanes with 8-foot shoulders.

Engineering by a consulting firm (J. Val Toronto and Associates)

Sent 2 copies of the Consultant agreement

Right-of-Way: 60-foot minimum Access Control: None
Railroad Crossing: None
Minimum Design Standards: No deviation from standards
System Action: Completed
Route Data: This is a farm to market, school bus, and mail route. This will also serve as an access to an electro-power plant
Public Hearing: To be offered
Environmental Assessment:
Negative Declaration: 2/3/76
Park and Recreation Area Affected: None in area
Relocation Assistance: No one moved
Social, Economic and Environmental Effects Considered: Yes
Location and Design Approved:
Clearinghouse Appeovdd:
Council of Governments:
U.S. Army:
Approved by D.O.T.: Nov. 25, 1975
ADT: 1975 DHV: 1975
1995 1995
HR:dp
Attachments

☐ ENGR. ☐ ASST. ☑ OE ☒ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE ☐

GILLIAM 11 COUNTY

FAS SYSTEM

Scale 1" 1 1 1

8639

File → FAS 958 Gilliam Co

MEMORANDUM TO THE FILES

DATE: January 30, 1976

(x. ref'd Clack Co)

FROM: D. N. Harwell
County-City Engineer

RE: Rhea Road, FAS 958
Gilliam County

I discussed with Clackamas County on January 20, 1976 the reallocation of Federal Aid Secondary dollars to the several counties in Oregon which was the subject of the 1975 Conference of the Association of Oregon Counties, with the allocation program being adopted by this body on November 21, 1975. Numerous meetings were held with the Association of Oregon Counties Technical Advisory Committee as well as the Roads and Streets Committee. These two committees basically formulated this policy and submitted it to the Annual Conference. The policy was submitted to the Oregon State Highway Division and received approval by the Oregon Transportation Commission at their meeting of January 22, 1976.

The purpose behind Mr. McIntyre's discussion of this matter is relative to a request by Gilliam County for extension or modification of the proposed project to build the Rhea Road to build the Rhea Road, an all-weather route, lying basically between the John Day Highway near Arlington and the Heppner Highway, a length of approximately nine miles. Gilliam County has retained J. Val Toronto as a consulting engineer on this proposed project and Toronto, in turn, has been working very closely with the County-City Unit and Region 4 office of the Highway Division. In a meeting on January 23 at the AOC office Gilliam County requested a deviation from the policy; ie, an additional year of fund advancement. I have taken the liberty to forward Mr. McIntyre a copy of my letter to Mr. Dave Fenton of Region 4 regarding the background and ultimate goal of the Gilliam County project on Rhea Road which will serve the proposed Pebble Springs nuclear power plant, the airport of Arlington, and several farm homes.

DNH:sch

☐ ENGR. ☐ ASST. ☑ OE ☐ AE ☐ UE
☑ UPE ☐ CE ☐ RE ☐ RPE ☐

8639

fas 958 Gilliam Co

FORM 81-734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

SALEM, OREGON

January 30, 1976

FILE: PRO 4-3

FROM: L. W. Rutledge
Project Management Engineer

TO: Mr. E. S. Hunter
Deputy State Highway Engineer

SUBJECT: PROJECT ASSESSMENT
John Day Hwy.-Heppner Hwy.
(Rhea Road)
Rhea Road
Gilliam County

Actached for your information is an assessment, concurred in by the FHWA.

Project Management classifies this section as a Category 3 project of MAJOR action. (Non-significant)

Your approval will place this project in our Project Management System and allow its development in accordance with Action Plan procedures.

BLG:ljt
Attach.

cc: J. B. Boyd (3)
L. E. George
W. J. Hart
C. T. Keasey
J. H. Versteeg (4)
Victor D. Wolfe
G. A. Potter (2)
Gary Sund
R. E. Royer
Soils & Geology - Lab Bldg.
County/City Unit
D. E. Swan
B. L. Gifford
Region 5 : W. E. Schwartz
District 12 : H. W. Oswald

EJH
Date 2-3-76

RECEIVED
STATE HWY ENGR
JAN 30 '76
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

PROJECT MANAGEMENT
FEB -4 '76
REFER TO:
FOR
Info | Investigate | R/D | Action | File | Letter | See me

Form FHWA 121 (Rev. 8-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

SUBJECT: Oregon Project RS-609(-)
John Day-Heppner Highways (Rhea Road)
Rhea Road
Gilliam County
Project Assessment

DATE: January 26, 1976

In reply refer to: 1041DB.4

FROM : G. L. Green, Division Administrator

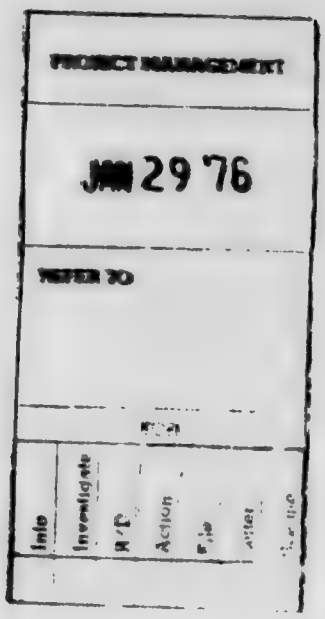
TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer

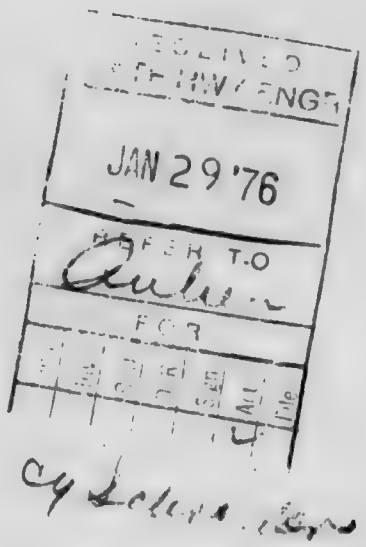
The subject project assessment submitted with Mr. Rulien's January 12 memorandum has been reviewed. We concur with your finding that the proposed project constitutes a major action requiring the preparation of a negative declaration.

It should be understood that our concurrence is only on the type of action and type of environmental document. The proposed standards, the design, and other specific details contained in the assessment will be subject to future reviews.

William A. Kappus
for G. L. Green

cc:
OSHD (Potter)
OSHD (Laux)
OSHD (Region 4, Fenton)





cy Letter Only

BEN GIFFORD

RECEIVED
COUNTY & CITY SECTION
FEB 5 - 1976
☐ ENGR. ☐ COOR. ☐ DE ☐ PROJ. LE.
☐ DPE ☐ CE ☐ RE ☐ RPE ☐

Oregon State Highway Division

PROJECT ENVIRONMENTAL ASSESSMENT

Date December 30, 1975

A. PROJECT IDENTIFICATION

Name of Project John Day Highway-Heppner Highway (Rhea Road) (Section) RS-609(-)

Location of Project Rhea Road (Highway Name) FAS 958 (Highway No., US - ORE)

(City) Gilliam (County) 4 (Region)

Program FAS (Funding) $2,850,000 (Estimated Cost) (Prefix)

B. PURPOSE AND ORIGIN OF PROJECT

Purpose: To upgrade an existing FAS-C route to accommodate expected traffic increases generated by the proposed Pebble Springs Nuclear Reactor and future areawide economic development. The present road was only recently designated a Federal Aid Secondary-County route. This designation, in part, reflects the belief that the route will become the most important and heavily travelled road in Gilliam County. The proposed improvement, which involves reconstruction and realignment, would provide an all weather intertie between State Highway 19 and State Highway 74. All weather service will, in turn, improve highway access between Arlington and cities to the southeast (esp. Ione, Lexington, and Heppner.)

Origin and History:
Rhea Road is presently used to transport school children, U.S. Mail, and farm products (primarily wheat). The proposed Pebble Springs nuclear power plant will be located about 2.2 miles east of Highway 19 on Rhea Road. The Pebble Springs project will be the largest single construction project ever undertaken in Oregon. During construction (1976-1988) about 2,000 workers (1200 ADT) will daily travel on Rhea Road to and from the site. The proposed road improvement is a component of the Gilliam County comprehensive plan.

C. DESCRIPTION OF PROJECT

Length Approximately 9.9 miles

Termini Rhea Road commences at State Highway 19 in Gilliam County, just south of the Arlington city limits, and traverses easterly across Willow Creek and interties with State Highway 74 in Morrow County

Alignment ☐ New ☐ Existing ☒ Combined In order to attain modern day horizontal and vertical design standards, it will be necessary to re-align the westerly and easterly portion of the project. Some curve straightening and curve widening will be required throughout the remainder of the project. Existing right-of-way will be utilized or incorporated into the design as much as possible.

CATEGORY 3 PROJECT
MAJOR
NON-SIG

(Form (1) 9-74)

C. Description of Project (cont.)

Right-of-Way (acreage and type of land use) Approximately 100 acres are required, with a substantial amount of this currently in County ownership. The number of private ownerships involved is 5. The land is used for sheep and cattle grazing land.

Typical Section Two travel lanes, with normal shoulders.

Structures Concrete bridge located across Willow Creek to replace existing old wood bridge.

Characteristics (ADT) Current traffic averages about 80 vehicles per day. Construction of the Pebble Springs nuclear reactor is expected to increase volumes to 1100-1200 ADT by 1979. Upon completion of nuclear reactor construction, volumes should decline to around 400 ADT (mid-1980's).

Other General Information (or Supplemental information to items) Base rock can be manufactured from on-site rock excavation. Some imported borrow material will probably be required. Due to extremely large private land holdings, access control will be strictly limited to use of adjacent land owners for farming and ranching purposes. Signing will be required at the entrance to State Hwy. 19 and State Hwy 74; at the proposed airport road intersection; and at the PGE plant access road intersection. Guardrail will be placed in only very limited locations and may not be a requirement. No signals are contemplated. No special vehicle problems are contemplated during construction.

Project Sketch Map is Attached: [X] Yes [ ] No

D. LOCATION AND/OR DESIGN ALTERNATIVES (IDENTIFY AND DESCRIBE)

An alternative to reconstruction and realignment of portions of this road would be a "no-build" program. The existing Rhea Road FAS 958 is of substandard design and construction throughout its entire length. The road will require redesign and realignment, including relocation studies to reduce the existing 16% grade on the westerly and easterly approaches. Several relocation design alternatives at the above locations will need to be studied to reflect current engineering design standards. Project funding necessitates programming road improvements into three construction units (see map). Unit 1 would be programmed immediately with Unit 2 and Unit 3 following pending fund availability.

E. PUBLIC PARTICIPATION AND INTERAGENCY COORDINATION

Public Hearing(s) Schedule: [ ] Not Required [X] Required (offer) [ ] Recommended

Type _____ Tentative Date(s) _____

A-95 Review: [ ] Not Required [X] Required

F. BRIEF ENVIRONMENTAL SETTING OF PROJECT AREA

Natural (Topography, Flora, Soils, Water Features, Drainage, etc.)

Topography: Flat in the middle of the project; rolling with steep ascent and descent at west and east end.

Flora: Overgrazed grassland, dominated by cheatgrass.

Fauna: Small rodents and jackrabbits are common to abundant; mule deer and coyotes are seen regularly; lizards and snakes are present; common breeding birds are horned larks, meadowlarks, long-billed curlews (a threatened species), and mourning doves. Many raptors also breed here, including burrowing owls and ferruginous hawks, both threatened species. The prairie falcon, an endangered species, nests on nearby cliffs and forages in the area.

Soils: Type I and II for agricultural purposes. Overburden consists primarily of approx. 24" of silt. Soils stable when dry and unstable when saturated. Some slight erosion will occur when upper soil mantle has been disturbed and design engineering will keep excavation in these areas to a minimum.

Geology: No hazardous areas exist. The general geological structure at the west end section consists of dense basalt rock formation.

Water Features: Water features consist of a single tributary called Willow Creek, located at the most easterly extremity of Rhea Road. No other streams are encountered. Side ditches to intercept surface run-off will be required at some locations such as side hill cuts and other areas of excavation.

Climate: Precipitation amounts to 9 inches annually. Rainfall intensity rarely exceeds 1" per hour and is more in the order of 1" per day. Temperatures range from summer lows of 50°F to summer highs of 120°F. Winter lows from 0°F to highs of +70°F. Breezes occur constantly, ranging in intensity of 5 mph during summer periods to 20-35 mph during late fall and early spring.

Cultural (Land Use, Noise, Air Esthetics, Utilities, etc.)

Land Use: Major use of the land in the vicinity of the project consists of sheep and cattle grazing.

Noise: Noise is principally limited to wind noise.

Air: Air quality is satisfactory and will be only slightly affected due to road construction.

Esthetics: This unpopulated arid "steppe" land has a spare and lonely beauty all its own - not perceptible to all who experience it.

Utilities: A gas line by Cascade Natural Gas and underground cable by Bell Telephone Company exists in the vicinity of Rhea Road and State Highway 19 intersection near Arlington.

Economic: Intensified agriculture is projected for the entire region served by the proposed road improvement, which will provide an all-weather service road to the City of Arlington airport; will improve U.S. Mail service and school service throughout the north end of Gilliam County. Activity resulting from the projected construction of two nuclear power plants at Pebble Springs (Arlington), and the coal fired plants in the vicinity of Willow Creek has resulted in new workers doing business and setting up permanent residence in the City of Arlington.

G. PRELIMINARY ASSESSMENT OF ENVIRONMENTAL IMPACTS

1. **Estimated Right-of-Way Requirements:**
Approximately 100 acres, some of which is currently owned by the County. Approximately 45 acres of new right-of-way will be required. If the westerly and easterly portion is re-aligned the existing 60' right-of-ways can be substituted in kind for similar right of way needs.
Consequences:
No improvements will be taken, and no relocation will be required, so consequences will be minor. Five ownerships will be involved.

2. **Estimated Changes in Traffic Patterns:** It is anticipated that existing traffic between I80N and State Hwy 19 in the vicinity of Arlington will utilize the proposed all weather road when enroute to Ione, Lexington, Heppner, and other south-easterly cities. The road will also reduce potential vehicle congestion through the City of Arlington by permitting vehicle traffic on I80N from Boardman and from Ione-Lexington and Heppner to travel a shorter route enroute to Pebble Springs Project.
Consequences:
The proposed improvement will mitigate some potential future congestion in the City of Arlington. No businesses will be isolated.

3. **Estimated Changes in Land Use:**
The road improvement may increase pressures for development of the land adjacent to Rhea Road. Driving time between Arlington and central/southern Morrow County will be shortened, which will make the area more attractive for homes, businesses, and industry. However, this attraction is dependent upon an enlarged economic base which is largely dependent upon construction and operation of the Pebble Springs Nuclear Electrical generating plant.
Consequences:

Actual consequences will depend on the County Planning Commission and its adherence to existing zoning and the success of the county in attracting new industry to the area.

4. **Expected Adverse Effects on Natural Ecological Resources:**
Road construction will necessarily disrupt some animal breeding seasons, and road-kill will also rise after project completion. Major impacts will be due to the power plant however, not the road. Some terrestrial habitat will be lost to the improved road -- about 100 acres, not unique.
Consequences:

Moderate

5. **Expected Adverse Effects on Cultural and Scenic Resources:**
Some potential increase in traffic from the east in residential Arlington will be reduced and the concomitant potential increase in noise and air pllution levels will also be reduced. There are no known conflicts with historical and archaeological sites. Increased pressure for conversion of agricultural land to commercial/residenti can be controlled by the County Planning Commission through zoni
Consequences:
Not expected to be significant.

6. **Preliminary Identification of Areas of Critical Environmental Concern:**

No critical areas are known to exist.

7. **Potential for Controversial Issues:**

Considerable controversy has surrounded the proposed development of the Pebble Springs nuclear power plant. The improvement of Rhea Road is necessitated by Pebble Springs' construction, but approval of the road project should in no way affect final approval of the power plant. Little controversy is expected, as there is strong local support for PGE's plans.

H. STAFF REQUIREMENTS TO COMPLETE ENVIRONMENTAL IMPACT STUDIES AND DOCUMENTATION

ENVIRONMENTAL SECTION -

Personnel	EFFORT REQUIRED*		
	Minimum	Average	Maximum
Biologist		X	
Urban Economist			
Water Quality Spec.			
Acoustical Engineer			
Air Quality Engineer			
Cultural Geographer			
Urban Planner			
Geologist		X	

* For the sake of clarification and mutual understanding the terms minimum, average, and maximum effort have been defined as follows:

MINIMUM - Research and Project Management Staff consultation. No formal type-written report.

AVERAGE - Routine analysis. Short to medium length report including consideration of existing setting, probable impact, and steps to minimize harm.

MAXIMUM - Special detail of analysis. Comprehensive technical report.

I. PROJECT (ACTION PLAN) CLASSIFICATION:

☐ Category 1 ☐ Category 2 ☒ Category 3 ☐ Category 4

J. TYPE OF ACTION

☒ Major Action

☐ Significant ☒ Non-Significant

☐ Non-Major Action

K. TYPE OF DOCUMENTATION RECOMMENDED

☐ Draft EIS

☐ Final EIS

☐ Supplemental Draft EIS

☐ Supplemental Final EIS

☐ Assessment Only

☐ Section 4(f)

☒ Negative Declaration

☐ State-Wide Negative Declaration

☐ Preliminary EIS

☐ Other_____

Project Classification Justification

The subject project is basically the construction of a new rural two-lane highway which does not provide new access, but instead improves service along the existing gravelled road. Further, it is expected that significant changes in land use and development patterns will not ensu e as a consequence of the project since the preponderant portion of future development is planned - with or without the proposed improvement. In other words, it is the proposed developments and subsequent traffic increases that necessitate upgrading the present road to standards that apply to its new FAS-C status.

Given the above evidence, Vol. 7, Ch. 7, Sec. 2, Subsec. e, page 10 of the FHPM allows for the project to be classified non-major (ordinarily). However, it is felt that a non-major classification is not prudent given the substantial planning and expenditures yet to accrue. Regarding significance, it is felt that impacts generated by the project are not of sufficient scale sufficient to justify processing a draft and final EIS.

O N

FRONTAGE RD.

RAILROAD

Heppner Junction

80

52

RIVER

PACIFIC

HIGHWAY

UNION

HEPPNER

RY

1

6

RIVER

COLUMBIA

WILLOW

PACIFIC

UNION

UNIT I
A = 444,800
B = 302,700
C = 247,309
$ 995,000

R. 21 E.

R. 22 E.

UNIT II
$ 900,000

UNIT III
955,000

ARLINGTON MUNICIPAL AIRPORT

AIRPORT RD.

728

Route

1958

ROAD

729

HWY

TOLL

D.

IA

19

B

A

C

72

RHEA

FAS

Rhea

IGTON

5

Access Road

Nuclear Power Plant

JOHN

ROAD

Sub Station

36

31

PROPOSED
Pebble Springs Res.

74

52

T. 3N.

T. 2N.

8639

FAS 958
Gilliam Co.

January 19, 1976

RECEIVED
COUNTY & CITY SECTION
JAN 23 1976
☐ ENGR. ☐ COOR. ☐ DE ☐ AE ☐ DE
☐ DPE ☐ CE ☒ RE ☐ RPE ☐

F. B. Klaboe
Administrator &
State Highway Engineer
405 State Highway Building
Salem, Oregon 97310

Attention: E. S. Hunter, Deputy State Highway Engineer

Dear Mr. Klaboe:

The County of Gilliam hereby formally requests permission to borrow on five years of FAS-C funds in accordance with the Association of Oregon Counties "New Policy Statement." These funds will be applied towards making major improvements on 9.5 miles of Rhea Road FAS-C #958 (Unit 1).

The County's nine year FAS accumulation is just sufficient to finance only a portion of the construction and re-alignment of the westerly 2.2 mile leg of Rhea Road. The balance of monies remaining, if any, from the five year advancement will be applied towards construction and re-alignment of the portion of Rhea Road to the Arlington Airport, or will be applied towards the construction of a new bridge across Willow Creek.

Your assistance in this project will be greatly appreciated.

Sincerely yours,

Leo Barnett

Judge Leo Barnett
Gilliam County Court

Attachments: Plat of Rhea Road FAS-C/including costs

cc: Bill Penhollow, Association of Oregon Counties

8639

fas 958
Gilliam Co

SALEM
December 24, 1975

D. M. Harwell
County-City Engineer

C. M. Williams
Region 4 Engineer

FAS-C Project
John Day Hwy-PGE Power Plant Section
Rhea Road (FAS 958)
Gilliam County

Attention: David S. Fenton
Region 4 Federal Aid Engineer

On Monday, December 22, a meeting was held in Mr. Klaboe's office with representatives and officials from Gilliam County relative to the subject project.

As you are aware, the Pebble Springs area southwest of Arlington has been chosen as the site for a proposed PGE Nuclear Energy Power Plant; the airport has obtained an improvement grant; and the county has determined a need for an all-weather route lying between the John Day Highway (ORE 19) and Heppner Highway (ORE 74).

The route for the project was approved by FHWA on September 5, 1975, and the over-all distance of approximately 9.9 miles is estimated to cost approximately $2,850,000 for improvement.

Gilliam County has retained a consultant, J. Val Toronto, as their county engineer and he is doing the necessary preliminary engineering to get the project started toward construction as early as 1976, if possible.

The initial project (Unit I), consisting of approximately 3.5 miles extending from the John Day Highway easterly toward the PGE plant site, including a spur connection to the Arlington Airport, is estimated by the consultant to cost approximately $995,000. This portion was approved by the Oregon Transportation Commission on November 25, 1975. The balance of the project (Unit II and Unit III) is estimated to cost approximately $900,000 and $955,000, respectively.

Gilliam County currently receives approximately $36,000 annually as their federal fund allocation and has some $318,000 currently on hand. Under the new redistribution formula for FAS-C they could be advanced funding for five additional years, or say approximately $180,000 which, when summed up, would be approximately $500,000 and, when matched, would amount to a total project potential of approximately $640,000. If this were applied to Unit I project, it would still be approximately $355,000 short of the estimate for Unit I. It appears PGE has a vested interest and should be considered as a source for aid in this endeavor.

Enclosed for your review and submittal on to Mr. Toronto and the Gilliam County Court are copies of a map depicting the proposed projects contemplated for the Rhea Road (FAS 958) improvement. Also enclosed are copies of a bar chart showing probable time element and sequence of events to be accomplished to get to a construction contract schedule of October, 1976. Copies of these should also be submitted to the County Court and Engineer.

(more)

FAS 958, Gilliam County

The project assessment is currently in the hands of our Salem Environmental Section and is being reviewed as to content to determine the need for a negative declaration or EIS draft and will be reviewed in the field early in January prior to submission to the FHWA for review, comment, and approval.

May I point out that the sequence of time for the various steps (preliminary engineering, rights-of-way, hearings, environmental statements, etc.) required would have to be carefully monitored and adhered to or the necessary approvals will not be obtained to meet the specified dates.

Best of luck in this and other highway project matters in your area, and should any questions arise, please feel free to contact this office.

Happy Holidays!

DNH:mm

Att.

cc: W. E. Penhollow
F. B. Klaboe
E. S. Hunter
L. W. Rullen
Gary Potter

N

O

FRONTAGE RD.

RAILROAD

Heppner Junction

80

52

RIVER

PACIFIC

HIGHWAY

UNION

HEPPNER

RY.

1

6

RIVER

COLUMBIA

TOLL FERRY

UNIT I

A = 444,800

B = 302,700

C = 247,309

$ 995,000

R.21E.

R.22E.

UNIT II

$ 900,000

UNIT III

955,000

PACIFIC

WILLOW

UNION

ARLINGTON MUNICIPAL AIRPORT

AIRPORT RD.

728

RD. 506

BIA

19

Route

1958

ROAD

729

HWY.

Rhea

FAS

RHEA

720

B

A

C

_INGTON

5

74

52

36

JOHN

ROAD

Nuclea Power Plant

Sub Station

36

31

Pebble Springs Res.

T. 3N.

T. 2N.

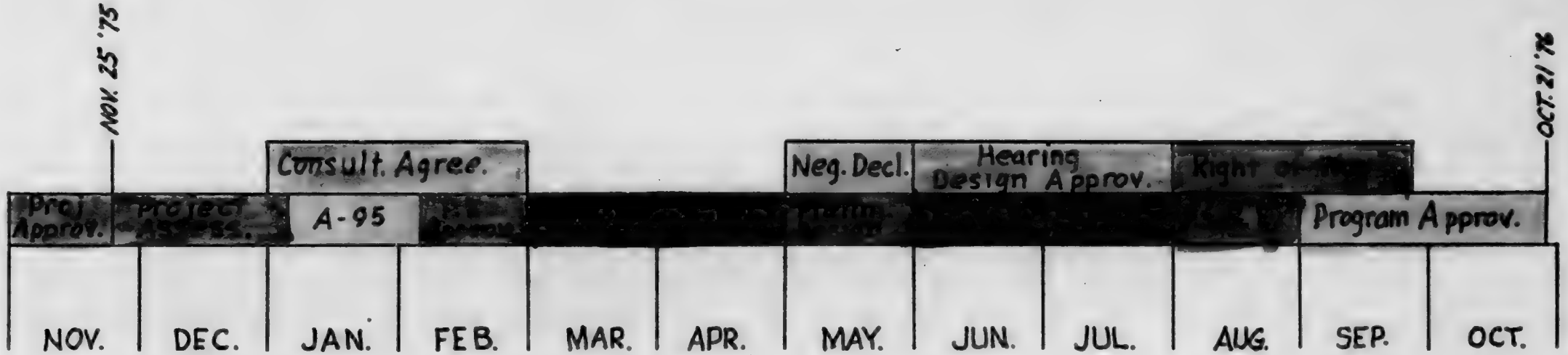
DAY

ROAD

JOHN DAY HWY- P.G.E. POWER PLANT

RHEA ROAD FAS 958

Gilliam County



8639

FAS 958
Gilliam Co.

OREGON STATE HIGHWAY DIVISION

REGION 4

P.O. BOX 1249 • BEND, OREGON • 97701 • Phone 382-1911

ROBERT W. STRAUB
GOVERNOR

F. S. KLABOE
Administrator and
State Highway Engineer

November 26, 1975

Judge Leo Barnett
County Courthouse
Condon, Oregon, 97823

Dear Judge Barnett:

Unit 1 of the Rhea Road improvement was approved by the Oregon Transportation Commission on November 25. Unit 1 consists of Rhea Road from the John Day Highway to the PGE access road, plus the airport spur. Mr. Toronto has estimated the cost of grading, basing, and paving Unit 1 at $994,800. You presently have available $407,000 in Federal-aid funds to do this work.

In order to work within your current funding limits, several alternatives are available. You could construct as far as the money will take you, and make a temporary connection to the existing Rhea Road until more funds become available. A better approach might be to grade and base the new alignment to the PGE access road, leaving the airport spur and all paving until later. Let us know what you decide.

I should point out that the Project Environmental Assessment has not yet been approved by the FHWA. The assessment was received from Mr. Toronto this week and will be forwarded to Salem next week. Further environmental documentation may be necessary. The project cannot proceed until this requirement is met. I will keep you informed on the progress of this aspect of the project.

Yours very truly,

David S. Fenton
Regional Federal Aid Engineer

DSF:pw
cc: Richard Hawkins
George Hopkins
J. Val Toronto

ENGINEER
DEV. ENGR.
CITY
FEDERAL AID
NOV 28 1975

Form 81-734-3122

8639

FAS 958
Gilliam Co

Salem
November 25, 1975

Robert H. Prange
Rural Engineer

Mr. Dave Fenton
Region 4 Federal Aid Engineer

John Day Highway-Airport Section
Airport Road
FAS 958 Spur

John Day Highway-PGE Power Plan Section
Rhea Road
FAS 958
Gilliam County

Would you please inform the County that their subject projects were approved by the Transportation Commission at the November 25, 1975 meeting. However only $407,000 has been approved for this project, the remaining funds must be arranged for in the future.

HR:dp

B

11-25-75

GILLIAM COUNTY
Proposed FAS-C Project

FAS 958
Rhea Road
John Day Highway-PGE Power Plant Section
Grade, drain, base and pave

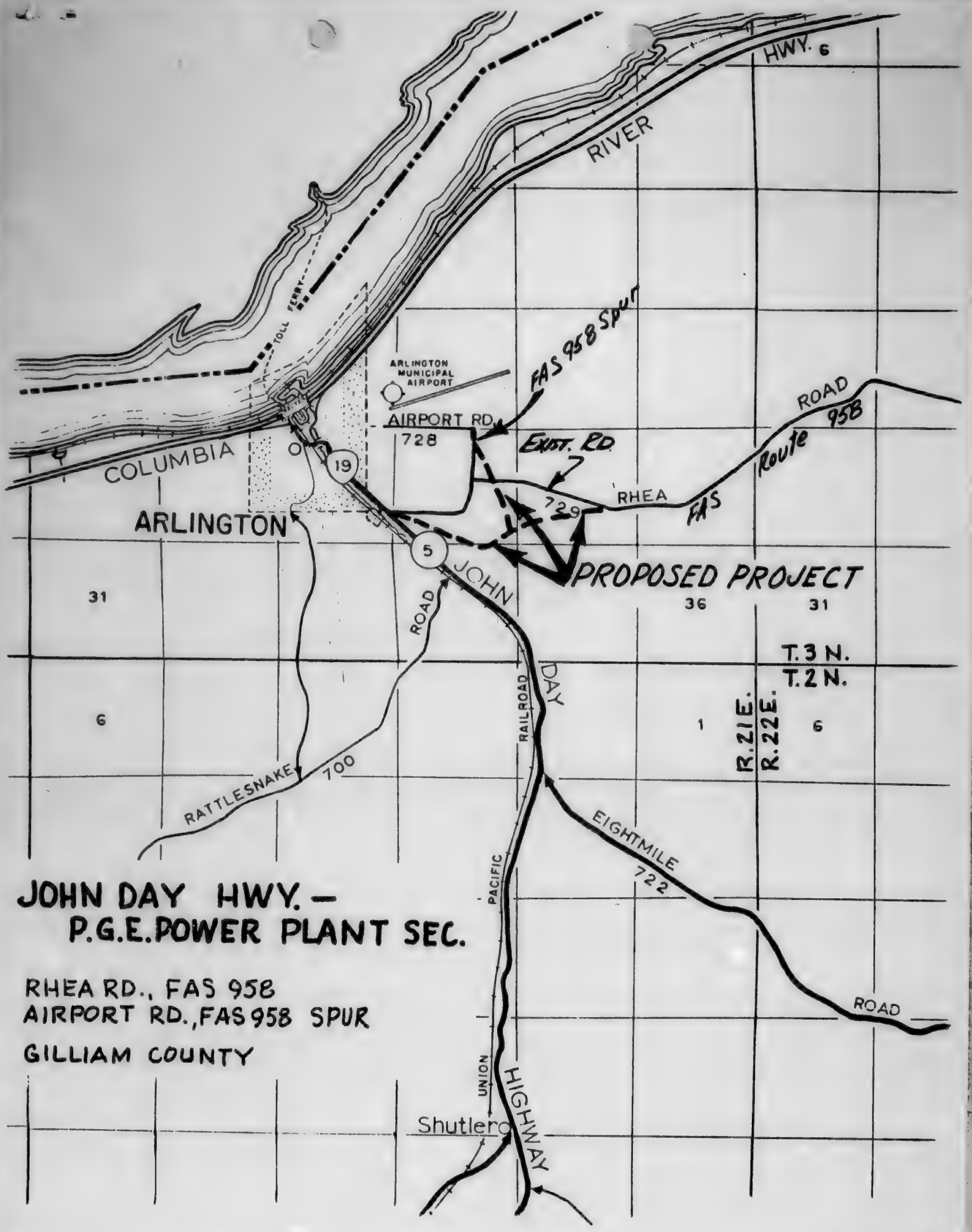
FAS 958-spur
Airport Road
BPA Substation-Airport Section
Grade, drain, base and pave
Total length 3.26 miles
$407,000 (to be supplemented with future funds when they become available to Gilliam County)

Grade, drain, base and pave a roadway on new alignment. Top width being 40 feet, for two 12-foot A.C. travel lanes and 8-foot shoulders (four feet of which will be A.C. and 4 feet will be gravelled). Contractor is to install guardrail, and will construct and maintain an necessary detour. Additional right-of-way is required. Hearing will be offered.

State is to make up options and assist the county in the right-of-way negotiations.

Engineering to be done by Consultant firm.

TRANS. COM. APPR. - 11-25-75



JOHN DAY HWY. — P.G.E. POWER PLANT SEC.

RHEA RD., FAS 958
AIRPORT RD., FAS 958 SPUR

GILLIAM COUNTY

8639

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Bend, Oregon, 97701

November 17, 1975

FILE: PRO 6

FROM: David S. Fenton
Regional Federal Aid Engineer

SUBJECT: FAS-6 Project Request
Rhea Road (FAS 958)
Gilliam County

TO: L. W. Rulien
Project Management Engineer

John Day Hwy. P.G.E. Power Plant Sect.

The enclosed Project Request was initially received by Region IV on October 6. When I reviewed the request I found that the county had applied for the entire road, beginning at the east end, at a total estimated project cost of $2.85 million. The county now has $407,000 in FAS funds available. I scheduled a meeting with the County Engineer in Arlington on October 29 (memo enclosed).

Two points were stressed at the meeting: one, the county should apply only for that portion of the road initially to be built; two, no future Federal funds could or would be advanced. The original Project Request was returned to the County Engineer for revision. The enclosed Request is the revised copy.

The county still seems to have bitten off more than it can chew. The County Engineer estimates that the 2.2 miles from Highway 19 to the PGE access road will cost $692,100 to improve. Added to this is the cost of the new airport access road, 1.16 miles for $302,700. The total initial project request adds up to $994,800. (including AC; Stage I is grade and base only). The requested west unit cannot logically be broken into smaller units, since it is on a new alignment for its entire length. On the surface, the only solution would appear to be for the county to somehow come up with more money. The county has been attempting to get other counties' unused FAS funds, with little success to date.

I recommend that the Rhea Road Project Request be processed, with ultimate approval contingent upon the county's funding arrangements.

David S Fenton

DSF:pw
Enclosure
cc: Don Harwell
Richard Hawkins

...GEMENT SECTION

ROUTING	ACTION	INFO
...ER		
...DEV. ENGR.		
OFFICE ENGR.		
COUNTY-CITY		
FEDERAL AID		
INVENTORY-NEEDS		
MILEAGE CONTROL		
PROG. & SCHEDULE		
REMARKS		

NOV 18 1975

8639

CONSULTING

Engineers

J. VAL TORONTO & ASSOCIATES, INC.

STATE OF OREGON
LICENSE #5802
STATE OF WASHINGTON
LICENSE #11766
STATE OF ALASKA
LICENSE #1413

TELEPHONE (503) 276-7402
219 S. E. 2ND
PENDLETON, OREGON 97801

RE: Rhea Road (FAS 958)

November 14, 1975

David S. Fenton
Regional/Federal Aid Engineer
Oregon State Highway Department
PO Box 1249
Bend, Oregon 97701

Dear Mr. Fenton,

Enclosed please find the revisions to the County's application that you have requested. Also enclosed is a map indicating Rhea Road, a proposed re-alignment to Rhea Road, and preliminary construction costs of the respective portions that the County would like to proceed on as soon as is possible.

The project request, as indicated on the attached plat, is to commence construction beginning at State Highway 19 near Arlington and to proceed easterly. It appears that some re-alignment of the above mentioned section may or will be required to order to meet present day design standards and to keep construction costs to a minimum.

Included in the County's project request for 1975 is:

Grade & Base, Unit 1

(I) Permission to commence design and construction cost studies for the proposed re-aligned portion of Rhea Road commencing at State Highway 19 (0+00), proceeding east to Station 120+00. Also to commence design on the spur road to the Arlington Municipal Airport Station 0+00 to Station 62+00. The County would like to construct, upgrade and base this portion at an early date.

Grade & Base, Remainder

(II) Permission to proceed with design for curve straightening, curve widening and re-alignment where necessary from Station 120 east to Station 515, grade and base. Construction target date is 1976.

AC, entire project

(III) Pave entire Rhea Road project from State Highway 19, Station 0+00 east to State Highway 74, Station 515+00 and the spur road to the Arlington Municipal Airport Station, 0 to Station 62+00. Construction target date is 1977.

For preliminary cost estimate on the first phase (includes A.C. paving and all anticipated extra costs) refer to the enclosed map.

It is anticipated that any rock removal necessitated by re-aligning Rhea Road can be utilized as base rock, and preliminary cost of rock removal has been disbursed to proposed road construction commencing at Station 0 to Station 120+00 and airport spur road Station 0 to Station 62+00. There should be a surplus of rock that could be used as base rock for other portions of Rhea Road. This surplus rock should result in a some what lesser cost of base rock construction from Station 120+00 to about Station 290+00.

We hope that the enclosed draft copy is in satisfactory form.

Sincerely yours,

J. Val Toronto

J. Val Toronto, P.E.

JVT/ddm

Enclosures

cc: Judge Leo Barnett, Gilliam County

8639

Harwell / Gilliam Co

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Bend, Oregon, 97701

October 31, 1975

FILE: FAS 958

FROM: David S. Fenton
Regional Federal Aid Engineer

TO: MEMO

SUBJECT: Meeting
Rhea Road (FAS 958)
Gilliam County

A meeting was held in Arlington on October 29th to discuss the progress of the Rhea Road project. Attending the meeting, in addition to myself, were:

Name	Title
Carl Williams	OSHD Regional Engineer
Dick Hawkins	OSHD District Engineer
Don Harwell	OSHD County-City Engineer
J. Val Toronto	Gilliam County Engineer (Consulting)

The proposed reconstruction of Rhea Road will take place in three increments of slightly more than three miles each. The first project will be on the west end, beginning at Highway 19 (John Day Highway), not at the east end as originally understood. Average project costs for the whole 9.9 miles are estimated to be approximately $275,000 per mile. Costs on the east and west ends will be considerably higher, however, due to required realignment - probably in the neighborhood of $400,000 per mile. At this time Gilliam County can fund an FAS-C project of approximately $407,000.

The changed alignment on the west end will allow a maximum grade of around 8%, compared with the existing 16%. A reading of standards for the projected ADT indicates the need for a 40' base section, with 32' to be paved. Right-of-way will be required for the new alignment, and four ownerships will be involved. The existing 60' ROW will be adequate for the middle section of the road.

The FAS-C money currently allocated to and accrued by Gilliam County does not seem to be adequate to fund a 2.5-3 mile project on the west end. Since the County cannot borrow ahead on its future FAS-C funds, the only available source of additional funds would seem to be borrowing from other counties' accrued FAS-C funds. It is the responsibility of the county to explore this avenue.

RECEIVED
COUNTY & CITY SECTION
NOV 4 1975
☑ ENGR. ☐ COOR. ☐ CE ☐ AE ☐ UE
☐ UPE ☐ CE ☒ RE ☒ RPE ☐

October 31, 1975

The next three county-initiated steps in project development in order are: resubmit a Project Request for the west unit only, and include an up-to-date cost estimate for this unit; prepare and submit a Project Environmental Assessment; and, thirdly, contact the Regional Right-of-way Supervisor concerning acquisition procedures. Mr. Toronto knows what he is to do next, and is aware that no work is reimbursable until the project is programmed with the Federal Highway Administration. O.S.H.D. will wait for the new Project Request before acting further.

David Fenton

DSF:pw

cc: Don Harwell
Richard Hawkins
Robert Prange
Harold Brainerd
Dave Carter
J. Val Toronto
Judge Leo Barnett

8639

Salem, Oregon

October 13, 1975

Mr. Carl Williams
Region 4 Engineer
Bend

L. W. Rullen
Project Management Engineer

Rhea Road
FAS 958
Gilliam County

Attached is a copy of Gilliam County's project request for Rhea Road. After reviewing the financial data on page 9 of the request, it appears that the county is requesting a $200,000 advance on their future FAS allocation just to finance the easterly 3½ miles.

We cannot concur in the county's funding request because of the uncertainty of Congressional legislation relative to federal aid highway programs and the pending action of the Association of Oregon Counties regarding their redevelopment of the FAS-C allocation system. It would not be practical to process Gilliam County's project request any further until alternatives, either for funding or project limitations, have been considered.

Please discuss this with the county and determine if they wish to reduce the project consistent with their available funds or delay processing the project for two or three months to see if alternate funding options become available.

Also for your information there is a report on construction costs sent by J. Val Toronto on June 27, 1975 to Judge Barnett.

RHP:scr

Attachment

☑ ENGR. ☐ ASST. ☑ OE ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE ☐

8639

FAS
Gilliam Co

OREGON STATE HIGHWAY DIVISION

REGION 4

P.O. BOX 1249 • BEND, OREGON • 97701 • Phone 382-1911

October 9, 1975

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

J. Val Toronto
219 S.E. 2nd.
Pendleton, OR 97801

Dear Mr. Toronto:

As a result of our conversation yesterday, I called Salem for some answers to your questions. As you probably know, final plans for FAS projects are put together by O.S.H.D. headquarters in Salem. Standard drawings are inserted at that time, prior to our advertising for bids. If you need some standard drawings for reference, let me know and I will obtain them for you.

Standard Federal-Aid sheets (mylars) can also be supplied, but the project should be approved and programmed before you do any significant work. Work done prior to O.S.H.D. and FHWA approval is not reimbursable.

A blank and a sample Project Enviornmental Assessment are enclosed, so that you can be thinking about this aspect of the project. The Assessment is normally submitted with the Project Request. After the preliminary problems are ironed out, call me to set up a meeting in the field.

Yours very truly,

David S. Fenton

David S. Fenton
Regional Environmentalist
Regional Federal Aid Engineer

DSF:pw
Enclosure
cc: Robert Prange
George Hopkins

RECEIVED
COUNTY & CITY SECTION
OCT 13 1975
☐ ENGR. ☐ COUN. ☑ OE ☐ AE
☐ UPE ☐ CE ☒ RE ☐ RPE

PROJECT MANAGEMENT SECTION
OCT 13 1975

Routing	Action	Init'd
[illegible] Engineer		
[illegible] Dev. Engr.		
[illegible] Office Engr.		
[illegible] County		
Federal Aid		
Inventory-Needs		
Mileage Control		
[illegible] Memorials		

Form 81-734-3122

8639

Rev. 6/6/75

COUNTY ROAD FAS-C PROJECT REQUEST

Name of County Gilliam FAS No. 958 Date October 3, 1975
County Road Name Rhea Road #729 Airport Road #728
Section Name From Airport Road #728 East to Oregon State Highway 50-74
Type of Project Base Strengthening, Widening, Paving, Drainage and Curve re-location
Location of Project (Attach sketch map) State Hwy 19 East to State Hwy 74 in Morrow Co.
ADT _____ Design Speed 55 mph

Is this request for county bridge design only? Yes _____ No X Also Road
county FAS bridge design? Yes X No _____
Will County hire consultant for this project? Yes X No _____

I. PROPOSED ROAD PROJECT DATA

1. Traveled Surface: Type AC
(AC, Pug Cold Mix, Penetration Mat)
Total Travel Width 24'

2. Shoulders: Type AC
(AC, Pug Cold Mix, Oil Mat)
Width Each Side 4' Total Top Width 40'

3. Grading and Drainage:
By County _____ County Date of Completion _____ By Contract X

4. Bottom Base Course:
By County _____ County Date of Completion _____ By Contract X
Has base design been given to County? Yes _____ No X
Will it be furnished? Yes _____ No X

5. Leveling Course:
By County _____ County Date of Completion _____ By Contract X

6. Binder Course:
By County _____ County Date of Completion _____ By Contract X

7. Traveled Surface and Shoulders:
By County _____ County Date of Completion _____ By Contract X

8. Clearing:
By County _____ County Date of Completion _____ By Contract X

9. Curbs:
Curbs Required? Yes _____ No X
Type Desired _____
(rolled, exposure, monolithic, special county standard, etc.)
Width between curbs _____

10. Pedestrian Walkway and Bicycle Trails:
Are walkways or trails desired? Yes_____ No_x_
If answer is No, which of the following applies?
Contrary to public safety_____ Cost excessive to need or use_x_
Sparse population_x_ Area exempt from bike law_____
What is desired width of trail or walkway_____NA_____ ft.
What type of surface treatment is desired_____NA_____
(PCC, AC, gravel, pug cold mix)
Will trail or walkway be contiguous to travel lane? Yes_____ No_NA_
What type of separation from roadway will be used?_____NA_____
_____
(curb, guardrail, painted line, median)
Will trail or walkway occupy both sides of roadway? Yes_NA_ No_____
(Typical section of pedestrian walkway or bike trail showing relative position in relation to roadway should accompany application.)

11. Are there any structures to be replaced or altered? Yes_X_ No_____

12. Will replacement be by: County_____ Contract_X_
(NOTE: If by contract, fill out bridge project data on pages 3 and 4.)

13. Will County adjust structure to new grade? Yes_X_ No_____

14. Will County adjust structure to additional width? Yes_X_ No_____

15. Will adjusted width be standard? Yes_X_ No_____
(NOTE: Standard width of structure is traveled way plus full shoulders.)

16. Does County wish rounding of cutbanks? Yes_____ No_X_

17. Does County wish sight posts installed? Yes_____ No_X_

18. Does County wish State to permanently stripe project? Yes_X_ No_____

19. Will County do striping? Yes_____ No_X_

20. Does County wish guardrail installed? Yes_____ No_X_
By County_____ Contractor_X_
(NOTE: Guardrail, as shown on the plans, must be installed before FHWA will accept completed project.)

21. Does County wish permanent erosion control? Yes_____ No_X_
By seeding and mulching Yes_____ No_____
By rock blanket Yes_____ No_____
(NOTE: Where temporary erosion control is necessary, it must be done by Contractor.)

22. Can road be closed during construction? Yes_X_ No_____

23. Can through traffic be detoured? Yes_X_ No_____

24. Must new detour be constructed? Yes_X_ No_____

25. Will detour be constructed and maintained by County? Yes_____ No__X__

26. Will detour be constructed & maintained by Contractor? Yes__X__ No_____

27. Will County sign project outside work area during construction? Yes_____ No__X__

28. Will Contractor sign project outside work area during construction? Yes__X__ No_____

29. Should contract provide for permanent signing? Yes__X__ No_____

30. Should State do permanent signing? Yes_____ No__X__

31. Will traffic signals be required? Yes_____ No__X__
If yes, give location and type desired NA

32. Is project contingent upon other factors? Yes__X__ No_____
(Such as construction and timing, cooperative project by County, tie-in with other projects, etc.) Approximately 2 miles at each end of project
If yes, explain requires curve widening and/or re alignment now, some portions of road system will be utilized by Sherman Gilliam, Morrow, and Umatilla County itinerant traffic to 1.5 billion dollar Pebble Springs plant and 400 million dollar Carty Plant.

Remarks re Section I: Some portions of Rhea Road will require horizontal re-alignment to reduce existing 16% grades to some economically tolerable grade, also a reduced roadways x-section maybe economically justified at the above locations to bring construction costs to within the countys ability to pay. Following a 12 year peak construction period ADT expected to reduce from 1200 VPD to 400 VPD.

II. BRIDGE PROJECT DATA

1. Name of river or stream Willow Creek on Bridge Portion

2. Name of bridge Rhea-Willow Creek Bridge

3a. Dimensions of existing bridge. Length_____ Roadway Width_____ Type_____
b. Dimensions of existing approaches. Type none Width none Shoulders none

4. Type of design and material used in existing bridge. Concrete Abuts.

5. Location (please attach map with location marked):
Section 26 Township 3N Range 22 E W.M.

6. Desired width of proposed bridge 40' Approx. length 60'
(NOTE: Standard width of FAS structure is traveled way plus full shoulders.)

7. Are sidewalks desired? Yes_____ No__x__
Upstream_____Downstream_____Width_____

8. Does County wish a particular type of bridge design? Yes__x__ No_____
(Such as concrete, steel, or timber structure; concrete, steel, or timber piling; etc.)_____

(NOTE: County must place wearing surface on slab deck structures unless otherwise declared.)

9. Will County furnish any materials for bridge? Yes_____ No__x__
Explain_____

10. Foundation Testing: By County? Yes__x__ No_____
By State? Yes_____ No_____

11. Will County close road during construction? Yes_____ No__x__

12. Can presently established road be used as detour? Yes__x__ No_____

13. Must a new detour be constructed? Yes_____ No__x__

14. Will detour be constructed & maintained by County: Yes_____ No__x__

15. Will detour be constructed & maintained by Contractor? Yes__x__ No_____

16. Will County sign project outside work area during construction? Yes_____ No__x__

17. Will Contractor sign project outside work area during construction? Yes__x__ No_____

18. Approaches or Connections: By County? Yes_____ No__x__
By Contractor? Yes__x__ No_____

Traveled surface: Type__AC__ Width__40'__
Shoulder surface: Type__AC__ Width__8'__

(NOTE: Approach fills for pile bent structures must be in place prior to bridge construction.)

19. Are there any side approaches into main roadway within 200 feet of structure? Yes_____ No__x__

N.W. quadrant distance from structure_____
N.E. quadrant distance from structure_____
S.W. quadrant distance from structure_____
S.E. quadrant distance from structure_____

20. Guardrail: Desired on approaches or connections: Yes x No
By County Contractor x
Right side only? Yes No x
Both sides? Yes x No

(NOTE: Safety standards require that guardrails be attached to and extend continuously from structure railings. Also, County's approach work must be completed immediately so as not to hinder the contractor's guardrail installation or otherwise delay contract completion. Guardrail must be installed before FHWA will accept completed project.)

21. Existing Structure: Remain in place? Yes No x
Use for detour? Yes No x
Removed by County? Yes No x
Removed by Contractor? Yes x No
Salvaged by Contractor for County? Yes No x

(NOTE: If existing bridge salvaged by Contractor for County, County must pay 100% of salvage value of structure.)

22. If riprap or rock blanket required to be:
By County? Yes No x
By Contractor? Yes x No

23. Will any of the following utilities be attached to this structure?
a. Water mains: Yes No x Size
Company
b. Sanitary sewer mains: Yes No x Size
Company
c. Storm sewer: Yes No x Size
Company
d. Gas mains: Yes No x Size
Company
e. Power lines: Yes No x Size
Company
f. Telephone lines: Yes No x Size
Company
g. Other Utilities: None

24. Does County wish provisions made for future utility attachment to structure? Yes No x

25. Does County wish lightpost bases and conduit installed? Yes No x

26. Does County wish complete job of illumination in project? Yes No x

27. Is project contingent upon other factors? Yes x No
(Such as construction and timing, cooperative project by County, tie-in with outside projects, etc.)
Present structure limited to 8 ton max gross load.

If yes, explain: _____

Remarks re Section II: _____

III. SURVEY DATA

1. Survey, including bridge and railroad vicinity maps, to be done:
   By State? Yes_____ No_x_
   By Consultant? Yes_x_ No_____
   By County? Yes_____ No_x_
   (NOTE: a. If project is cancelled, County must pay for survey.
   b. Early determination of any deviation from standards is essential, so that concurrence by FHWA may be obtained.)

2. Does County have any survey data? Yes_____ No_x_

3. Construction plans and specifications to be prepared:
   By State? Yes_____ No_x_
   By Consultant? Yes_x_ No_____
   By County? Yes_____ No_x_

4. Does County desire center line to be permanently monumented as part of project? Yes_____ No_x_

5. Does County desire right-of-way to be permanently monumented as part of project? Yes_x_ No_____
   (NOTE: Right-of-way monumenting will necessitate special programming.)

Remarks re Section III: _____

(NOTE: Projects for which Preliminary Survey Plans and Estimates only are requested must be constructed within a five-year period, or all funds expended other than County funds must be refunded to State.)

IV. RIGHT-OF-WAY AND UTILITIES DATA

1. What is width of existing right of way? Maximum 60 Minimum 60

2. Is any additional right of way needed? Yes x No
(If answer is Yes, a hearing must be offered.)

3. Will County acquire right of way and have State review negotiations? Yes ____ No x

4. Should State negotiate and acquire right of way in behalf of County? Yes x No ____

5. Should State prepare options? Yes x No ____

6. Should material source site be included in right-of-way descriptions? Yes x No ____

7. Is there any merchantable timber on right of way? Yes ____ No x

8. Will timber be reserved for owner? Yes ____ No NA
If removed by County or individual, must be done prior advertisment for bids.
If removed by contractor for owner, the County must pay 100% removal costs or pay State value of timber.

9. Will timber become property of contractor? Yes ____ No NA

10. Is a hearing necessary? Yes ____ No x
(NOTE: If significant amounts of right of way are acquired an opportunity for a hearing must be afforded.)

11. Are there any affected utilities (electric, water, gas, sewer, etc.) on private land? Yes ____ No x
If yes, give type and name of utility company: _____

12. Are there any affected utilities (electric, water, gas, sewer, etc.) on existing right of way? Yes ____ No x
If yes, give type and name of utility company: _____

13. Are utilities on existing right of way by permit ____ or by franchise NA
(NOTE: County must move all utilites on present right-of-way.)

14. Are there any irrigation facilities? Yes ____ No x
If yes, give name of irrigation company or district _____
and dates between which water can be turned off: From _____
To _____

15. Are there any railroad crossings? Yes x No ____

16. Name of Railroad Union Pacific

17. Number of tracks: Mainline 1 Siding _____ Total 1

18. Sight Distance: 2,000 feet (Left) 2,000 feet (Right)

19. Number of Trains: Passenger _____ Speed _____
Freight 1 Tues-Thurs Speed 40

20. Angle of Intersection: 90%

21. Type of Existing Crossing: Grade x Overcrossing ____ Undercrossing ____

22. Existing Protection:
Advance warning signs x Automatic flashing _____ Stop Signs _____
Crossbucks x Automatic bell _____ Gates _____

23. Proposed Protection: Advance Warning Signs and Crossbuck Signs and Pavement X-ing stripping.

24. Are there to be stopping lanes for buses and trucks, etc.? Yes _____ No x

25. Will railroad crossing be altered: Yes _____ No x
If yes, specify: _____

26. Traffic Control Signing:
To be part of project? Yes x No _____
By County? Yes _____ No x
By State at County expense? Yes _____ No x
(NOTE: These signs must be in place prior to acceptance.)

27. Striping:
To be part of project? Yes x No _____
By County? Yes _____ No x
By State at County expense? Yes x No _____

28. Does County wish State to prepare P.U.C. hearing date? Yes _____ No x

29. Will P.U.C. application be made by State _____ or County NA ?
(NOTE: County must plead or argue its own case at all P.U.C. hearings.)

30. Will there be any displaced persons from farms, homes, or business requiring relocation assistance? Yes _____ No X

Remarks re Section IV: _____

V. MATERIAL SOURCES DATA

1. Gravel X Quarry X Cinders _____
2. Owner: County _____ State _____ Private X Other _____
3. Location: NW¼, NE¼ Section 35, 34 Township 3N Range 22 E W.M.
4. If County lease, what are royalty payments? NA
5. Materials furnished by County: Borrow _____ Select Topping _____
   Base Course _____ Level Course _____ Mineral Aggregates _____
   Location _____
   Miscellaneous Items _____

Remarks re Section V: No preliminary soils investigation survey has been conducted for borrow material, sub-base and base material sources.

VI. FINANCIAL DATA

1. Estimated Cost: $ 2,850,000.00
2. Available FAS Funds $ 407,200.00 = Total
3. Does County wish advancement of future Federal funds? Yes x No _____
   Amount 200,000 = 4⅓ yrs Total + 5½ yrs Fed. only
4. Date match money is available October 3, 1975
5. Will there be any 100% County money? Yes x No _____
6. Maximum amount of 100% County money available: $ 384,000.00
7. Date County request letting: East 3½ mile section as soon as is possible.

Remarks re Section VI: County has commitment to complete design engineering, plans and specifications this year. With construction to follow immediately thereafter.

VII. ACTION PLAN REQUIREMENTS

During project development for Category 1, 2 and 3 projects, the county shall perform and document responsibilities as found indexed on pages 51 and 52 of the Oregon Action Plan, particularly Citizen Involvement and Participation; Environmental Aspects; and Public Hearing Requirements.

The OSHD Region Engineer will provide assistance, liaison, and monitoring for these activities.

Responsible local office and party to be contacted for the following activities:

1.	Citizen Involvement	County Judge Leo Barnett Office
2.	Environmental	County Judge Leo Barnett Office
3.	Public Hearing	County Judge Leo Barnett Office

Remarks re Section VII: _____

UNUSUAL OR COMPLICATED CIRCUMSTANCES: It will not be economically feaseable to maintain grades below 6% on the ascending westerly portion and descending easterly portion of Rhea Road.

This application is the express desire of the County.

This application is not complete without an attached exhibit showing location of project.

By Leo Barnett
County Judge or Comm. Chairman

By Lester Banks
County Commissioner

By [illegible]
County Commissioner

By [illegible]
County Engineer of Roadmaster

County Gilliam

Date Oct. 6 1975

N

RIVER

FRONTAGE RD.

RAILROAD

Heppner Junction

80

52

123

HIGHWAY

PACIFIC

UNION

HEPPNER

RY.

6

1

RIVER

COLUMBIA

R 21 E

R 22 E

SECT. 26

R-22EWM

TWP 3N

WILLOW

TOLL FERRY

ARLINGTON MUNICIPAL AIRPORT

AIRPORT RD.

728

RT RD.

506

BIA

19

FAS 958

ROAD

729

RHEA

729

ROAD

HWY.

Rhea

INGTON

5

JOHN

DAY

ROAD

ROAD

36

31

36

74

52

T3N

T2N

8639

Gilliam Co/Arlington
Economic Area -
FAS-C

OREGON STATE HIGHWAY DIVISION

September 26, 1975

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

Mr. J. Val Toronto, P.E.
City of Arlington and
Gilliam County Engineer
219 S. E. Second
Pendleton, OR 97801

Dear Mr. Toronto:

I have read with interest your report on public works projects for economic development in the City of Arlington and Gilliam County.

As you know, the Highway Division's commitment to the economic development of the area is the financial and technical assistance we are able to provide through the Federal-aid highway programs. The first such program is the development of Rhea Road as an FAS-C project. Gilliam County has on hand a total Federal-aid Secondary Highway credit of $407,200, of which $317,600 consists of Federal funds and $44,800 each of County and State matching funds.

System action, placing Rhea Road on the Federal-aid Secondary System, was approved by the Federal Highway Administration on September 5, 1975. Project application and consultant agreement forms were mailed to you August 30, with a request that they be processed through the Regional Engineer in Bend; however, we have not received these completed documents as of this date.

Very truly yours,

ORIGINAL SIGNED
E. S. HUNTER

E. S. Hunter
Deputy State Highway Engineer

bc F. B. Klaboe
R. L. Schroeder (enc.)
H. S. Coulter "
L. W. Rulien
Don Harwell
Carl Williams "

GNH:ljt ja

RECEIVED
COUNTY & CITY SECTION
SEP 29 1975
☑ ENGR. ☐ COOR. ☐ OE ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE

SEP 29 1975

Form 81-734-3123

8639

FAS 958
Gilliam Co.

August 20, 1975

ROBERT W. STRAUB
[redacted]

Mr. J. Val Toronto, P.E.
J. Val Toronto Associates, Inc.
219 SE 2nd
Pendleton, OR 97801

Dear Mr. Toronto:

Enclosed are copies of our project application form and consultant agreement for your use relative to the Rhea Road project in north Gilliam County. Please return two signed copies of each document.

The FAS-C Project Request form is our standard form and should be filled out to the fullest extent possible and signed by the Gilliam County Court.

The Consultant Agreement is another of our standard forms. Since we have received Federal Highway Administration's approval to use this particular agreement form it should not be changed. The proposal attached to it is again a stereotype used by other consultants and which we find quite acceptable.

Please return the signed copies of the two documents through Dave Fenton, Region Federal Aid Engineer in Bend.

Very truly yours,

Robert H. Prange
Rural Engineer
County-City Unit

RHP:mm
Encl.

cc: E. S. Hunter
L. W. Rulien
Dave Fenton

☑ ENGR. ☐ ASST. ☑ OE ☐ AE ■ UE
☑ UPE ☐ CE ☐ RE ☑ RPE ☐

8639

Klondike Rd,
Gilliam Co
Tentative FAS-C

RECEIVED
COUNTY & CITY SECTION
JUL 1 - 1975
ENGR. COOR. OE AE UE
UPE CE RE RPE

NOTED
E. S. HUNTER

cc Rulien
7-1-75

June 27, 1975

Judge Leo Barnett
Gilliam County Court House
Condon, OR 97823

Dear Judge Barnett,

Enclosed is a chart indicating preliminary costs of the three alternate route studies previously designated as:"A", "B", and "C".

The County's share based on 1975 prices for Line "C" would be $254,844.00 for the full 9.9 miles of road. This amount includes the Airport Road, three cattle under crossings and a new bridge at Willow Creek. The cost of the PGE Access Road is $83,840.00. The overall road project costs to the county including the 9.9 miles of road and the PGE Access Road is $338,684.00.

If the County constructs one-third of the 9.9 miles project each year, and if we assume a construction cost increase of 15% per year the yearly costs would be as follows:

1976 First Construction Phase	Cost 1975	+ Const. Cost Increase	First Year (1976) Construction Cost
3.3 miles of Road	$ 80,200	$ 12,030	$ 92,230
.33 miles PGE Access Rd.	84,000	12,600	96,600
			$188,830

1977 Second Construction Phase	1976 Const. Cost	+ Const. Cost Increase	Second Year (1977) Construction Cost
3.3 miles of Road	$ 92,230	$ 13,834	$106,064

1978 Third Construction Phase	1977 Const. Cost	Const. Cost Increase	Third Year (1978) Construction Cost
3.3 miles of Road	$106,064	$ 15,909	$121,973

Total cost of project constructed over a three year period $416,867.00

The County has up to $500,000 in an available commitment, and therefore based on the above cost estimate, projection costs appear at this time to provide a surplus of unused funds of approximately $83,133.00.

ACTION INFO
JUL - 1 1975

RECEIVED
JUN 30 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

The next Umatilla County Court meeting is next Wednesday, July 2, 1975, at 10:00 a.m. I believe that Buss Clough would be a valuable person to have at this meeting and Gilliam County may wish to stress the regional concept of cooperating together on this project, because the entire will benefi..

Sincerely yours,

J. Val Toronto, P.E.

Enclosures 4

cc: E.S. Hunter, Salem, State Highway Division ✓
David Fenton, Bend, State Highway Division
Buss Clough, Arlington, PGE Representative

8639

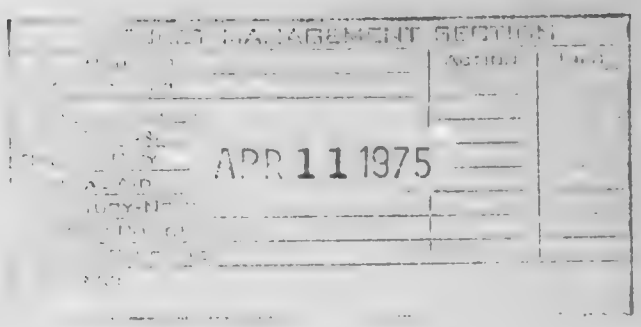
CONSULTING
Engineers

J. VAL TORONTO & ASSOCIATES

STATE OF OREGON
LICENSE #5802
STATE OF WASHINGTON
LICENSE #11766
STATE OF ALASKA
LICENSE #1413

TELEPHONE (503) 276-7402
219 S. E. 2ND
PENDLETON, OREGON 97801

April 4, 1975



E.S. Hunter
State Trasnportation Department
405 State Highway Department
Salem, OR 97310

SUBJECT: Arlington - Willow Creek Road
Reclassification proposed FAS-C

Dear Mr. Hunter,

This is to confirm our conversation of March 28 that the above subject road reclassification can be affected during the April 30, 1975 Transportation Commission Meeting.

Enclosed is a copy of correspondence from PGE to the County and a news clipping indicating that the proposed 2 billion dollar PGE plant will soon be moving into the construction stage. The proposed road may well become the most heavily travelled road within Gilliam Counties road system, and it is absolutely imperative that this road be reclassified at the earliest convenience. Following reclassification it will be necessary to relocate portions of the east and west sectors in order to reduce the existing gradients from 13% to some lesser amount such as 6% maximum.

The County realizes that re-alignment will require acquisition of some right-of-ways and that this will further delay commencement of design.

It was felt that the County could best illustrate to the Hwy Department the County's need by conducting an on site review of the proposed projects and therefore, the County has arranged an on site meeting for April 8, 1975 at 11:00 a.m. in Gilliam County with Mr. David Fenton, Regional Aid Engineer from Bend. Your continued aid and assistance in these matters is appreciated.

Sincerely yours,

J. Val Toronto

J. Val Toronto, P.E.
County Engineer

cc: Judge Leo Barnett
cc: Buss Clough, PGE

NOTED
E. S. HUNTER 4-11-75
CC Rubin Williams

RECEIVED
APR 8 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

PORTLAND GENERAL ELECTRIC COMPANY
621 S W ALDER ST
PORTLAND, OREGON 97205

H. H. PHILLIPS
VICE PRESIDENT AND
CORPORATE COUNSEL

March 20, 1975

Honorable Leo Barnett
Gilliam County Judge
Condon, Oregon 97823

Dear Judge Barnett,

This is in response to your letter of February 27, 1975 to S. R. Christensen regarding a proposed contribution of Portland General Electric Company to the construction of certain County Roads.

The general outline of your proposal appears to offer a satisfactory solution to the problem.

I would appreciate being advised as to the specific legal mechanism which would be employed and being put in touch with the person who would be responsible for drafting the necessary documents.

Respectfully,

H H Phillips

May 26th 1975

N-Plant Site Work Predicted

ARLINGTON — Some preliminary site preparations on Portland General Electric's Pebble Springs nuclear power plant could begin by summer, a PGE official said today.

Providing there are no delays in certification by the Oregon Nuclear and Thermal Energy Council, or the federal Atomic Safety and Licensing Board, some road work and other non-construction activities could be under way by August or September.

The ASLB held a preliminary meeting in Arlington Tuesday to determine procedures for upcoming hearings on the Pebble Springs first development. PGE asked the board for limited work authorization to begin site preparations.

A hearing date for the work authorization was not estaglished Tuesday, but PGE officials said they expect the hearing to be conducted sometime after May 22.

Actual nuclear plant construction could begin in April or May, 1976, PGE said. Hearings still must be held on construction permits. Those hearings, which will be held in Arlington, are not expected until after January, 1976.

The federal licensing board considered petitions for intervention from two Western Oregon persons Tuesday. One prospective intervener did not attend the Tuesday meeting and was disqualified. The other person, environmentalist Lloyd Marbet of Portland, must prepare a formal affidavit to the ASLB before his request can be considered.

Marbet has intervened in several state certification hearings, and has urged strict controls on nuclear developments and waste management.

Gilliam Co
FAS-C

8639

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Bend, Oregon 97701

March 6, 1975

FILE: CON 9

FROM: David S. Fenton
Regional Federal Aid Engineer

SUBJECT: Rhea Road
Gilliam County
Review of PGE Plans

TO: Robert H. Prange
Rural Engineer
County/City Unit

Our review of the plans that you submitted to us concerning the upgrading of a portion of Rhea Road has been completed. Comparison of these plans to FAS-C standards reveals only one area of non-compliance - that of side-slopes. The plans call for slopes of 2:1, while FAS-C standards call for minimum side-slopes of 3:1.

Dave

DSF:pw

RECEIVED
COUNTY & CITY SECTION
MAR - 7 1975
☑ ENGR. ☐ COOR. ☑ GE ☐ AE ☐ UE
☐ UPE ☐ OE ☒ RE ☐ RPE ☐

8639

FORM 81.734.2030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Bend, Oregon 97701

March 4, 1975

FILE: CON 9

FROM: David S. Fenton
Regional Federal Aid Engineer

SUBJECT: Arlington-Willow Creek Road
(Rhea Road) Gilliam County

TO: L. W. Rulien
Project Management Engineer

Enclosed is a copy of the Gilliam County Court Minutes for February 22, 1975. I am forwarding it to you as evidence of the continuing concern of the County for the improvement of Rhea Road. Unfortunately, as so often happens, the need for improvements to this road will arrive long before the State can do anything to help.

Bob Prange has been helpful in answering my questions, and I have explained the timing and mechanics of events clearly to J. Val Toronto, Gilliam County Engineer. I am sure, however, that we will be hearing from Gilliam County further on this matter.

David S. Fenton

DSF:pw

Enclosure

Prange per Chandler H

Yes design report to plans on FAS 17 we need E estimate appropriate report Thanks R

we have already received this information.

PROJECT MANAGEMENT SECTION		
ROUTING	ACTION	INFO
P.M. ENGINEER		
PROJ. DEV. ENGR.		
DESIGN ENGR.		
COUNTY-CITY	MAR - 5 1975	
FEDERAL AID		
INVENTORY-NEEDS		
MILEAGE CONTROL		
PROG. & SCHEDULE		
REMARKS:		

GILLIAM COUNTY COURT MINUTES

SUBJECT: FAS Arlington
Arlington-Willow Creek

The Gilliam County Court, consisting of Judge Leo Barnett, Commissioners Lester Brooks & Bill Hardy, met with County Engineer, J. Val Toronto and Buss Clough, Representative for Portland General Electric at 1:00 p.m. on February 22, 1975.

The purpose of the meeting was to discuss with Mr. Buss Clough, Portland General Electric Representative, the anticipated Hwy usuage of the Arlington to Willow Creek Road (Rhea Road).

A field review of the existing alignment was made and it was agreed that realignment of the westerly and easterly 1½ mile (each end) would probably be required to reduce road grades and to reduce and eliminate some of the sharp curves.

Mr. Clough stressed the need for an improved road system between State Hwy #19 in Gilliam County and State Hwy #74 in Morrow County and the problems that would occur to existing range land from dust and drivers unless the existing road was greatly improved to discourage vehicles from driving across the open range land. Realizing that the existing road bed and subgrade would need to be improved to meet with State FAS Standards, the Court is reluctant at this time to commit county funds for base rock and for fence line construction when both of these items would probably have to be replaced at a later date.

The county agreed that the existing road in its present condition would not support the anticipated traffic & soon as this road was approved into and becomes part of the county FAS System they would commit FAS funds and county match funds for the needed improvements and work.

Judge Leo Barnett stated that the county has a 60' wide right-of-way but, that additional right-of-ways may be required for the necessary realignment on the east and west sectors. The county court felt that if the realignment could remain on the Krebs Bros. land that right-of-way acquisition if necessary would be simplified. Buss Clough (PGE) stated that there would be about 200 vehicles per shift (one direction of traffic) using the Arlington-Willow Creek Road commencing late in 1975 or at the latest, the spring of 1976. Also that this volume of traffic would increase to about 400 vehicles per shift (one direction of traffic) from 1976 to 1978.

Construction of the Pebble Springs Plant is a 20 year project and the Carty Sity in Morrow County is also projected as a 20 year construction project.

A visit was made to the eastern sector of the proposed Arlington-Willow Creek Road and the court agreed that a new and improved bridge across Willow Creek should be included in the road construction project. It was noted that the Simplot operation in Morrow County had already increased the road usuage between State Hwy #19 in Gilliam County and State Hwy #74 in Morrow County.

Court agreed that an enquiry should be made of the State Highway Department to determine if some emergency funds could be made available for major construction if the need for this road improvement occurrs this year or in the early spring of 1976.

This meeting was adjourned at 4:20 p.m.

cc: Buss Clough, Portland General Electric
Jim Lutz, Road Master, Gilliam County

GILLIAM COUNTY COURT

ATTEST: Leo Barnett

Leo Barnett
Gilliam County Judge

8639

Salem, Oregon
March 3, 1975

TO: Carl Williams
Region 4 Engineer
Bend

FROM: Robert H. Prange
Rural Engineer
County-City Unit

Attached is a set of plans developed by Portland General Electric for a portion of Rhea Road which is to act as an access road to their proposed nuclear power plant in the north end of Gilliam County. Please review the plans and comment as to their compatibility to FAS-C standards.

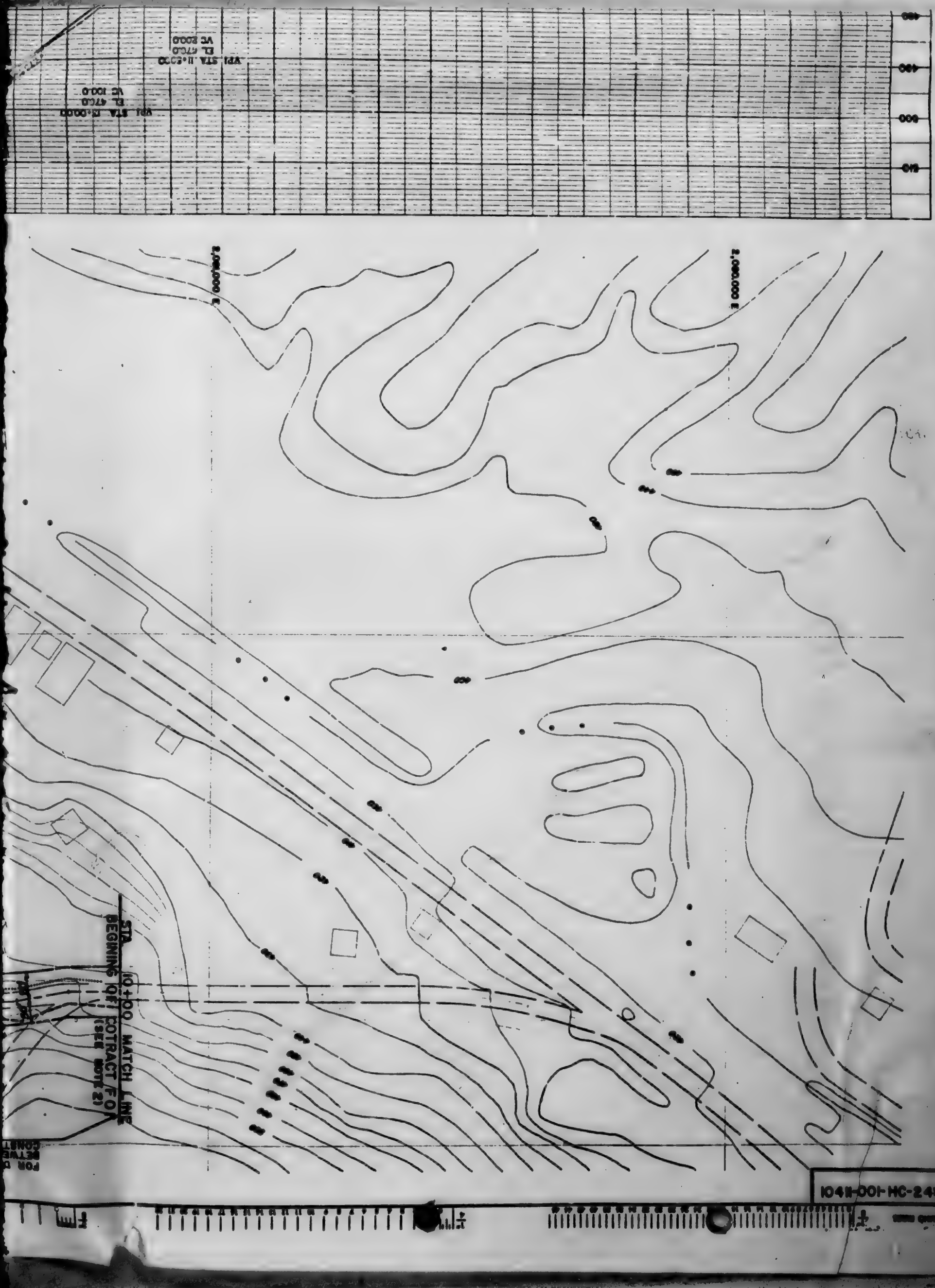
You will recall that this is the route Gilliam County is planning to place on the Federal Aid Secondary System.

RHP:scr

Attachment

cc: Frank Terpin

☑ ENGR. ☐ ASST. ☑ OE ☐ AE ☐ UE
☐ UPE ☐ CE R RE ☐


VPI STA 11+23.30
EL 47.0.0
VC 200.0
VPI STA 15+00.00
EL 47.0.0
VC 100.0
2,000,000 E
2,000,000 E
STA 10+00 MATCH LINE
BEGINNING OF CONTRACT (FOR
(SEE NOTE 2)
1041-001-HC-248

FOR DETAILS OF CONNECTION BETWEEN OLD AND NEW CONSTRUCTION SEE DWG. NC-SEC.

STA 10+00 MATCH LINE BEGINNING OF CONTRACT FOR I-35E (STH 20)

CURVE NO.1
PI STA. 26+07.167
(744,675.000 N)
(2,082,750.000 E)

Δ = 25° 30' 30"
D = 6°
R = 954.930
T = 216.182
L = 425.139
e = 0.07

C.H. & H-HILL MONUMENT
(774,654.24 N)
(2,082,687.41 E)
EL. 857.4

R/W

R/W

N 78°55'50" E

20+00

R/W

BC STA. 23+91.018

STA. 28+05.00 ℄
INSTALL CMP 1-36"X76' SKEW 60° LT
INSTALL OUTLET SLOPE PROTECTION

2,082,000 E

2,083,000 E

STA 15+00.00
EL 470.0
VC 100.0

-7.00%

VPI STA 17+00.00
EL 456.0
VC 200.0

-4.00%

VPI STA 22+00.00
EL 436.0
VC 200.0

-1.75%

VPI STA 24+00.00
EL 432.0
VC 200.0

+6.00%

SIZE E

CURVE NO.1
PI STA. 26+07.167
(744,678.000 N)
(2,082,780.000 E)
Δ = 25° 30' 30"
D = 8°
R = 954.930
T = 216.152
L = 425.138
e = 0.07

C.M. & M-N.L.L.
MONUMENT
(774,654.24 N)
(2,082,687.41 E)
EL. 552.4

N 78° 55' 30" E

20+00

BC STA. 23+91.016

R/W

R/W

STA. 30+00
MATCH LINE

EC STA. 29+16.152

N

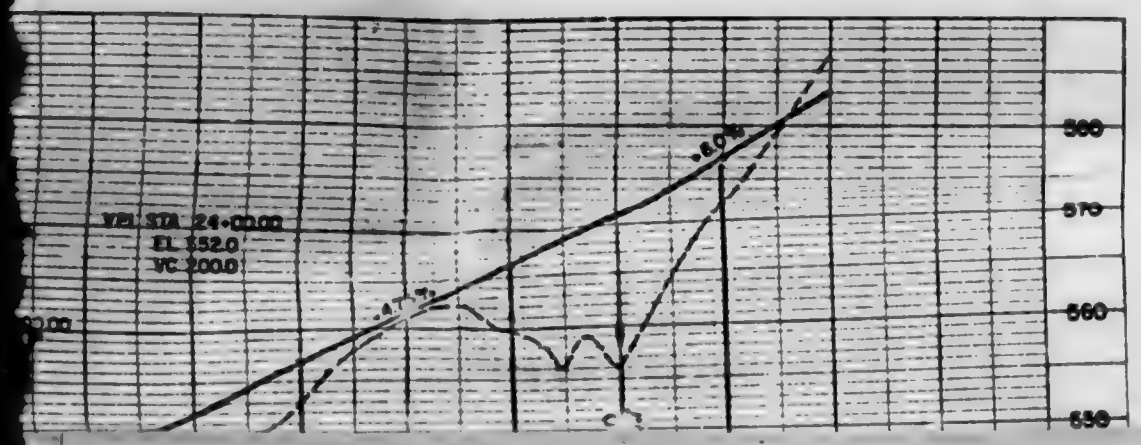
745,000 N

744,000 N

2,083,000 E

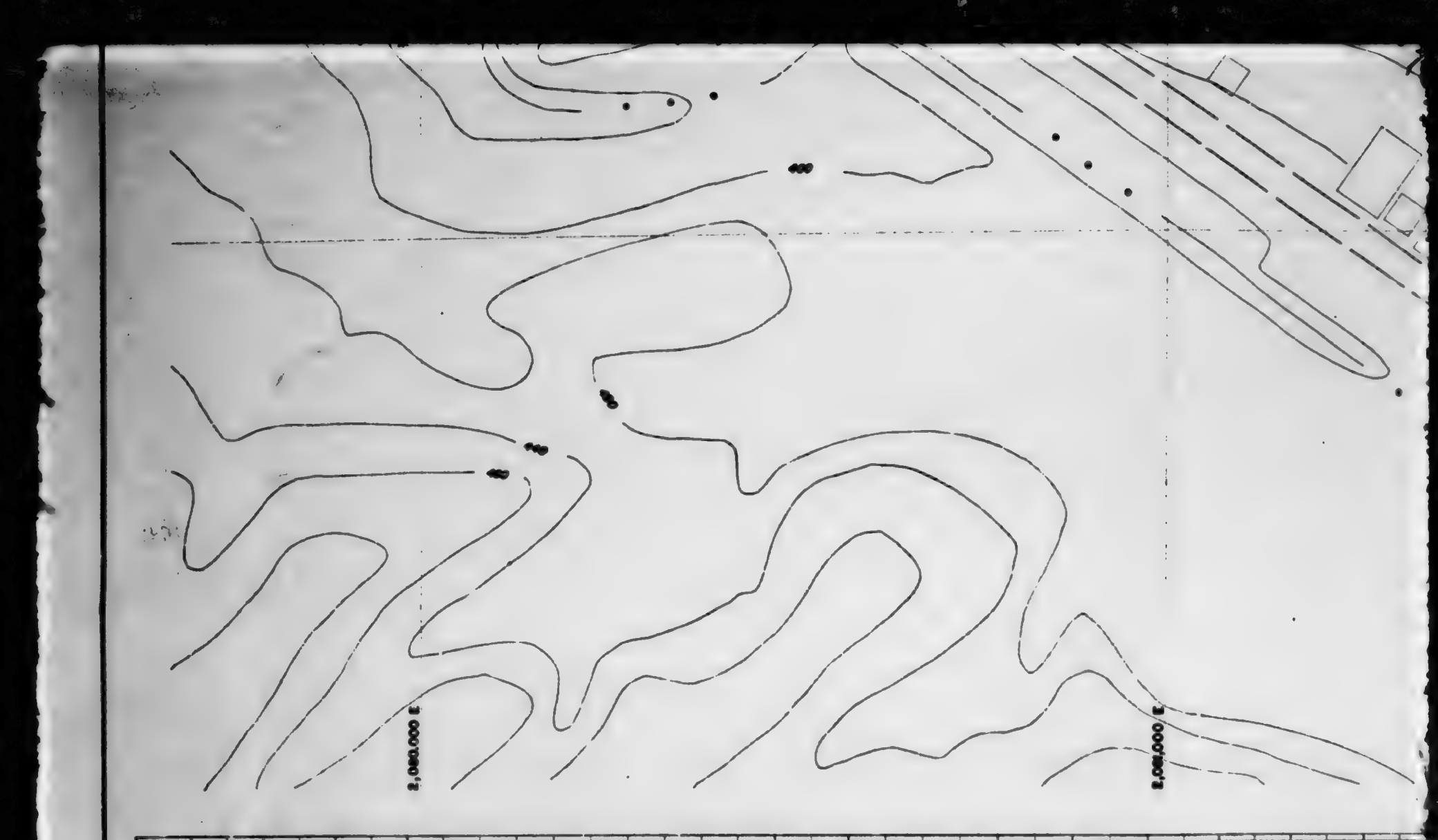
STA. 28+05.00 ℄
INSTALL CMP 1-36"X76' SKEW 60° LT
INSTALL OUTLET SLOPE
PROTECTION

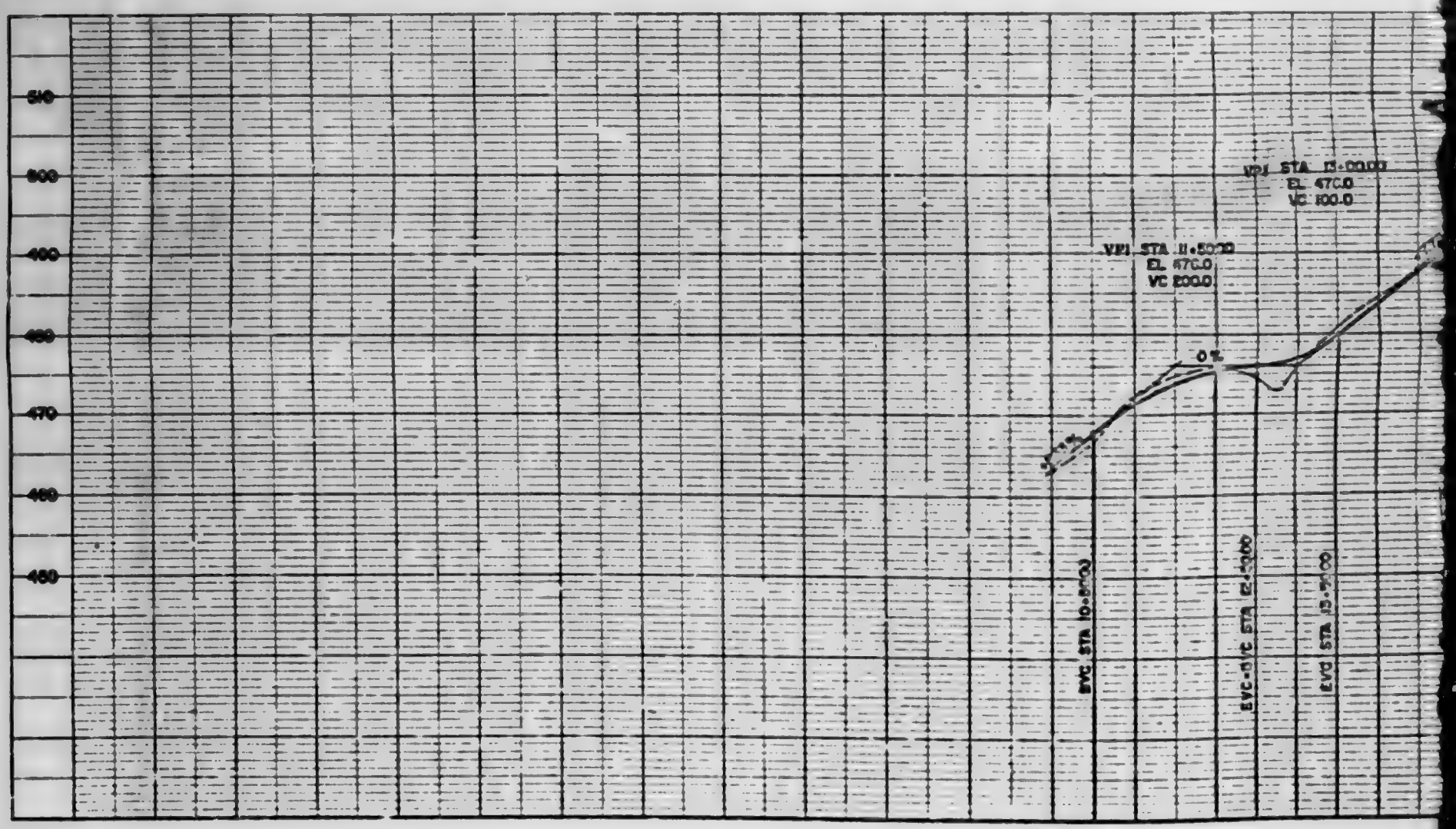
H
G
F
E
D
C



NOTES

1. FOR GENERAL NOTES SEE DRAWING NO. HC-101
2. BETWEEN STA 10 + 00 AND STA 23+ 91 THE RECONSTRUCTION OF THE EXISTING ROADWAY SHALL FOLLOW THE ALIGNMENT OF THAT ROADWAY. THE R/W SHALL ALSO FOLLOW THE SAME ALIGNMENT AND EXTEND OUTWARD 50 FEET ON EITHER SIDE OF THE ℄.
3. U.S.G.S. MAPPING USED IN AREAS WHERE EXISTING ROAD IS TO BE RECONSTRUCTED.
4. EARTH HAUL DIAGRAMS ARE GIVEN FOR INFORMATION ONLY. QUANTITIES & LOCATIONS SHOULD BE VERIFIED BY THE CONTRACTOR.





INFORMATION ONLY

WILL NOT BE KEPT UP-TO-DATE

8 7 6

2,082.000 E

VPI STA 15+00.00
EL 470.0
VC 100.0

VPI STA 17+00.00
EL 537.0
VC 200.0

VPI STA 22+00.00
EL 713.0
VC 200.0

VPI STA 24+00.00
EL 752.0
VC 200.0

EVC-BVC STA 15+50.00

EVC STA 16+00.00

EVC STA 18+50.00

EVC STA 20+50.00

EVC STA 23+00.00

EVC STA 25+00.00

EVC STA 27+00.00

EVC STA 29+00.00

20+00

30+00

3,679 x 0.85 = 3,127 C.Y. EXCAVATION

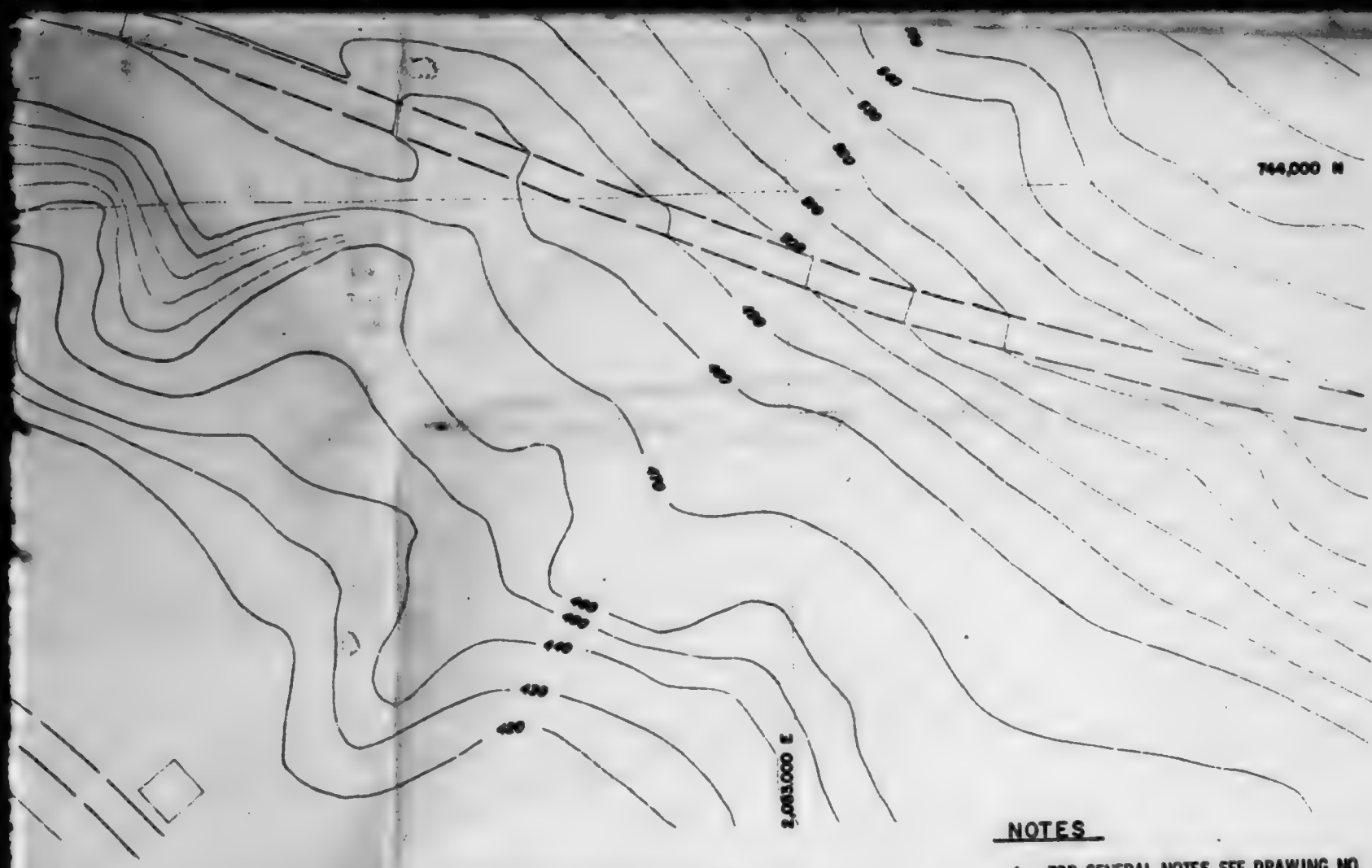
4,550 x 0.85 = 3,868 C.Y. EXCAVATION

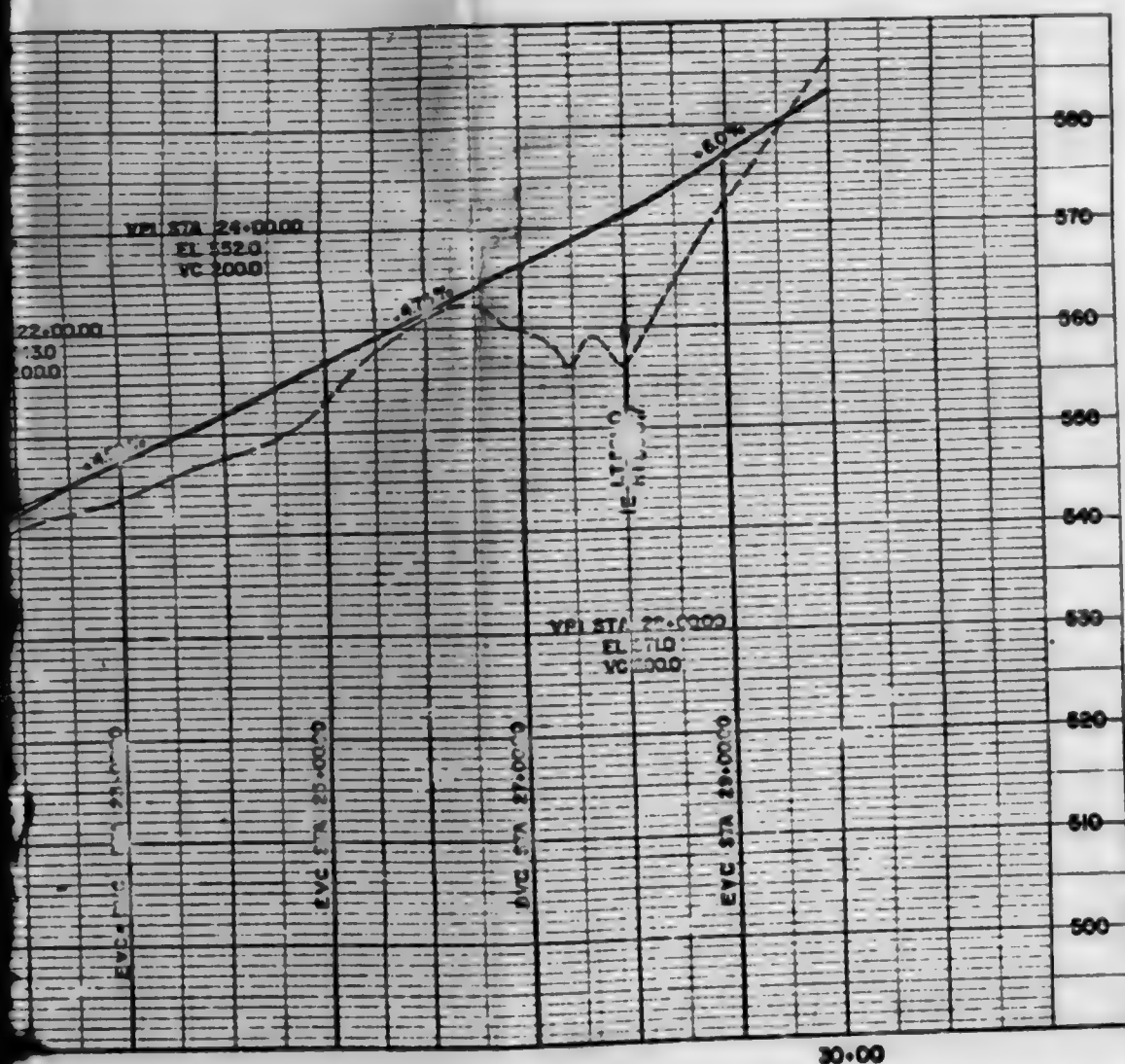
7,012 C.Y. EMBANKMENT

5

4

3





4,550 x 0.85 = 3,868 C.Y. EXCAVATION

7,012 C.Y. EMBANKMENT

NOTES

1. FOR GENERAL NOTES SEE DRAWING NO. HC-101
2. BETWEEN STA 10 + 00 AND STA 23+ 91 THE RECONSTRUCTION OF THE EXISTING ROADWAY SHALL FOLLOW THE ALIGNMENT OF THAT ROADWAY. THE R/W SHALL ALSO FOLLOW THE SAME ALIGNMENT AND EXTEND OUTWARD 50 FEET ON EITHER SIDE OF THE ℄.
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4. EARTH HAUL DIAGRAMS ARE GIVEN FOR INFORMATION ONLY. QUANTITIES & LOCATIONS SHOULD BE VERIFIED BY THE CONTRACTOR.

0 100 200 300 400 FEET
SCALE

A	11/5/74	ISSUED FOR REVIEW	RF	

1"=100' BJC EMV

ELECTEL
SAN FRANCISCO

PEBBLE SPRINGS NUCLEAR PLANT
UNIT 1
PORTLAND GENERAL ELECTRIC CO. PORTLAND, OREGON

NUCLEAR PLANT ACCESS ROAD
PLAN AND PROFILE
STA. 10+00 TO 30+00

10411-001	HC-248	A

F E D C B A

1 2 3

10411-001/HC-249

STA. 44+75.00℄
INSTALL CMP 1-36"X 12
INSTALL OUTLET SLOPE

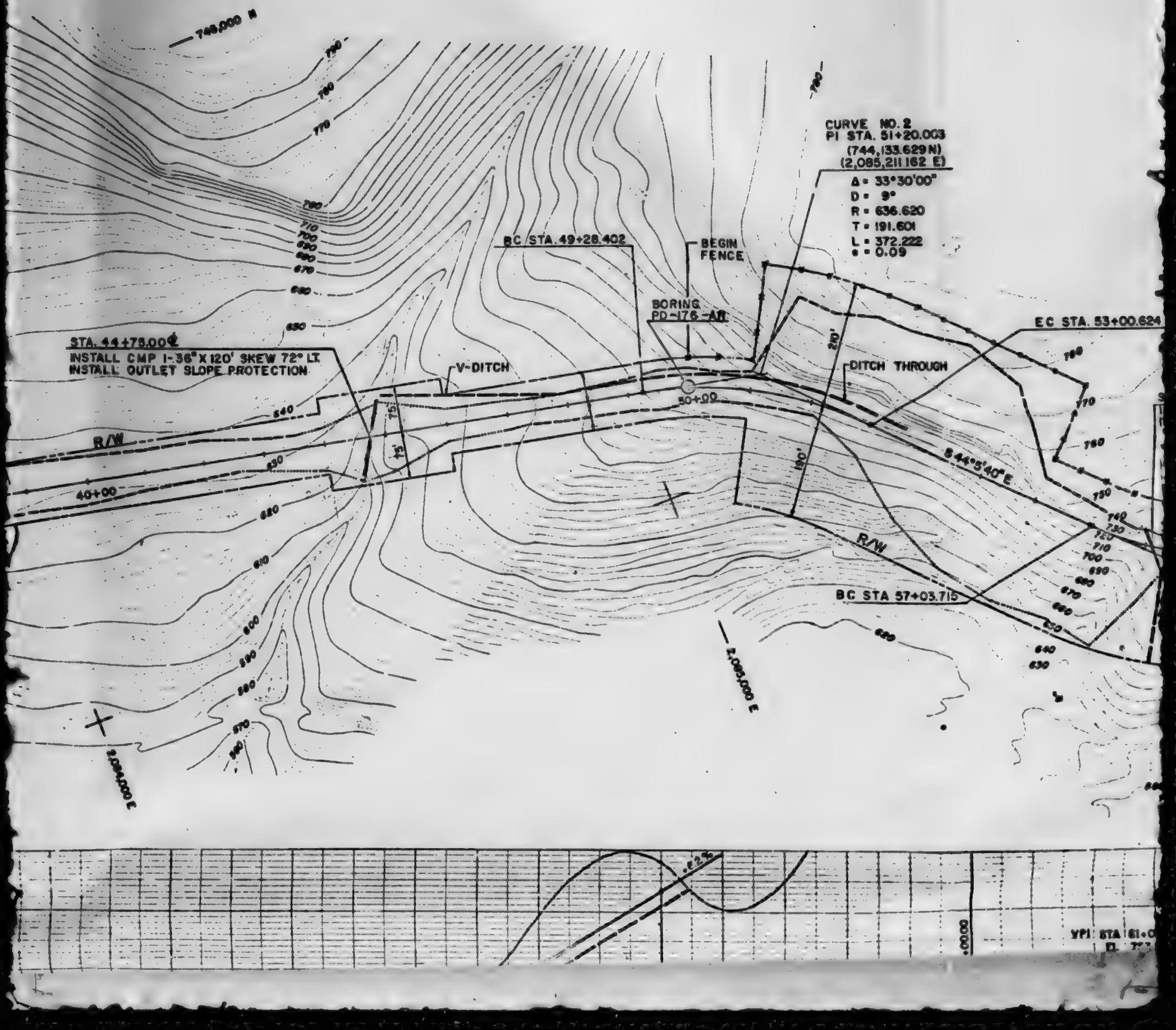
R/W
S 77°35'40" E
40+00
50'
R/W

STA. 30+00
MATCH LINE

VPI. STA 36+00.00
EL 619.0
VC 400.0

670
660
650
710
700

INFORMATION
WILL NOT BE KEPT UP-T



SIZE B

INFORMATION ONLY
WILL NOT BE KEPT UP-TO-DATE

CURVE NO. 2
PI STA. 51+20.003
(744,133.629 N)
(2,085,211.162 E)
Δ = 33°30'00"
D = 9°
R = 636.620
T = 191.601
L = 372.222
e = 0.09

BEGIN FENCE
BORING PD-176-AR
50+00
DITCH THROUGH
EC STA. 53+00.624
744,000 N
2,086,000 E
STA. 58+10.00
INSTALL CL.P 1-30"X64' SKEW 59° RT.
INSTALL OUTLET SLOPE PROTECTION
END FENCE
S 44°5'40" E
S 89°0'40" E
R/W
62+00.00
STA. MATCH LINE
60+00
BC STA 57+03.715
V-DITCH
EC STA. 61+12.049
2,085,000 E
CURVE NO. 3
PI STA. 59+19.023
(743,551.892 N)
(2,085,774.795 E)
Δ = 44°55'00"
D = 11°
R = 520.871
T = 215.308
L = 408.334
e = 0.10

VPI STA 61+00.00
EL. 703.0

NOTE

H
G
F
E
D

STA. 44+75.00℄
INSTALL CMP 1-36" X 120
INSTALL OUTLET SLOPE

R/W

S 77°35'40" E

40+00

R/W

STA. 30+00
MATCH LINE

2,044,000 E

670 680 690 700 710

670 660 650 640 630 620 610 600 590 580 570

BVC STA. 34+00.00

VPI. STA 38+00.00
EL 619.0
VC 400.0

EVC STA. 38+00.00

+.60%

+2.0%

BVC STA. 41+00.00

VPI STA 44+00.00
EL 622.0
VC 500.0

TE LT 621.5
RT 623.1

30+00 35+00 40+00 45+00

10,706 x 0.85 = 9,100 C.Y. EXCAVATION

9,919 C.Y. EMBANKMENT

CURVE NO 2
PI STA. 51+20.003
(744,133.629 N)
(2,085,211.162 E)
Δ = 33°30'00"
D = 9°
R = 636.620
T = 191.601
L = 372.222
e = 0.09

BC STA. 49+28.402

BEGIN FENCE

BORING PD-176-AR

EC STA. 53+00.624

DITCH THROUGH

V-DITCH

50+00

STA 58+10.00
INSTALL C.I.P I-3
INSTALL OUTLET

S 44°5'40" E

R/W

BC STA 57+03.715

V-DITCH

±2,085,000 E

CURVE NO.
PI STA. 59+
(743,551.83
(2,085,774.7
Δ = 44°55'
D = 11°
R = 520.87
T = 215.30
L = 408.33
e = 0.10

78.00¢
MP I-36"X 120' SKEW 72° LT.
OUTLET SLOPE PROTECTION

760
750
740
730
720
710

+.20%

-.22%

DITCH THROUGH

EVC STA 48+80.00

EVC STA 49+80.00

VPI STA 51+00.00
EL 691.0
VC 400.0

EVC STA 53+00.00

VPI STA 61+00.00
EL 753.0
VC 600.0

48+00 50+00 55+00 60+00 62+00

963 x 0.85 = 819 C.Y. EXCAVATION

23,073 x 1.3 = 31,061 C.Y. EXCA

11,709 x 1.3 +4,809 x 0.85 = 19,408 C.Y. EXCAVATION

8,021 x 0.85 =
6,817 C.Y. EXC

Y. EMBANKMENT

31,061 C.Y. EMBANKMENT

CURVE NO. 2
PI STA. 51+20.003
(744,133.629 N)
(2,065,211.162 E)
Δ = 33°30'00"
D = 9°
R = 636.620
T = 191.601
L = 372.222
e = 0.09

BEGIN FENCE

BORING PD-175-AE

50+00

DITCH THROUGH

EC STA. 53+00.624

744,000 N

2,066,000 E

STA. 58+10.00
INSTALL CMP 1-30"X64' SKEW 59° RT.
INSTALL OUTLET SLOPE PROTECTION

END FENCE

R/W

S 89°0'40" E

S 44°5'40" E

R/W

BC STA 57+03.715

V-DITCH

STA. 62+00 MATCH LINE

60+00

EC STA. 61+12.049

2,065,000 E

CURVE NO. 3
PI STA. 59+19.023
(743,551.692 N)
(2,065,774.795 E)
Δ = 44°55'00"
D = 11°
R = 520.871
T = 215.308
L = 408.334
e = 0.10

VPI STA 61+00.00
EL. 753.0
VC 600.0

EVC STA 59+00.00

EVC. STA 63+00.00

760
750
740
730
720
710

+3.5%
-3.5%

LT 727
RT 725.2

55+00
60+00
62+00

EXCA | 11,709 x 1.3 +4,804 x 0.85 = 19,438 C.Y. EXCAVATION | 0,671 x 0.85 = 4,617 C.Y. EXC

31,061 C.Y. EMBANKMENT

NOTE

1. THE R/W SHALL BE FENCED 2 FEET INSIDE THE R/W LINE.

0 100 200 300 400 FEET
SCALE

NO.	DATE	REVISIONS	BY	CHK'D	DESIGN ENG'G	PROJ. ENG'G	APPD
A	11/19/74	ISSUED FOR REVIEW	RF				

SCALE 1"=100' | DESIGNED EJC | DRAWN EMV | TRACED mm

BECHTEL
SAN FRANCISCO

PEBBLE SPRINGS NUCLEAR PLANT
UNIT 1
PORTLAND GENERAL ELECTRIC CO. PORTLAND, OREGON

NUCLEAR PLANT ACCESS ROAD
PLAN AND PROFILE
STA. 30+00 TO 60+00

JOB NO.	DRAWING NO.	REV.
10411-001	HC-249	A

10411-001/HC-280

744,000 N

STA 64+60.00
INSTALL CMP 1- 30"X 192' SKEW 58° LT
INSTALL OUTLET SLOPE PROTECTION

RELOCATE UTILITY POLE, MIN. 40 FT. FROM ROADWAY ℄
(NOT IN CONTRACT)

CURVE NO. 4
PI STA 66+71.741
(743,538.517 N)
(2,086,549.679 E)
Δ=59°30'00"
D=12°
R=477.465
T=272.894
L=495.834
e=0.10

BC STA 63+98.847

STA 62+00
MATCH LINE

R/W

EC STA 68+94.681

S 29°30'40" E
70.00

BC STA 71+87.018

75'
80'

60.00

EC STA 78+3

CURVE NO. 5
PI STA 75+39.787
(742,739.618 N)
(2,087,001.879 E)
Δ=55°15'00"
D= 8°30'
R=674.068
T=352.769
L=650.000

2,086,000 E

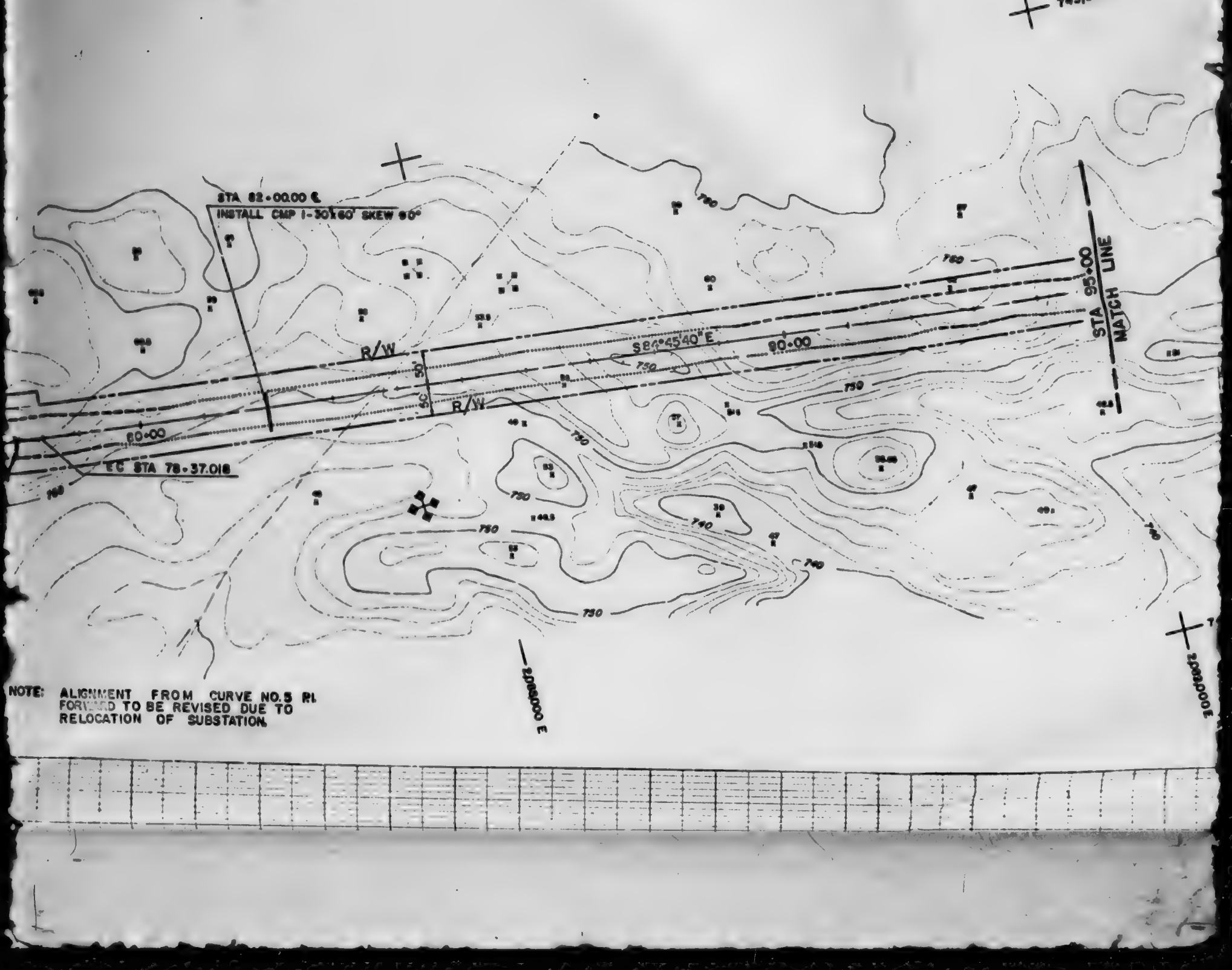
2,087,000 E

NOTE: ALIGNMENT FROM
FORWARD TO BE REV
RELOCATION OF S

770

64+00.00

INFORMATION
WILL NOT BE KEPT U



NOTE: ALIGNMENT FROM CURVE NO.5 RI
FORWARD TO BE REVISED DUE TO
RELOCATION OF SUBSTATION.

SIZE E

INFORMATION ONLY

WILL NOT BE KEPT UP-TO-DATE

N

743,000 N

742,000 N

1000000.2

S84°45'40"E

90+00

STA 95+00

MATCH LINE

750

740

0 100 200 300 400 FEET

SCALE

H

G

F

E

D

STA 62+00 MATCH LINE

R/W

EC STA 68+94.681

BC STA 71+87.018

S 89°30'40" E

70.00

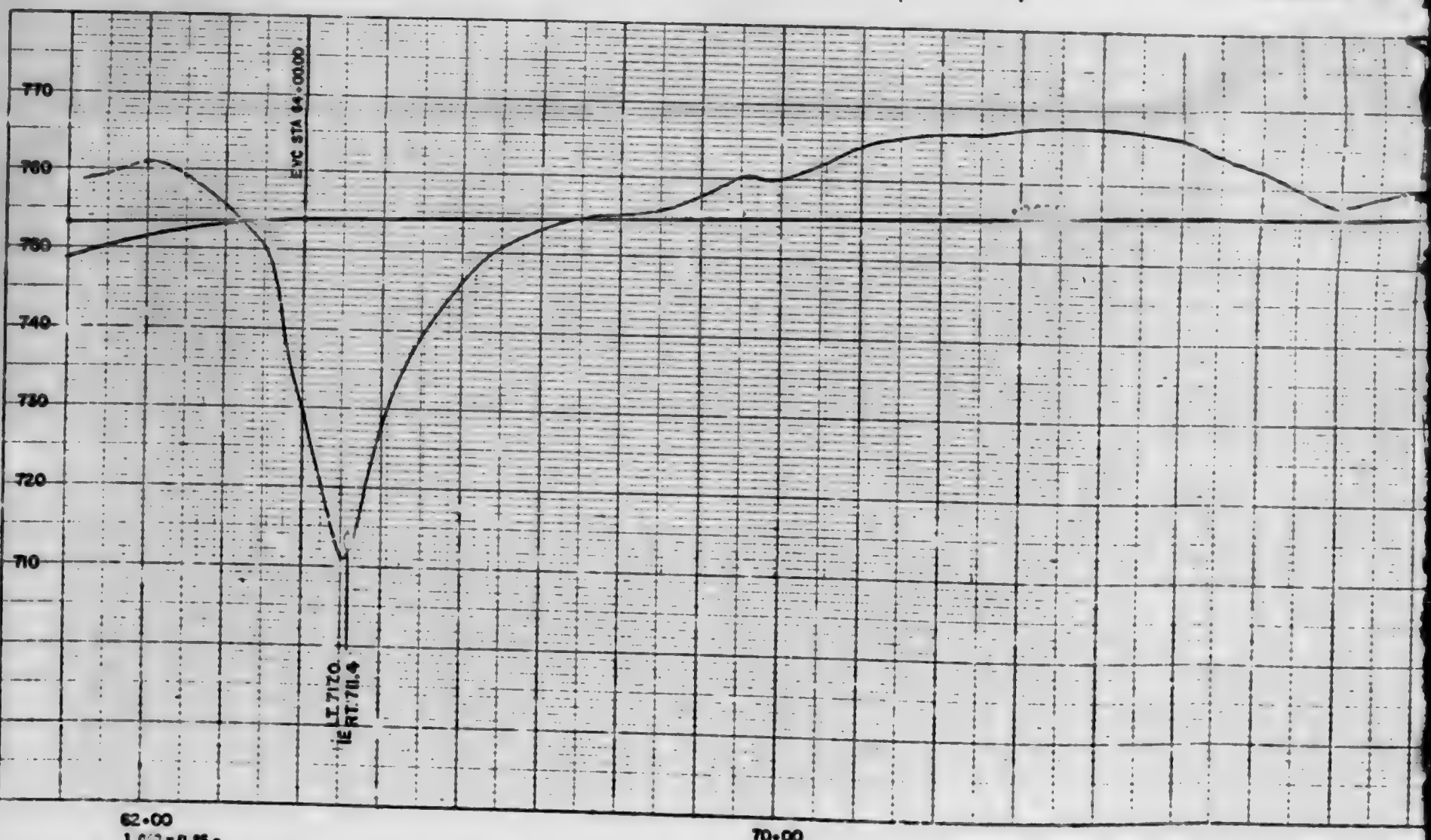
CURVE NO. 5
PI STA 75+39.787
(742,739.618 N)
(2,087,001.879 E)
Δ = 55°15'00"
D = 8°30'
R = 674.068
T = 352.769
L = 650.000

80+00

EC STA 78+

S 00°30'20" E 2,087,000 E

NOTE: ALIGNMENT FROM
FORWARD TO BE REV
RELOCATION OF SU



1,000 x 0.85 = 850 C.Y. EXC

6,495 x 0.85 = 5,522 C.Y. EXCAVATION

13,353 x 0.85 = 11,350 C.Y. EXCAVATION

19,423 C.Y. EMBANKMENT

STA 82+00.00 ℄
INSTALL CMP 1-30"x60" SKEW 90°

R/W 50'

R/W 50'

S 84°45'40" E 80.00

80.00

EC STA 78+37.018

STA 85+00
MATCH LINE

742,000 N

3 000 800 E

3 000 600 E

ALIGNMENT FROM CURVE NO.5 FL
FORWARD TO BE REVISED DUE TO
RELOCATION OF SUBSTATION

PVI STA 81+00.00
EL
VC 2000.0

PVC STA 80+00.00

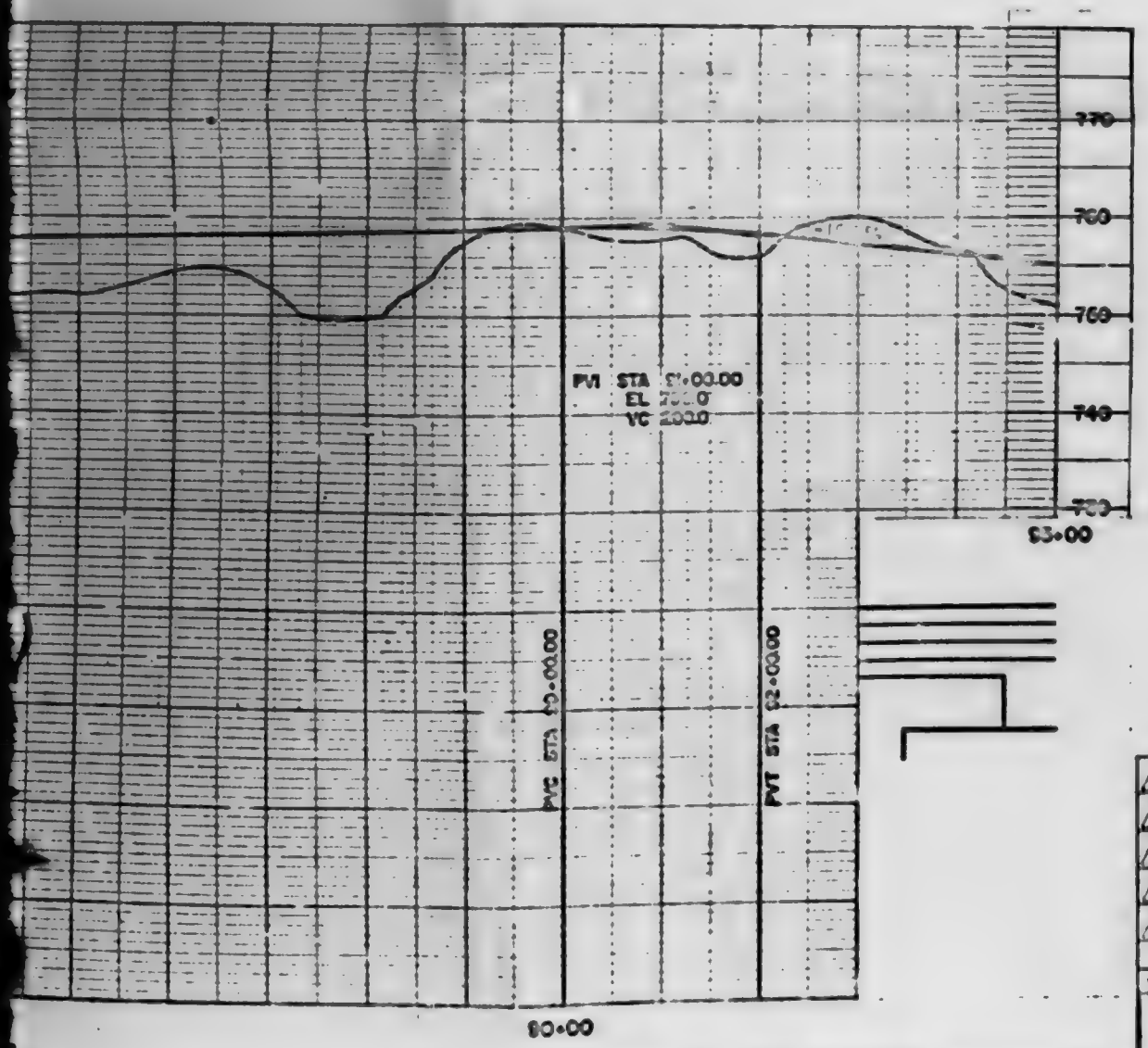
PVT STA 82+00.00

80+00

80+00

Y. EXCAVATION

1,003 x 0.85 = 1,552 C.Y. EXCAVATION



0 100 200 300 400 FEET
SCALE

NOTES

1. EARTH HAUL DIAGRAMS ARE GIVEN FOR INFORMATION ONLY. QUANTITIES & LOCATIONS SHOULD BE VERIFIED BY THE CONTRACTOR.
2. BETWEEN STA 64+00 AND STA 117+00 A LAYER OF LOESS MATERIAL, WHICH MUST BE COMPLETELY REMOVED, MAY BE ENCOUNTERED. THE ESTIMATED AVERAGE DEPTH OF THIS LAYER IS 3 FEET.

A	11/74	ISSUED FOR REVIEW	RF	

1" = 100' | DESIGNED DJC | DRAWN ETV

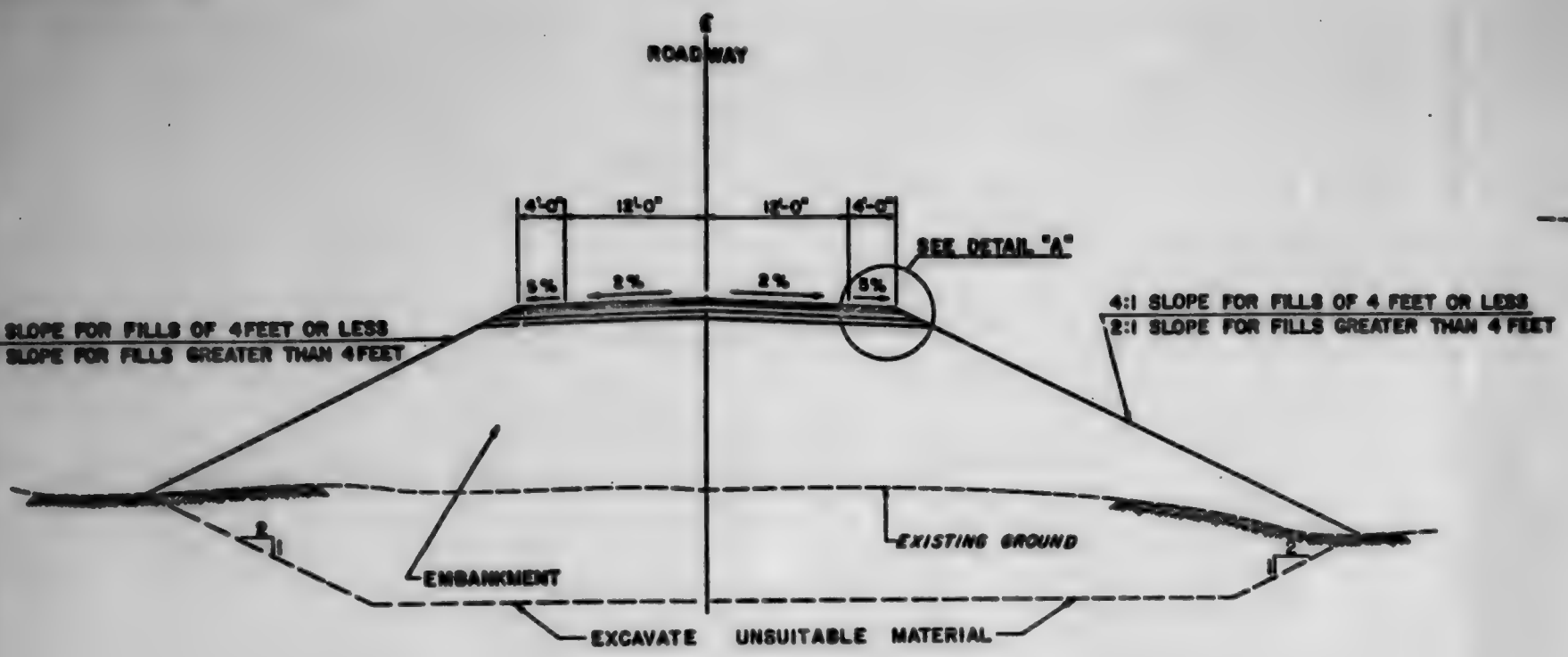
DAMES & MOORE
SAN FRANCISCO

[illegible]
UNIT 1
[illegible]

NUCLEAR PLANT ACCESS ROAD
PLAN AND PROFILE
STA. 62+00 TO 95+00

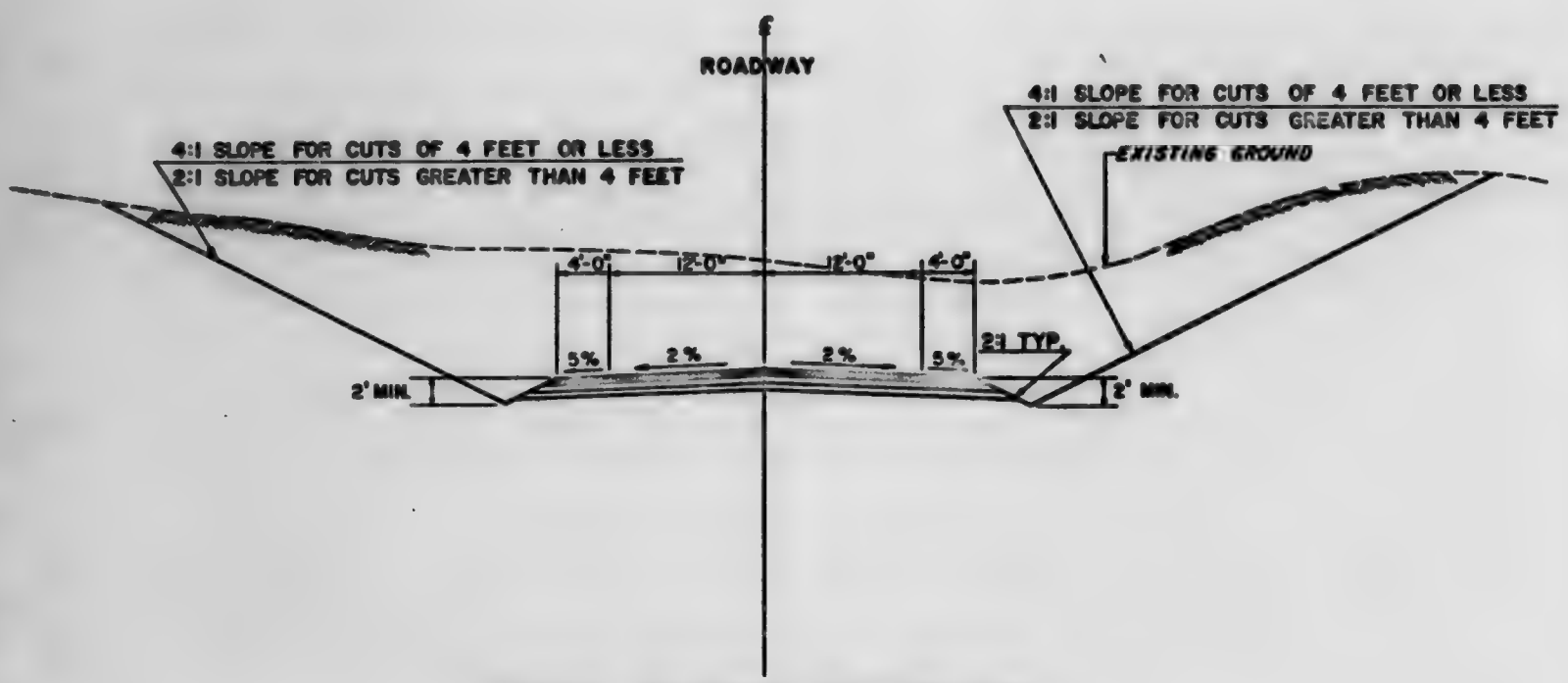
[illegible]	10411-001	MC-252

10411-001/HC-282



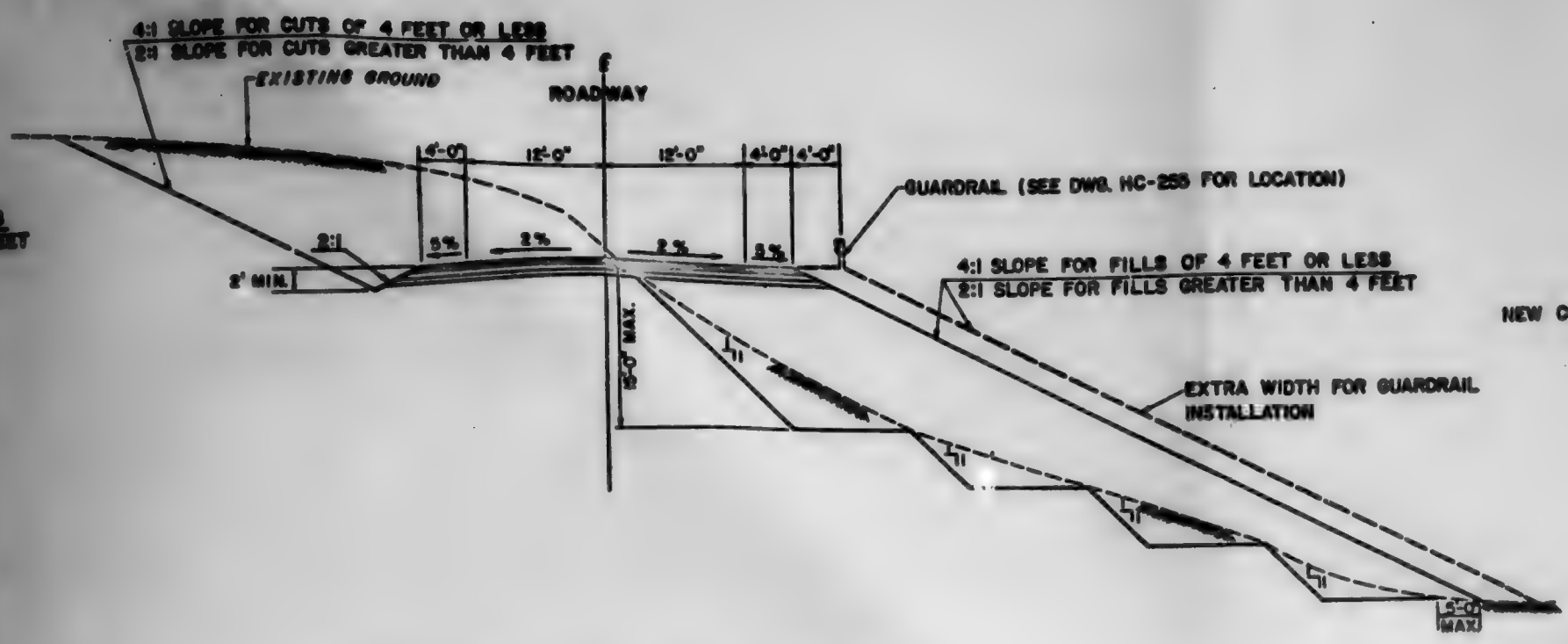
TYPICAL ROADWAY FILL SECTION

NOT TO SCALE

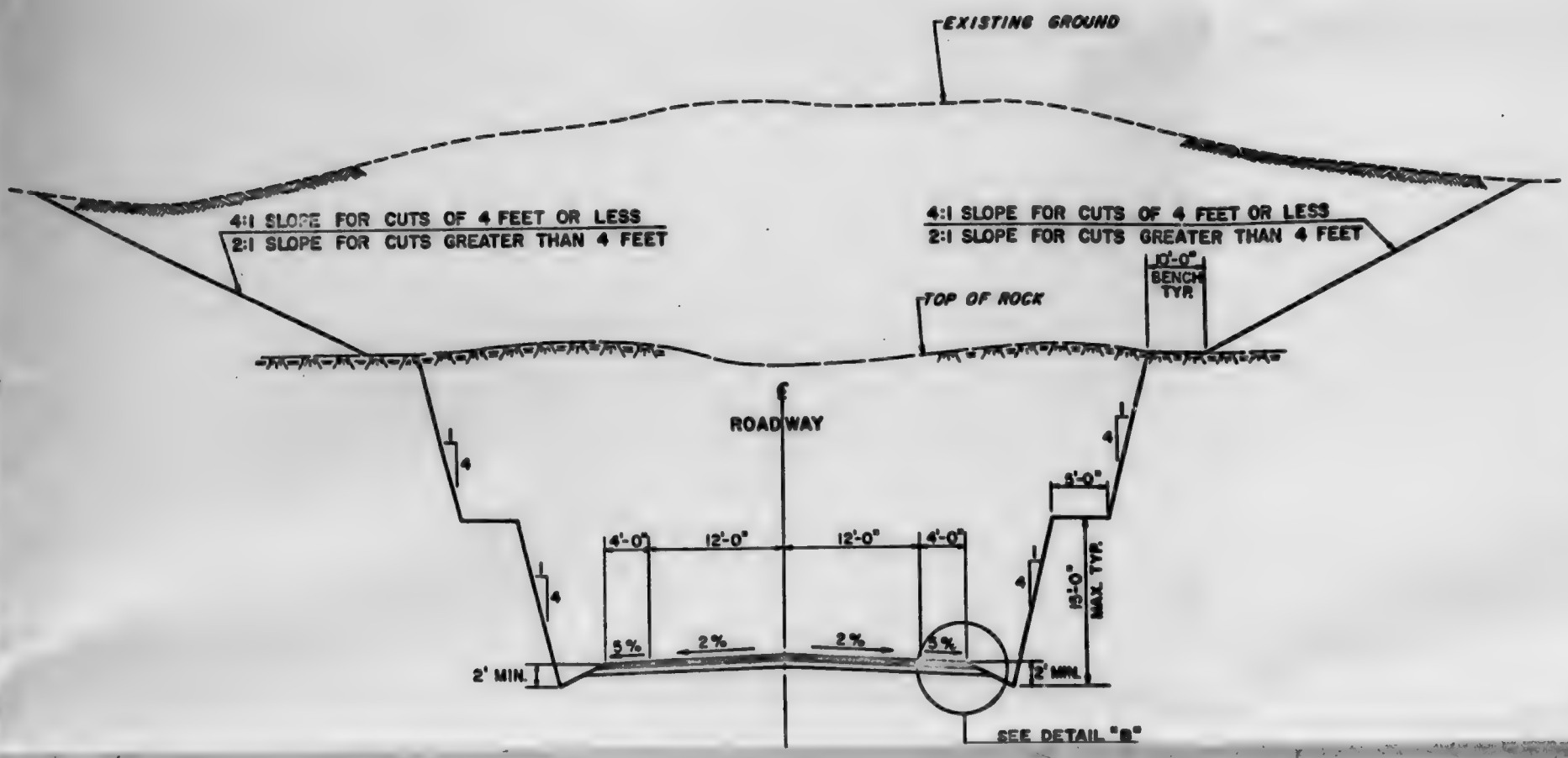


TYPICAL ROADWAY CUT SECTION

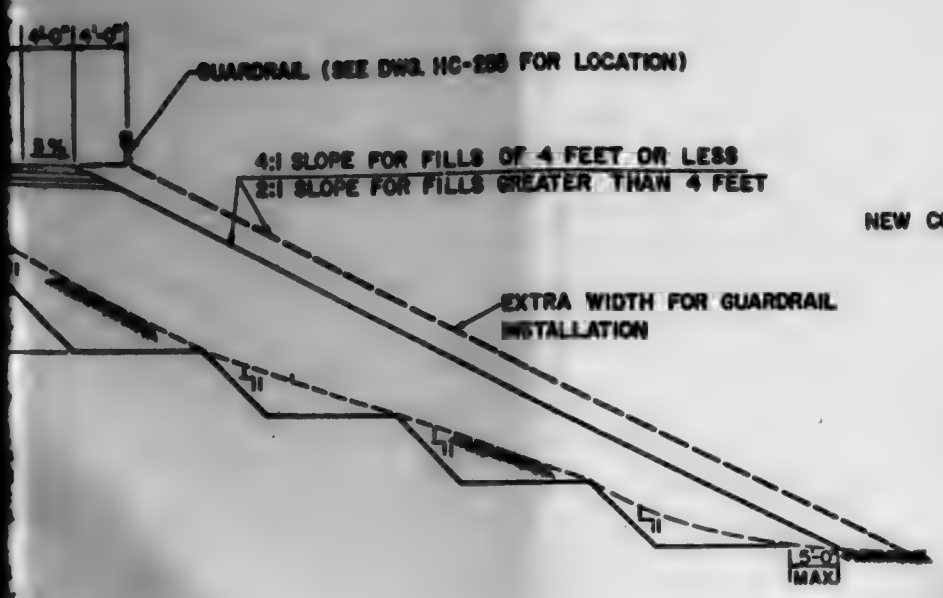
NOT TO SCALE



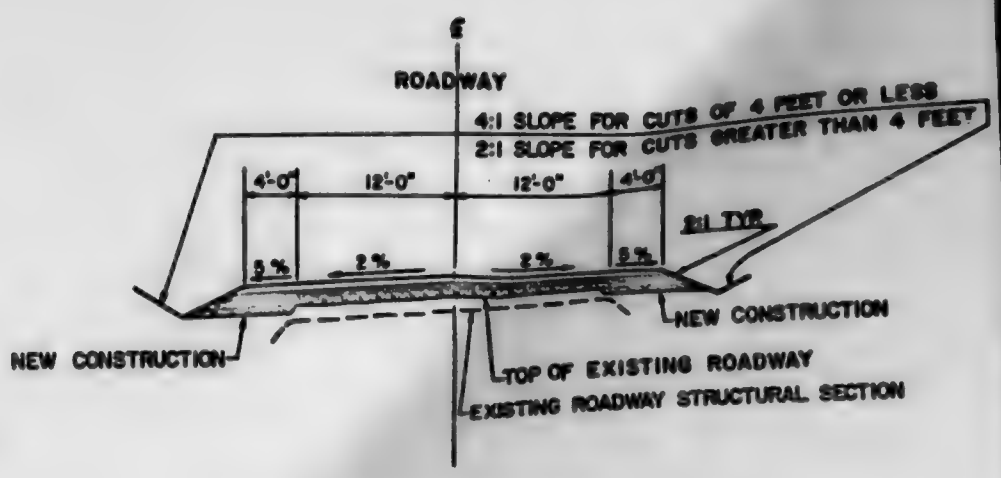
TYPICAL ROADWAY CUT AND FILL SECTION
WITH BENCHING
NOT TO SCALE



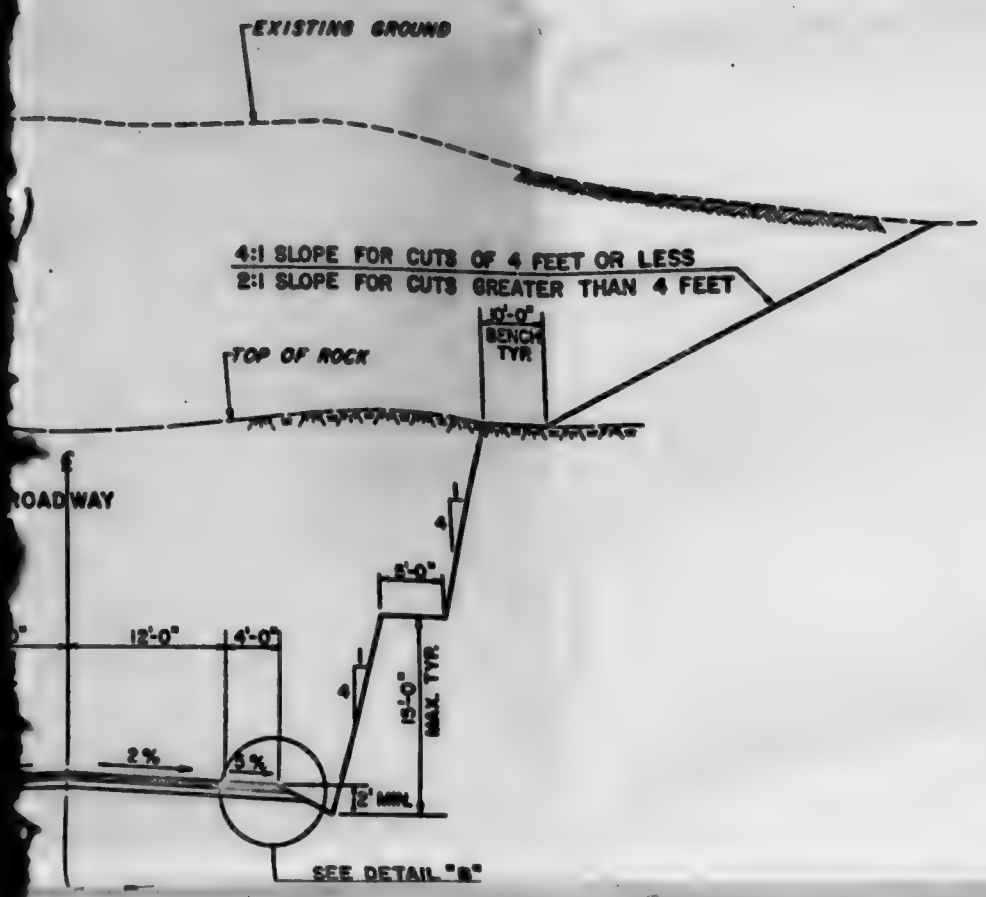
SIZE E



FILL SECTION



TYPICAL ROADWAY SECTION OF RECONSTRUCTED EXISTING ROADWAY
FROM STA. 10+00 TO STA. 26+00
NOT TO SCALE



NOTES:

1. IN CUT SECTIONS WHERE EITHER WEATHERED OR SOLID ROCK IS ENCOUNTERED, THE CONTRACTOR SHALL EXCAVATE AND REMOVE THE ROCK TO THE BOTTOM OF THE BASE COURSE ELEVATION. AN ADDITIONAL 6" OF ROCK BELOW THE BOTTOM OF BASE COURSE ELEVATION SHALL BE FRACTURED AND LOOSENED IN SUCH A MANNER THAT A FIRM BOND WILL BE ESTABLISHED BETWEEN IT AND THE BASE COURSE MATERIAL WHEN PLACED AND COMPACTED. NO PAYMENT SHALL BE MADE FOR THIS ROCK EXCAVATION BELOW BOTTOM OF BASE COURSE ELEVATION.

2. BENCHING WILL BE DIRECTED BY THE ENGINEER, IT SHALL BE INCIDENTAL TO THE CONSTRUCTION OF EMBANKMENT AND NO ADDITIONAL COMPENSATION WILL BE ALLOWED.

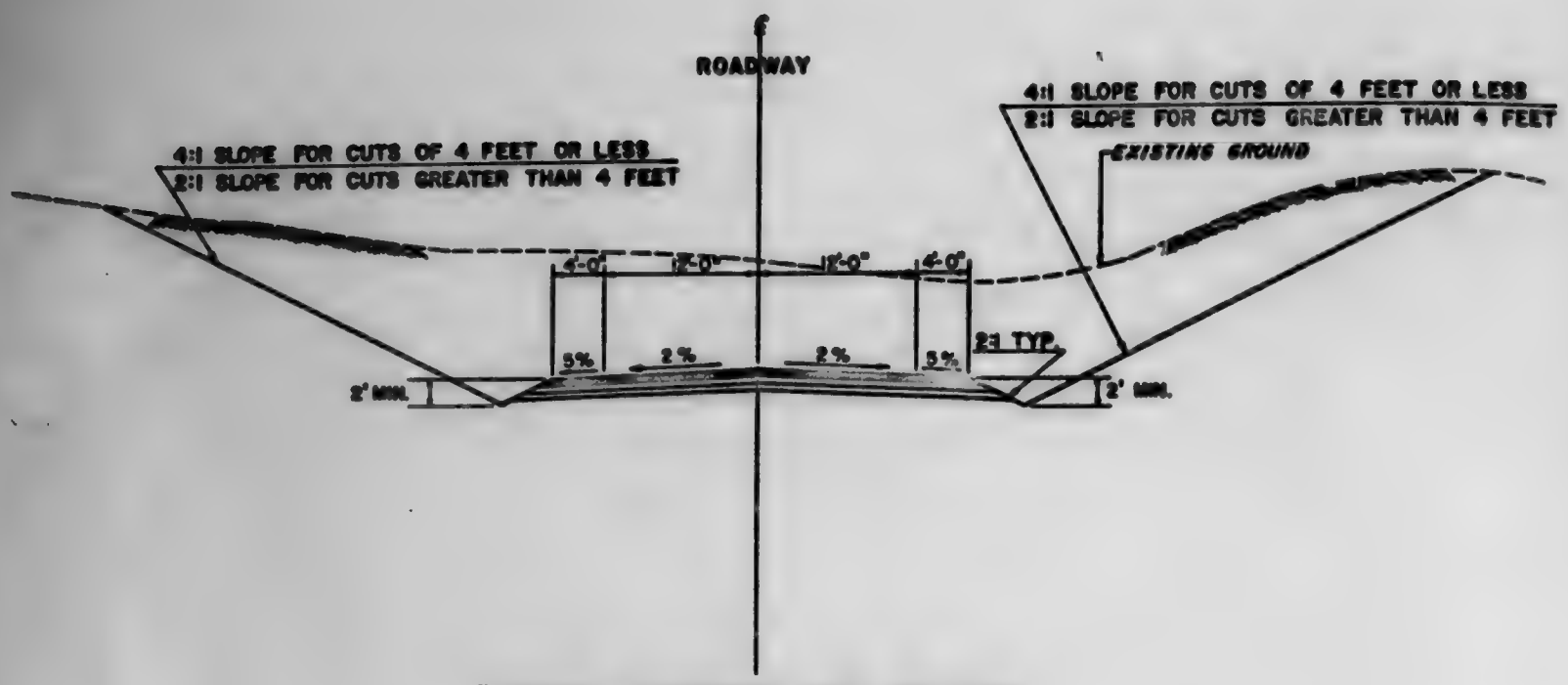
3. THE ROADWAY SECTION SHALL BE WIDENED TO A MAXIMUM OF 4 FEET AS INDICATED ON THE PLANS FOR ALL ROADWAY SEGMENTS WHERE GUARDRAIL WILL BE INSTALLED.

4. THE TOP 0.2' LAYER OF A.C. SURFACING IS NOT INCLUDED AS PART OF THIS CONTRACT.

5. SLOPES FLATTER THAN 3:1 MAY HAVE DUMPED ZONE VI MATERIAL 3 INCHES THICK AND SLOPES GREATER THAN 3:1 MAY HAVE DUMPED ZONE VI MATERIAL 6 INCHES THICK, AS REQUIRED.

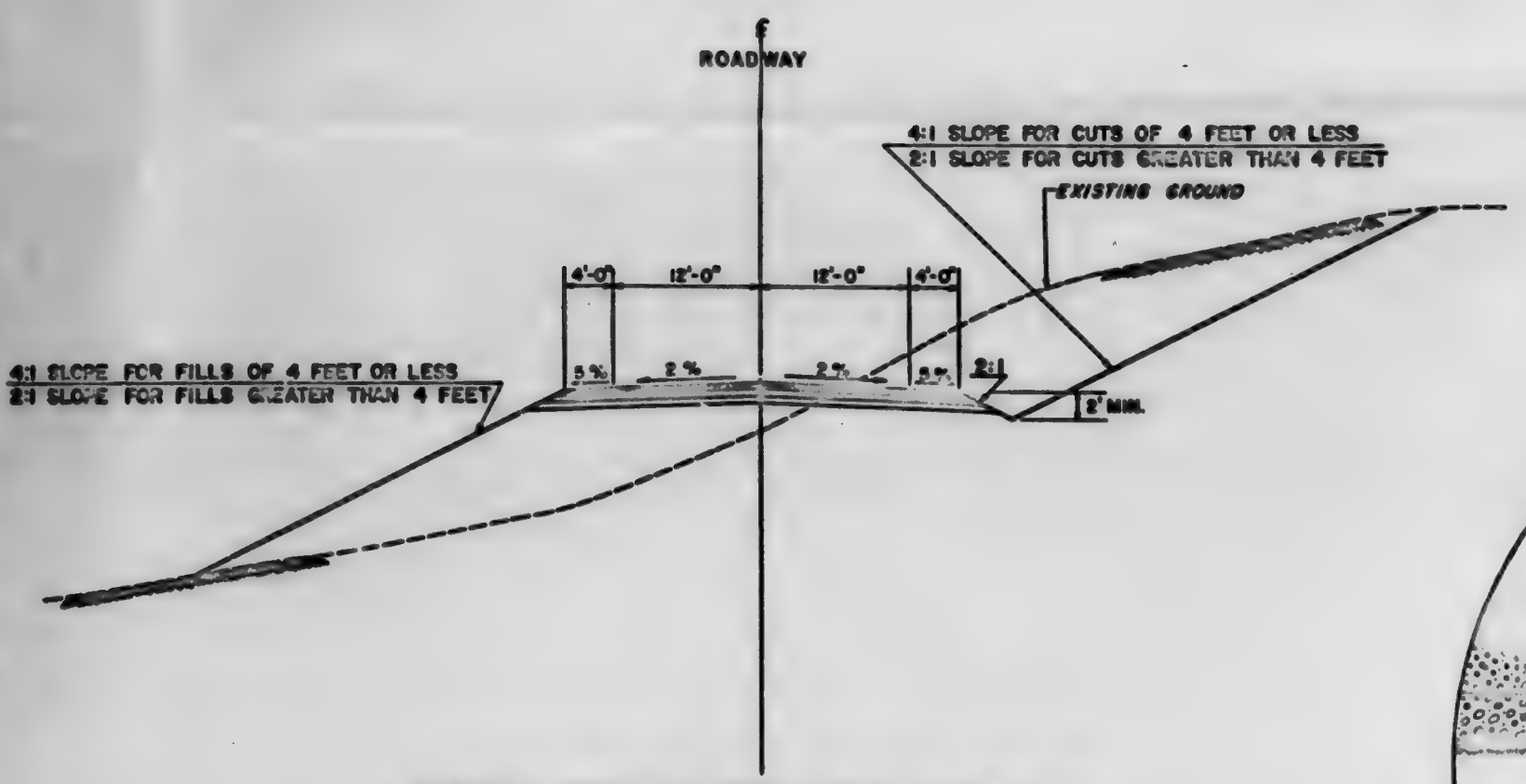
TYPICAL ROADWAY FILL SECTION

NOT TO SCALE



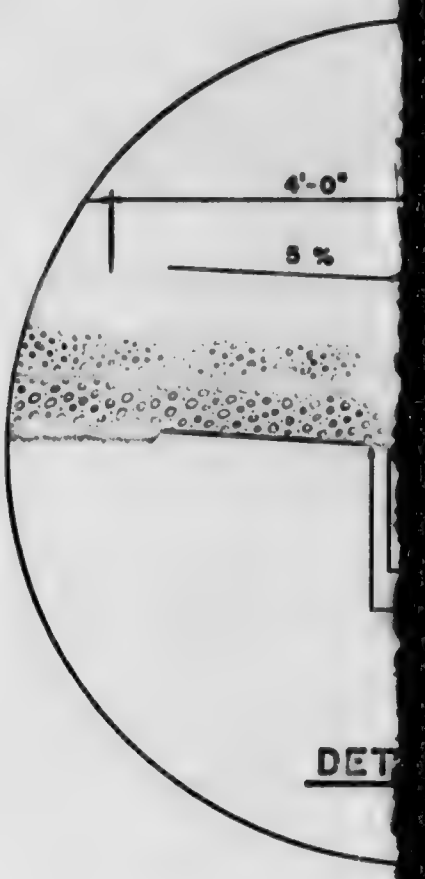
TYPICAL ROADWAY CUT SECTION

NOT TO SCALE



TYPICAL ROADWAY CUT AND FILL SECTION

NOT TO SCALE

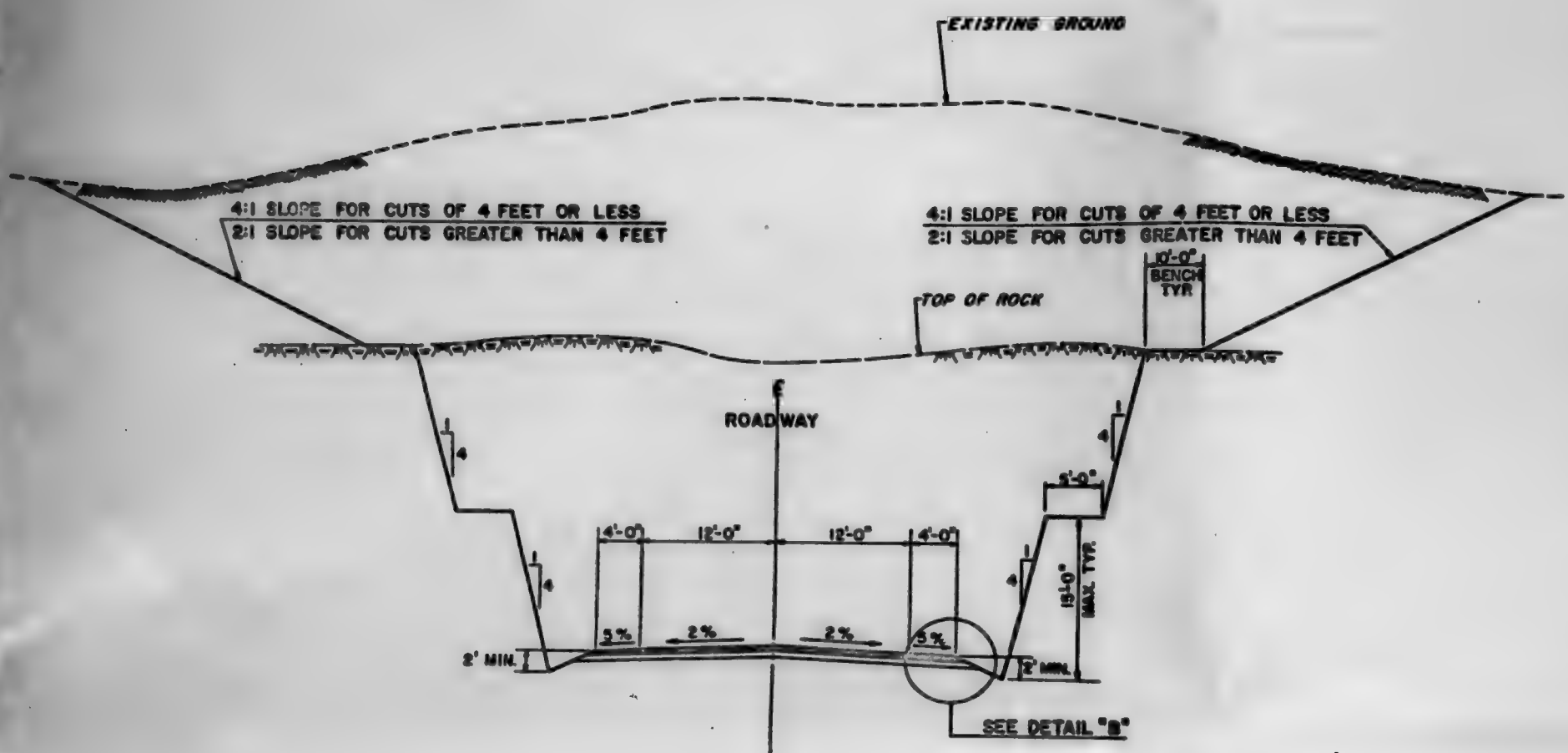


DET

8 | 7 | 6 | 5

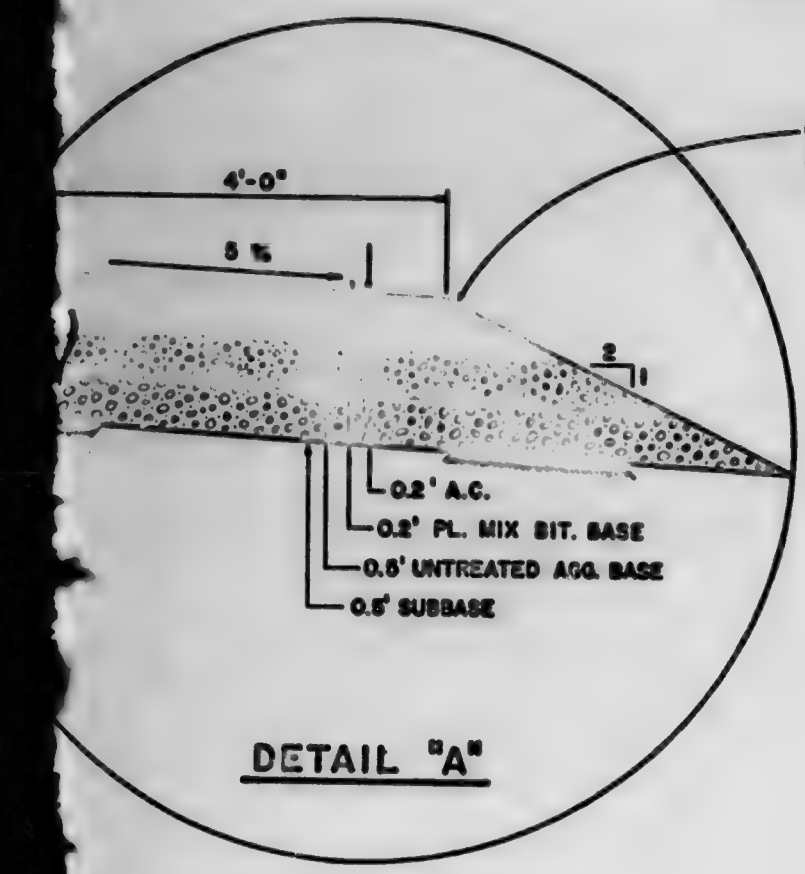
TYPICAL ROADWAY CUT AND FILL SECTION WITH BENCHING

NOT TO SCALE



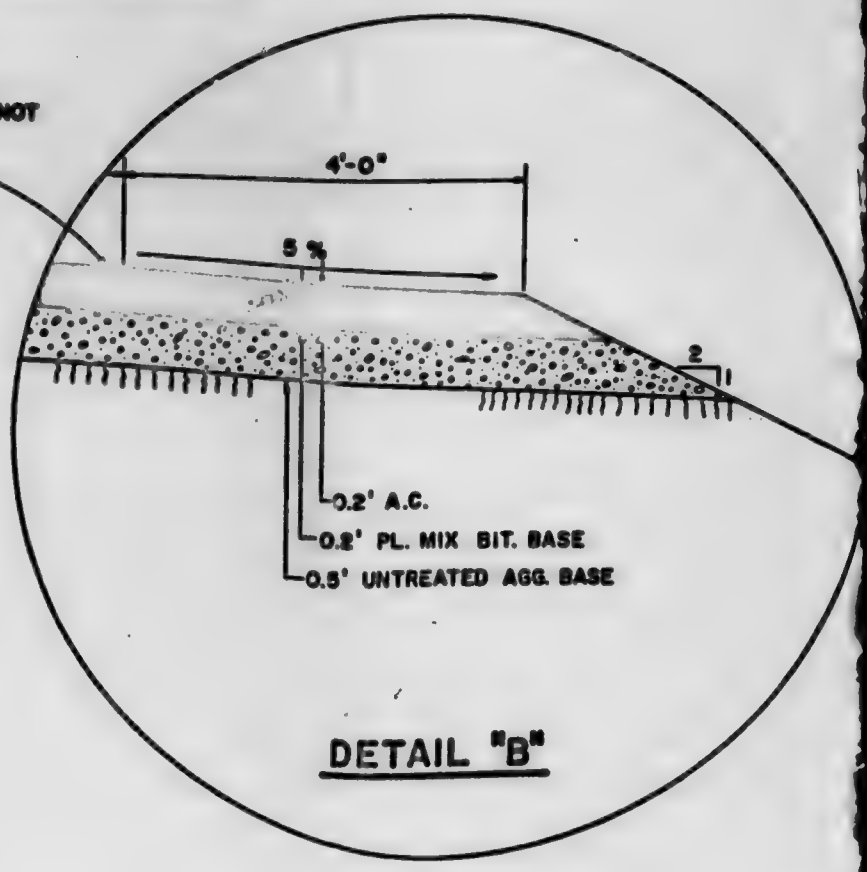
TYPICAL ROADWAY CUT SECTION IN ROCK

NOT TO SCALE



DETAIL "A"

0.2' LAYER OF A.C. SURFACING NOT IN THIS CONTRACT.

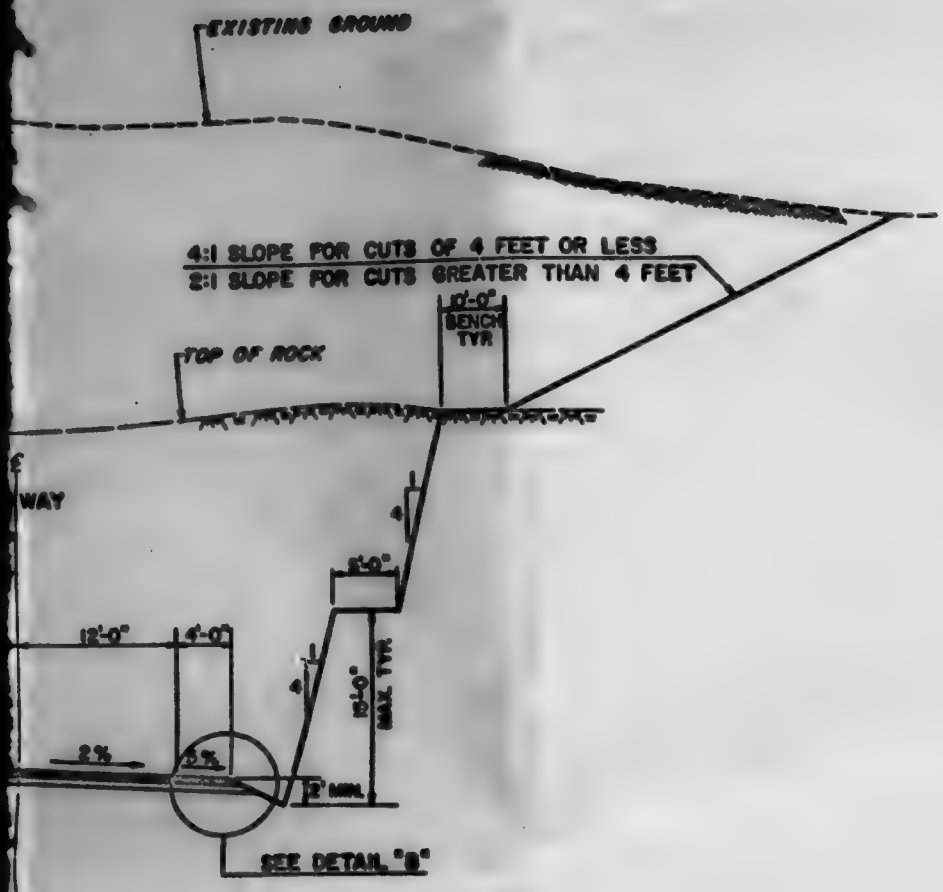


DETAIL "B"

NOT TO SCALE

MAX

SECTION



NOTES:

1. IN CUT SECTIONS WHERE EITHER WEATHERED OR SOLID ROCK IS ENCOUNTERED, THE CONTRACTOR SHALL EXCAVATE AND REMOVE THE ROCK TO THE BOTTOM OF THE BASE COURSE ELEVATION. AN ADDITIONAL 0' OF ROCK BELOW THE BOTTOM OF BASE COURSE ELEVATION SHALL BE FRACTURED AND LOOSENED IN SUCH A MANNER THAT A FIRM BOND WILL BE ESTABLISHED BETWEEN IT AND THE BASE COURSE MATERIAL WHEN PLACED AND COMPACTED. NO PAYMENT SHALL BE MADE FOR THIS ROCK EXCAVATION BELOW BOTTOM OF BASE COURSE ELEVATION.

2. BENCHING WILL BE DIRECTED BY THE ENGINEER. IT SHALL BE INCIDENTAL TO THE CONSTRUCTION OF EMBANKMENT AND NO ADDITIONAL COMPENSATION WILL BE ALLOWED.

3. THE ROADWAY SECTION SHALL BE WIDENED TO A MAXIMUM OF 4 FEET AS INDICATED ON THE PLANS FOR ALL ROADWAY SEGMENTS WHERE GUARDRAIL WILL BE INSTALLED.

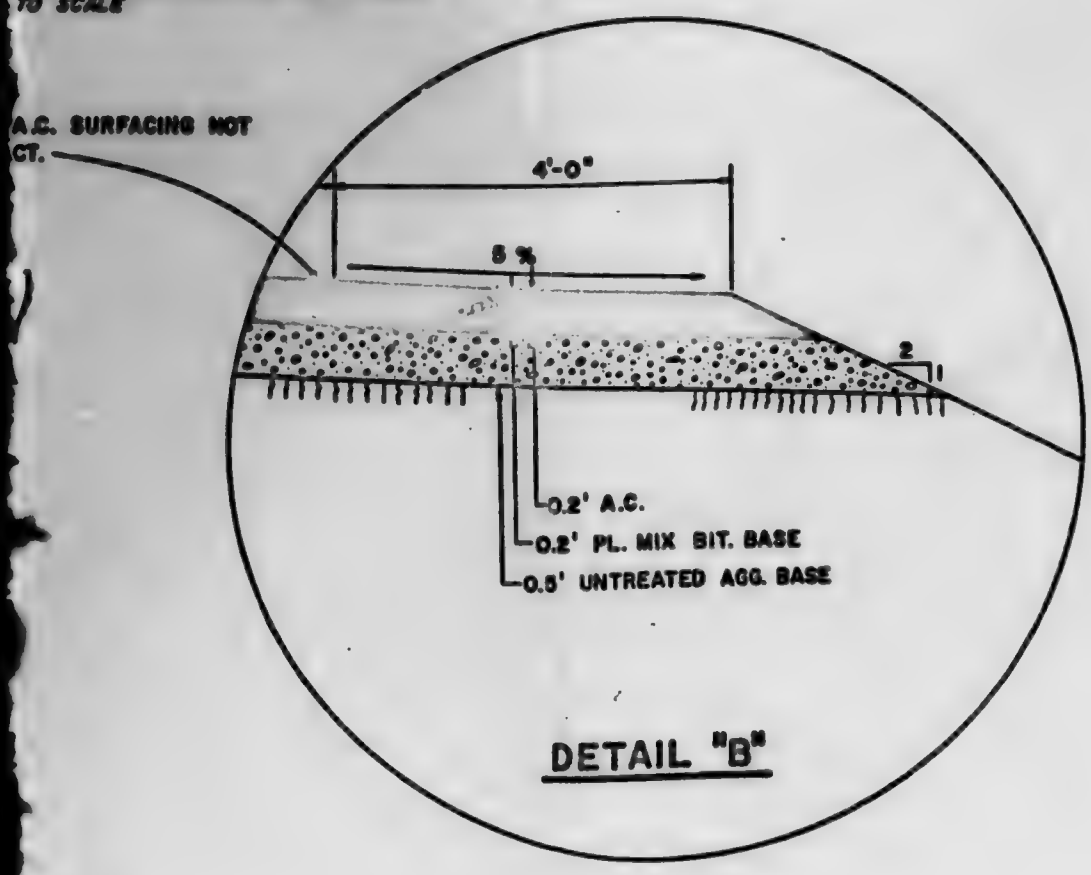
4. THE TOP 0.2' LAYER OF A.C. SURFACING IS NOT INCLUDED AS PART OF THIS CONTRACT.

5. SLOPES FLATTER THAN 3:1 MAY HAVE DUMPED ZONE VI MATERIAL 3 INCHES THICK AND SLOPES GREATER THAN 3:1 MAY HAVE DUMPED ZONE VI MATERIAL 6 INCHES THICK, AS REQUIRED.

INFORMATION ONLY
WILL NOT BE KEPT UP-TO-DATE

Y CUT SECTION IN ROCK

TO SCALE



DETAIL "B"

No.	DATE	REVISIONS	BY	CHKD	ENGR	APVD
A	11/15/74	ISSUED FOR REVIEW	RF			

SCALE N.T.S. DESIGNED EJC DRAWN RMF

DECTEL
SAN FRANCISCO

BOARDMAN NUCLEAR PLANT
PORTLAND GENERAL ELECTRIC CO. PORTLAND, OREGON

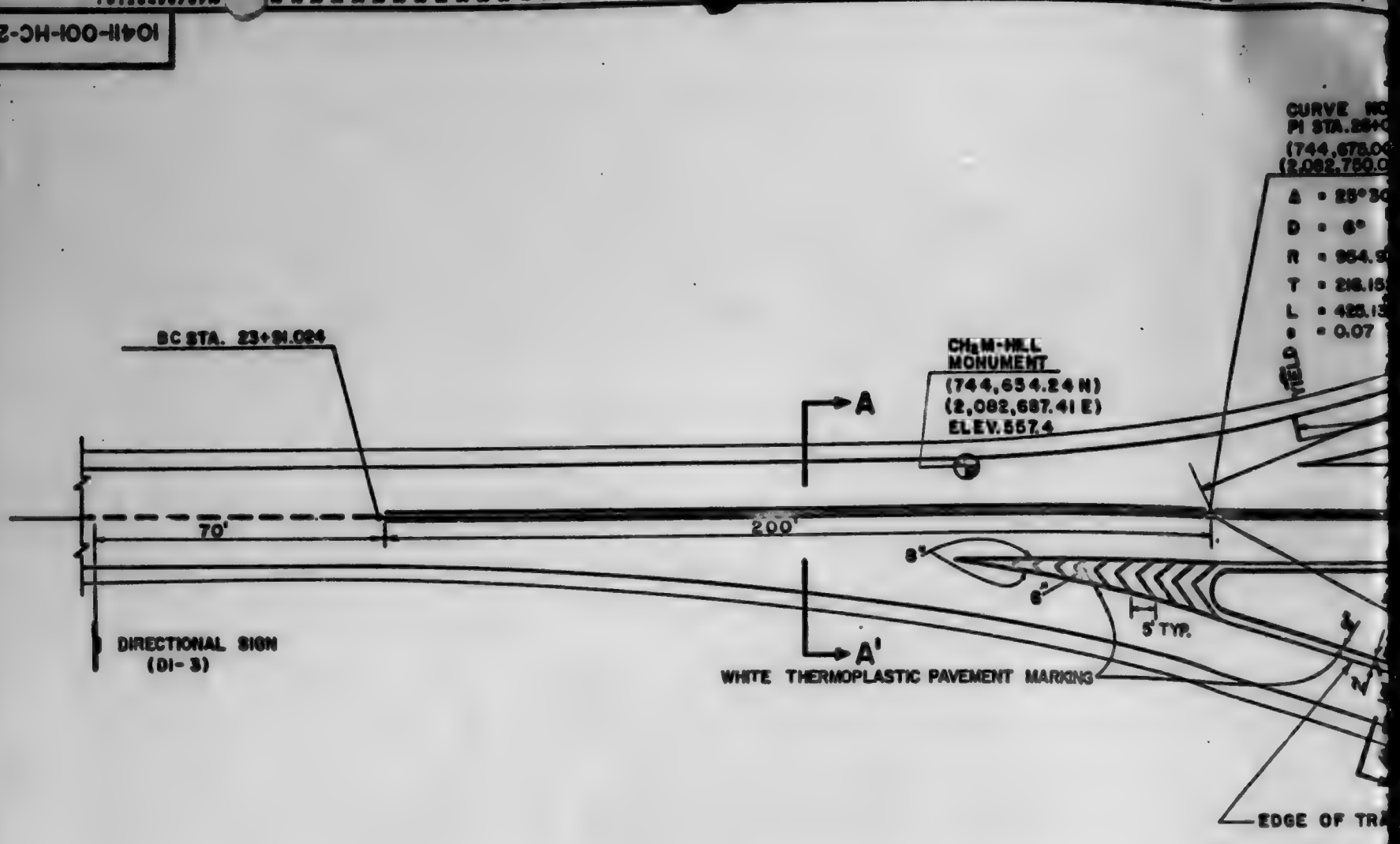
NUCLEAR PLANT ACCESS ROAD
TYPICAL ROADWAY SECTION
PEDDLE SPRING SITE

JOB No.	DRAWING No.	REV.
10411-001	HC-252	A

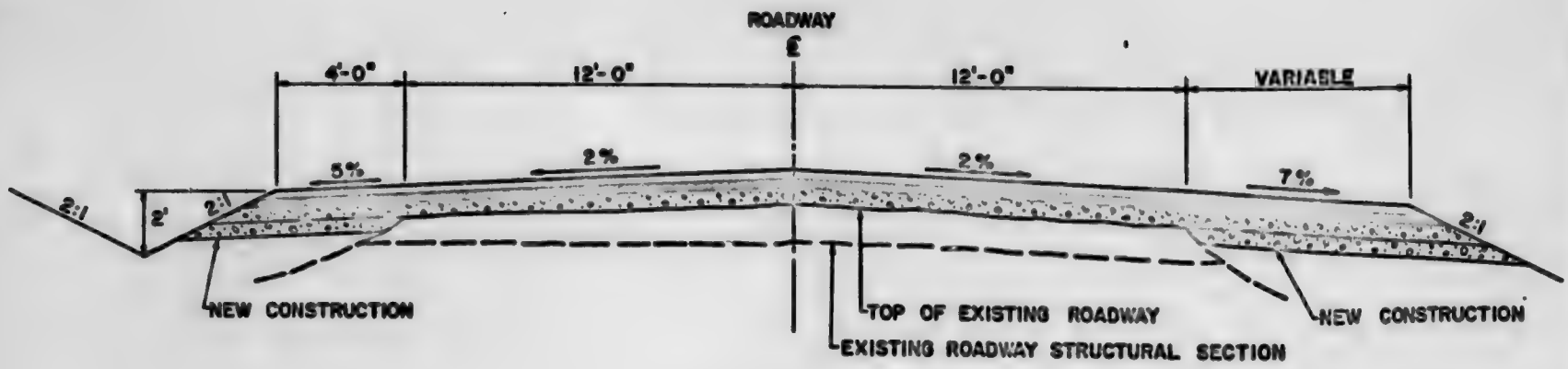
8½x11 "A" SIZE

3 2 1

1041-001-HC-254



INTERSECTION DETAIL SHOWING EXISTING ROADWAY AND PROPOSED CONSTRUCTION



SECTION A-A'

CURVE NO. 1
PI STA. 28+07.167
(744,678.000 N)
(2,082,750.000 E)

Δ = 28° 30' 20"
D = 6°
R = 954.930
T = 216.158
L = 425.139
e = 0.07

TO QUARRY

B

END OF NEW CONSTRUCTION

10" WIDE WHITE THERMOPLASTIC PAVEMENT MARKING

4' SHOULDER TYP.

200'

20'

END OF NEW CONSTRUCTIO

TO AIRPO

100'

15'

20'

15'

6'

15R

STOP

5' TYP.

75'

STOP

30' R

WHITE THERMOPLASTIC PAVEMENT MARKING

TWO-WAY BARRIER STRIPE

2'

12'

5' TYP.

44' R

EC STA. 28+16.148

C

2'

STOP

30' R

6"

6"

2' R

B'

EDGE OF TRAVELED WAY

12'

STA. 28+05 INSTALL C.M.P. 1-36"X78'
SKEW 80° LT.

4' SHOULDER TYP.

C'

EXISTING
TRUCTION

EDGE OF TRAVELED WAY

TO P.G.E. PLANT

BLE

2:1

NEW CONSTRUCTION

P.G.E.
ROADWAY
℄

4'-0"

12'-0"

12'-0"

4'-0

5%

2%

7%

7%

2:1

0.2' A.C. (NOT IN THIS CONTRACT)

0.2' PL. MIX BIT. BASE

0.5' UNTREATED AGG. BASE

0.5' SUB-BASE

SECTION C-C'

AIRPORT
ROADWAY
℄

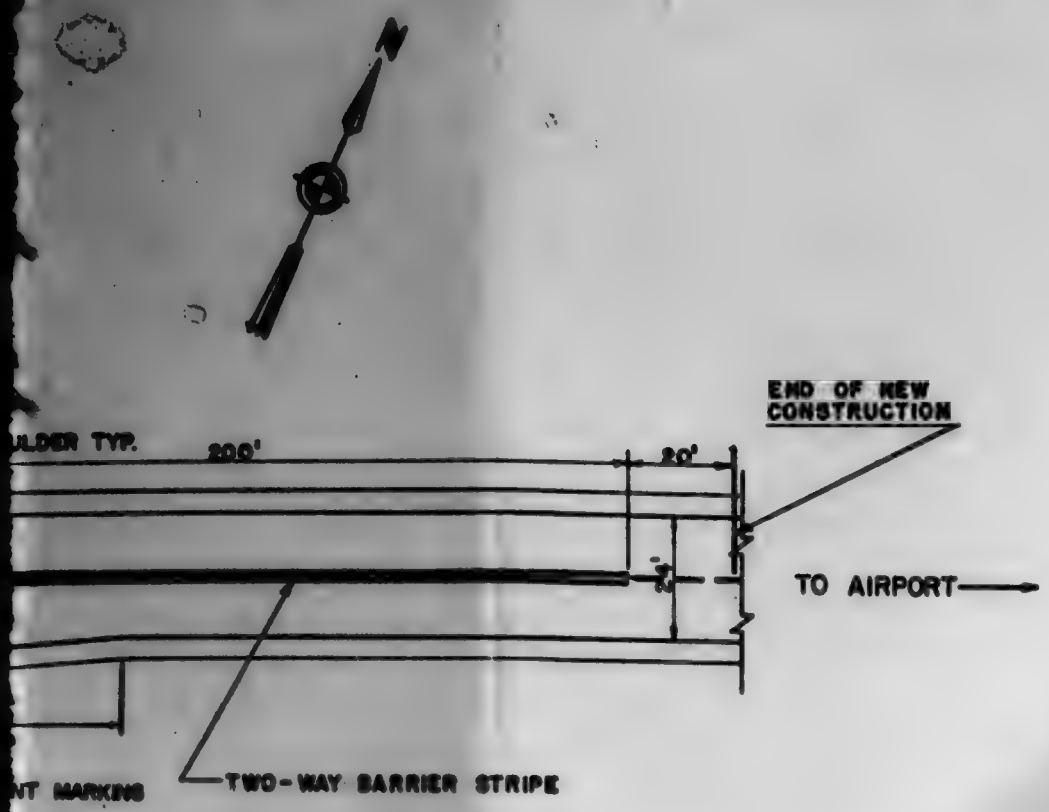
12'-0"

4'-0"

2'-0"

SCREENED AREA NOT
IN THIS CONTRACT.
SEE NOTE L

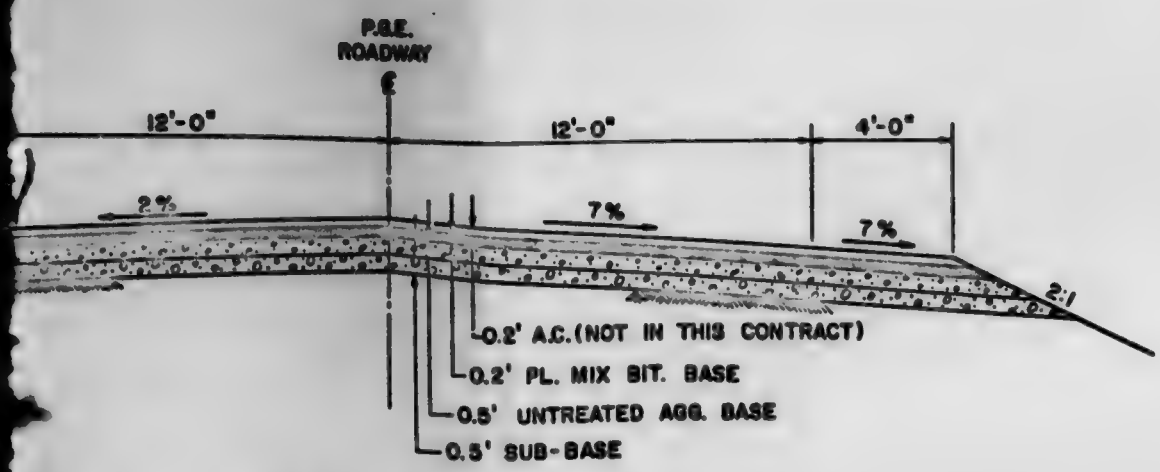
SIZE E



NOTES

1. EXTRUDED A.C. CURB AND ISLAND MAY BE CONSTRUCTED WHEN TOP 0.2' LAYER OF A.C. SURFACING IS PLACED

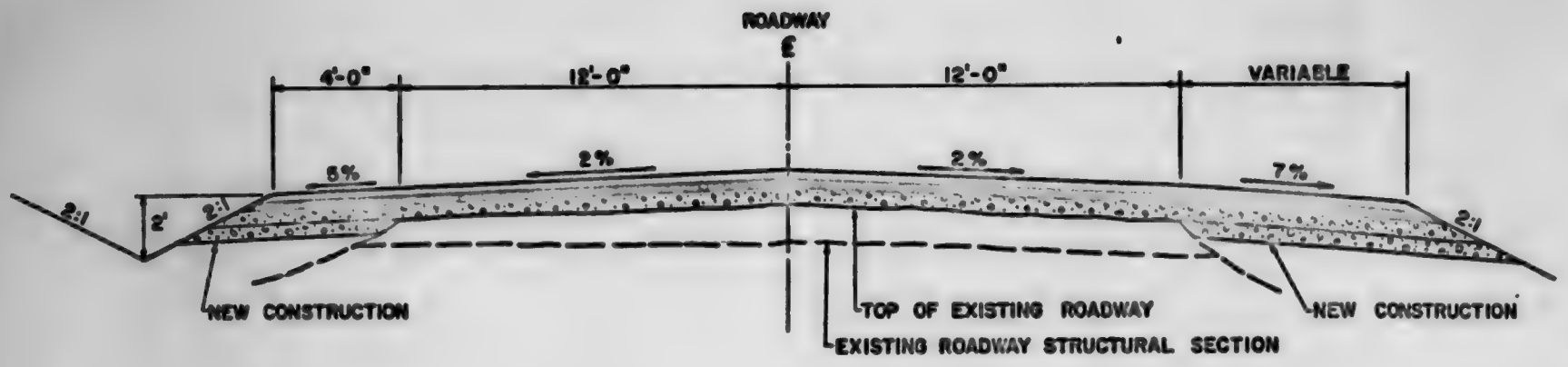
INFORMATION ONLY
WILL NOT BE KEPT UP-TO-DATE



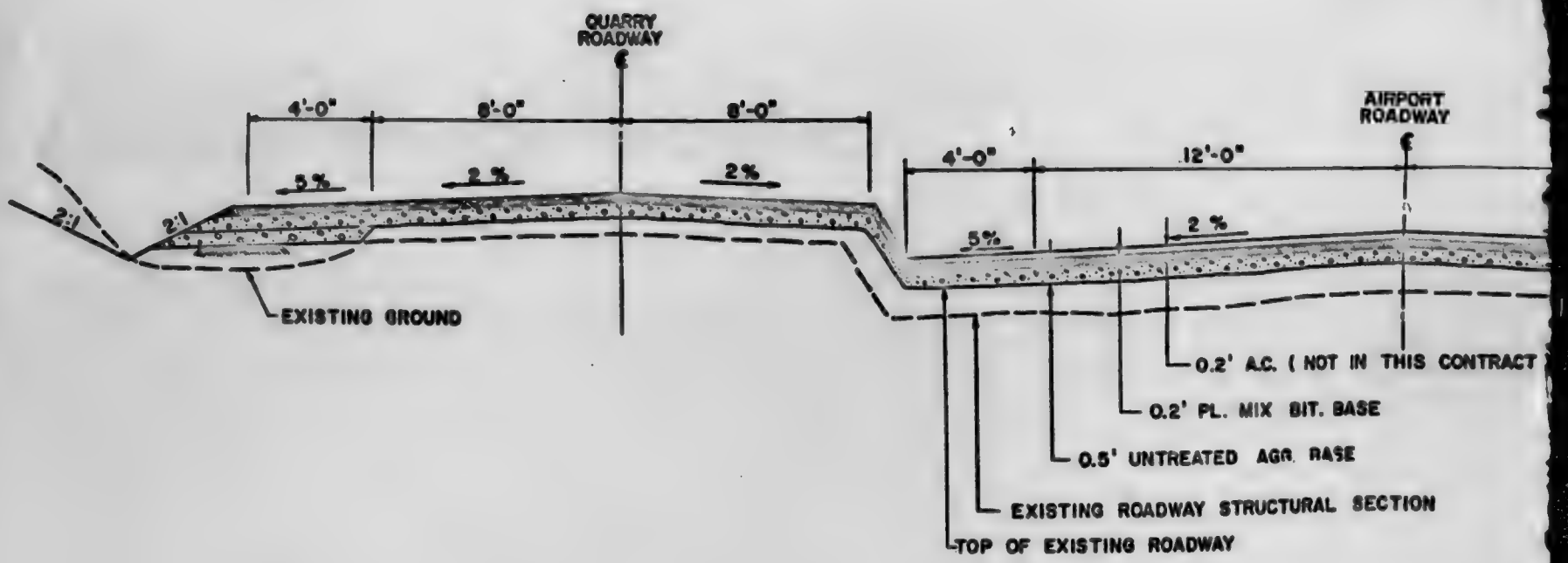
SECTION C-C'

CREENED AREA NOT
THIS CONTRACT.
EE NOTE L

P.G.E. ROADWAY



SECTION A-A'

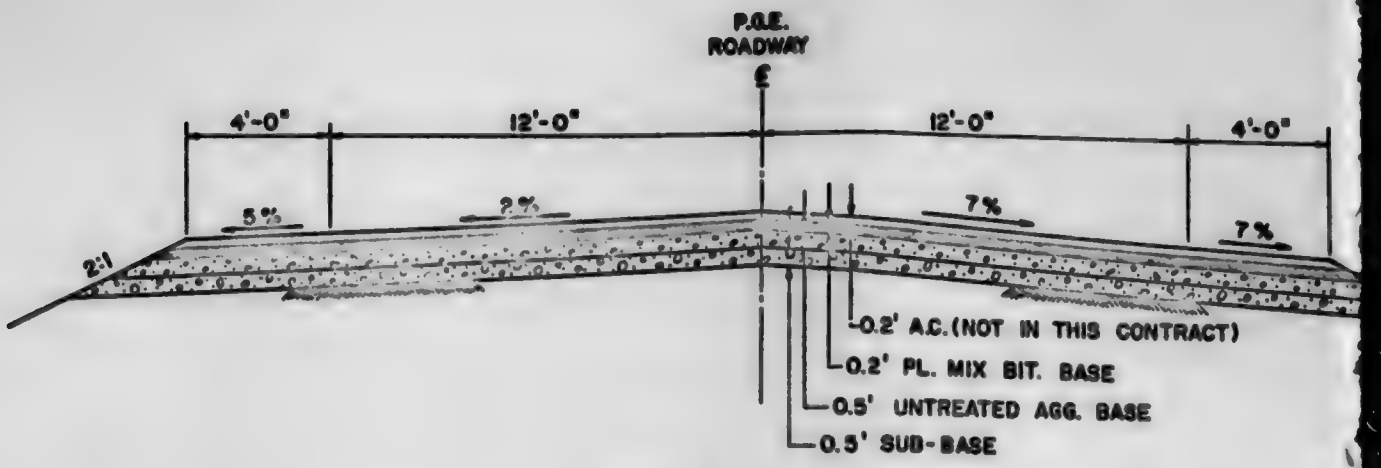


SECTI

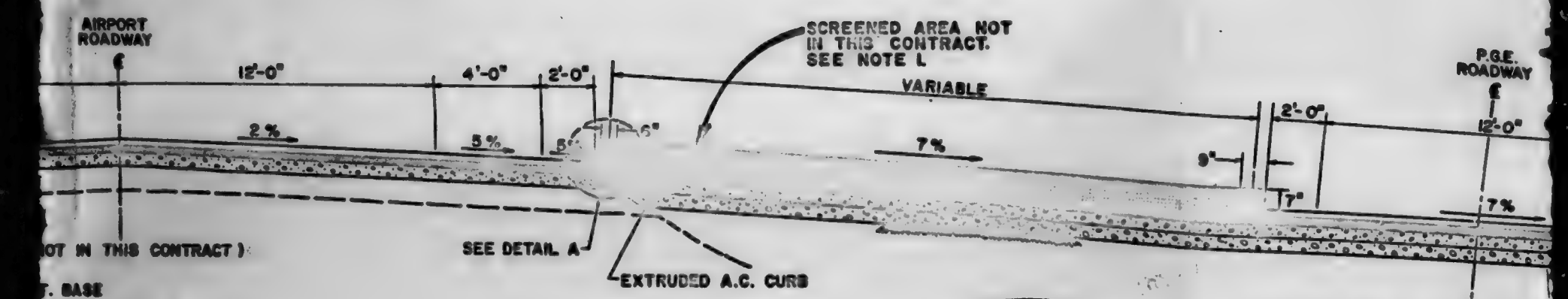
8 7 6

EDGE OF TRAVELED WAY

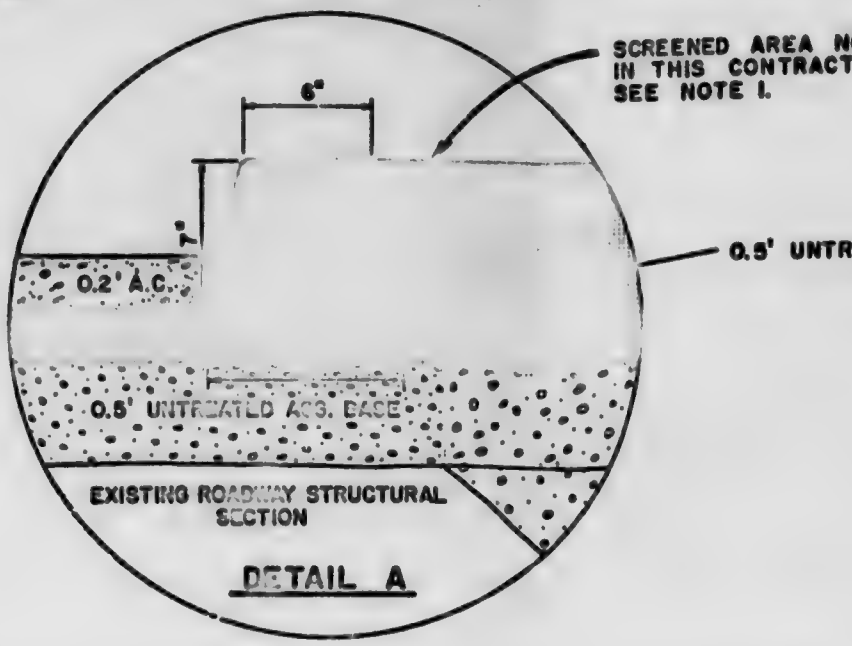
TO P.G.E. PLANT



SECTION C-C'



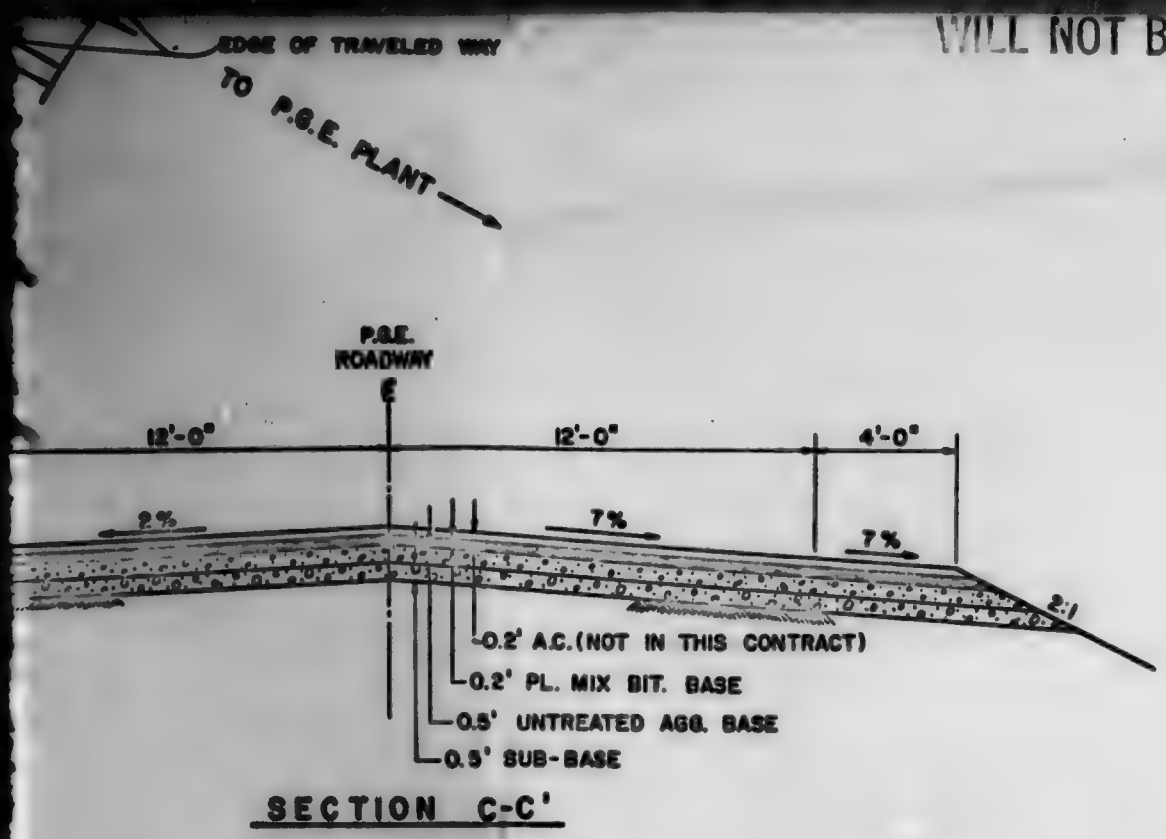
SECTION B-B'



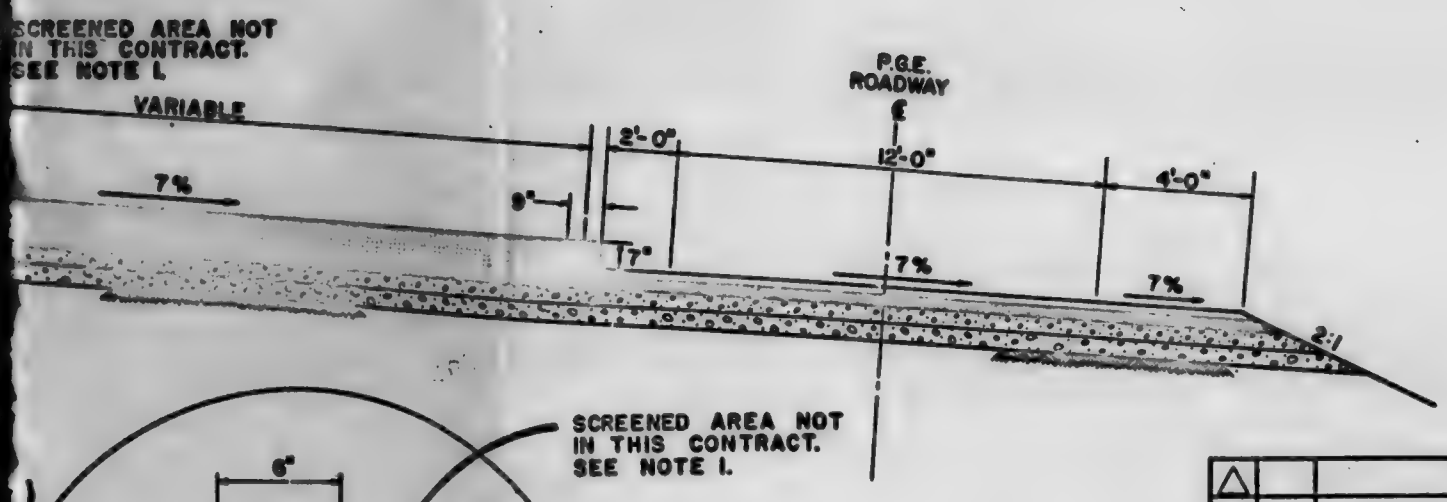
DETAIL A

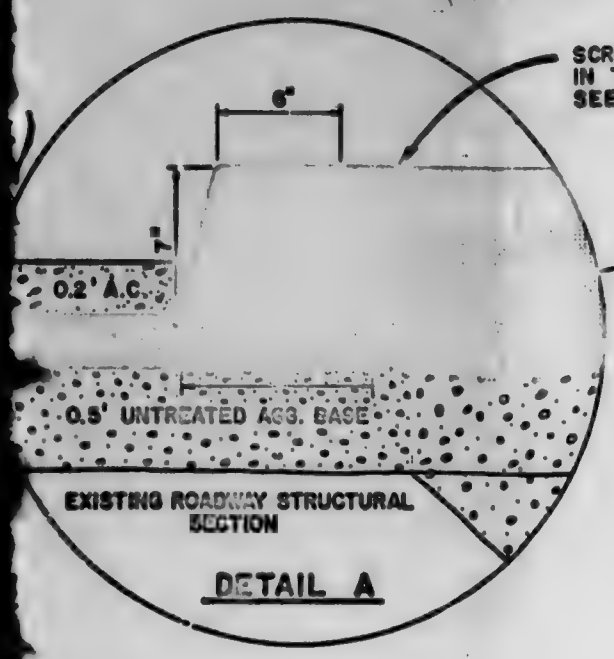
5 4 3

WILL NOT BE KEPT UP-TO-DATE



SECTION C-C'





DETAIL A

No.	DATE	REVISIONS	BY	CHKD	ENGR	MGR	APPD
1	6/6/74	ISSUED FOR REVIEW	RF				

SCALE N.T.S. DESIGNED D.U.C. DRAWN R.M.F. TRACED M.M.

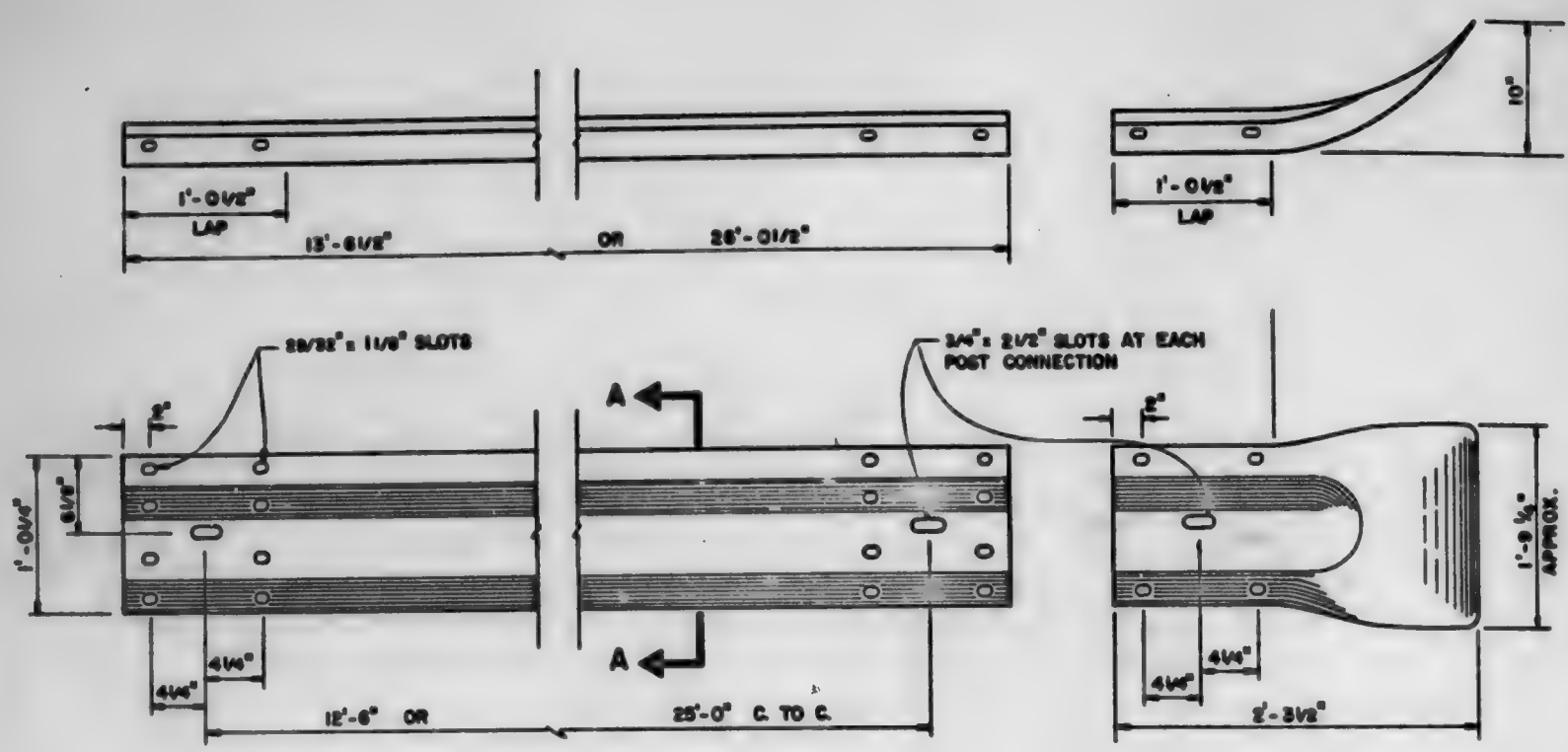
DECNTEL
SAN FRANCISCO

PEBBLE SPRINGS NUCLEAR PLANT
UNIT 1
PORTLAND GENERAL ELECTRIC CO. PORTLAND, OREGON

NUCLEAR PLANT ACCESS ROAD
INTERSECTION DETAIL
AT STA. 26+00

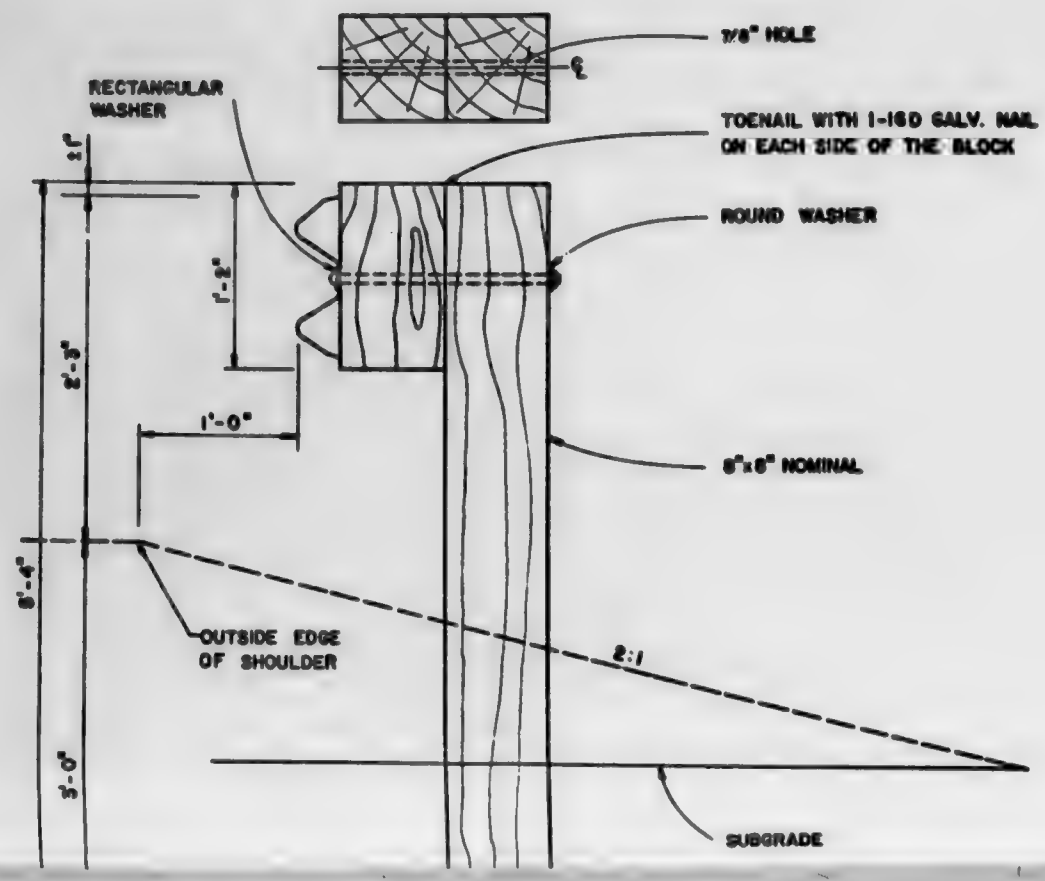
JOB No.	DRAWING No.	REV.
10411-011	HC-254	A

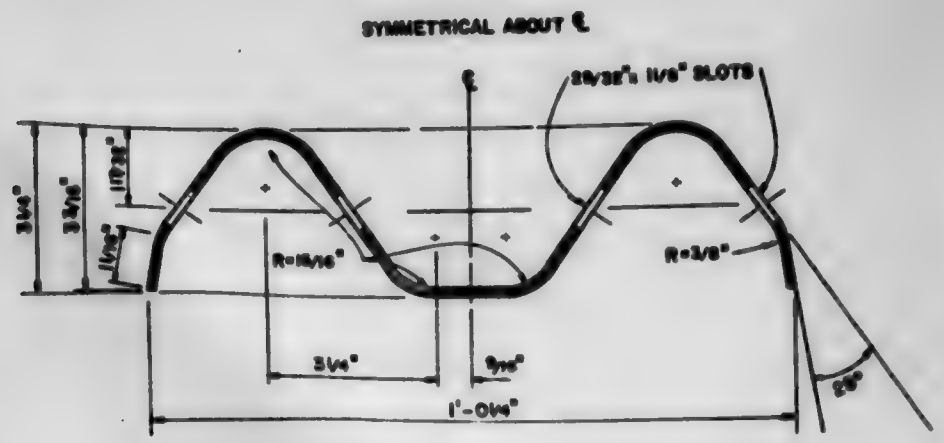
10411-00H-HC-255



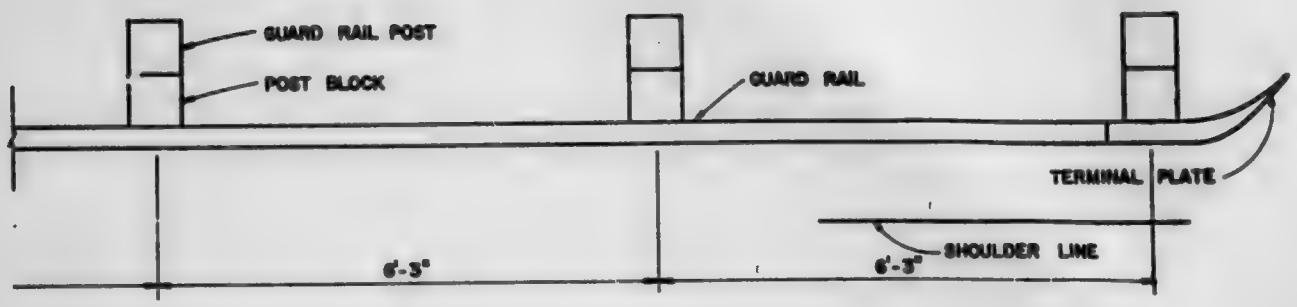
RAIL PLATE DETAIL

TERMINAL PLATE DETAIL

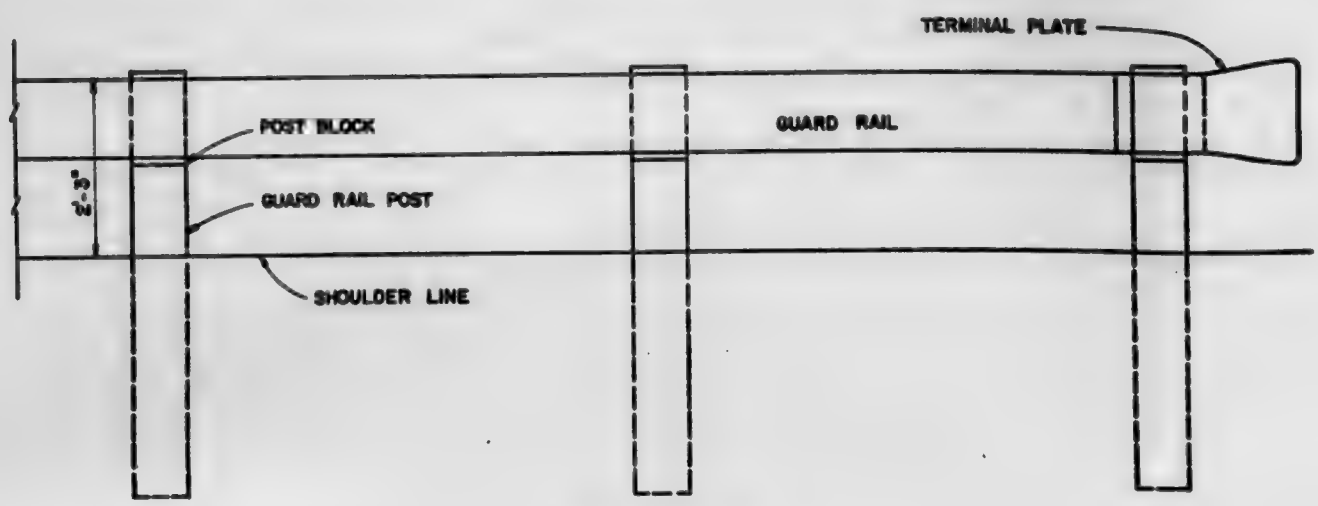




SECTION A-A



PLAN VIEW



SIDE ELEVATION

TERMINAL NOT ANCHORED

3"

SIZE E

H

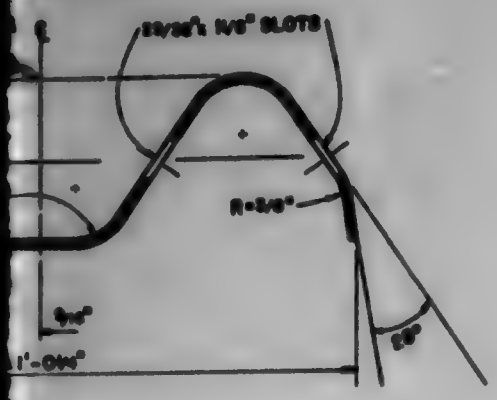
G

F

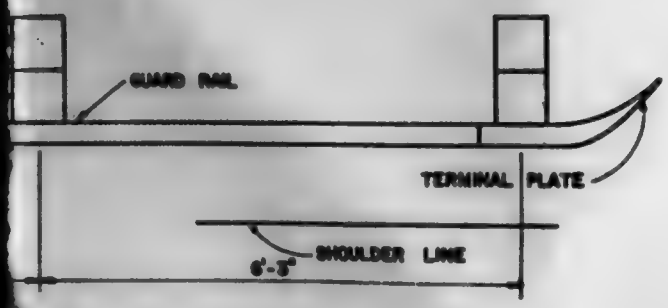
E

D

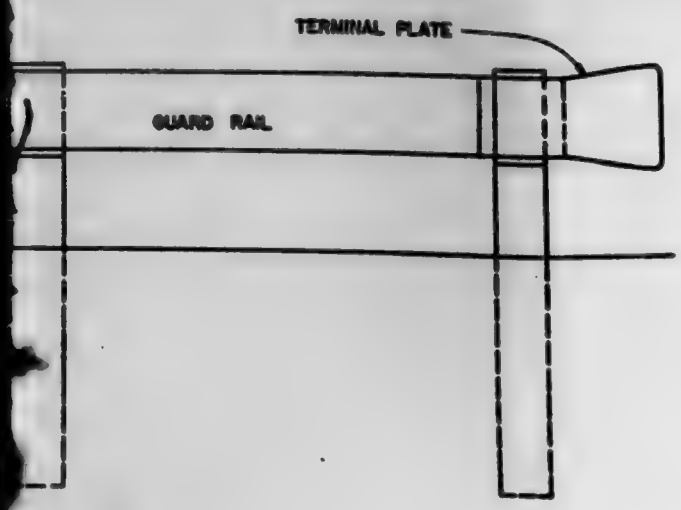
TICAL ABOUT ℄



TION A-A



VIEW



ELEVATION

OT ANCHORED

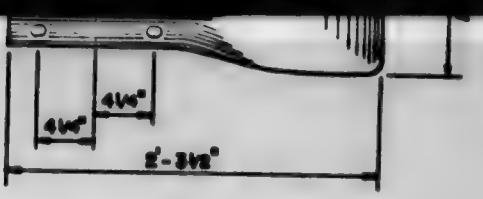
NOTES :

1. PLATES SHALL BE LAPPED IN THE DIRECTION OF TRAFFIC.
   EITHER 12'-6" OR 25'-0" PANEL RAIL LENGTHS MAY BE USED.
   EITHER ROUND OF SQUARE POSTS MAY BE USED. ONLY ONE TYPE SHALL BE USED ON THIS PROJECT UNLESS OTHERWISE PERMITTED.
   SLAB GAINING WILL BE PERMITTED ON ROUND POSTS. MINIMUM THICKNESS OF THE POST SHALL BE 8" MEASURED PERPENDICULAR TO SLAB GAINING. SLAB GAINING SHALL BE DONE BEFORE TREATMENT.
   TIMBER POSTS AND BLOCKS SHALL BE TREATED.

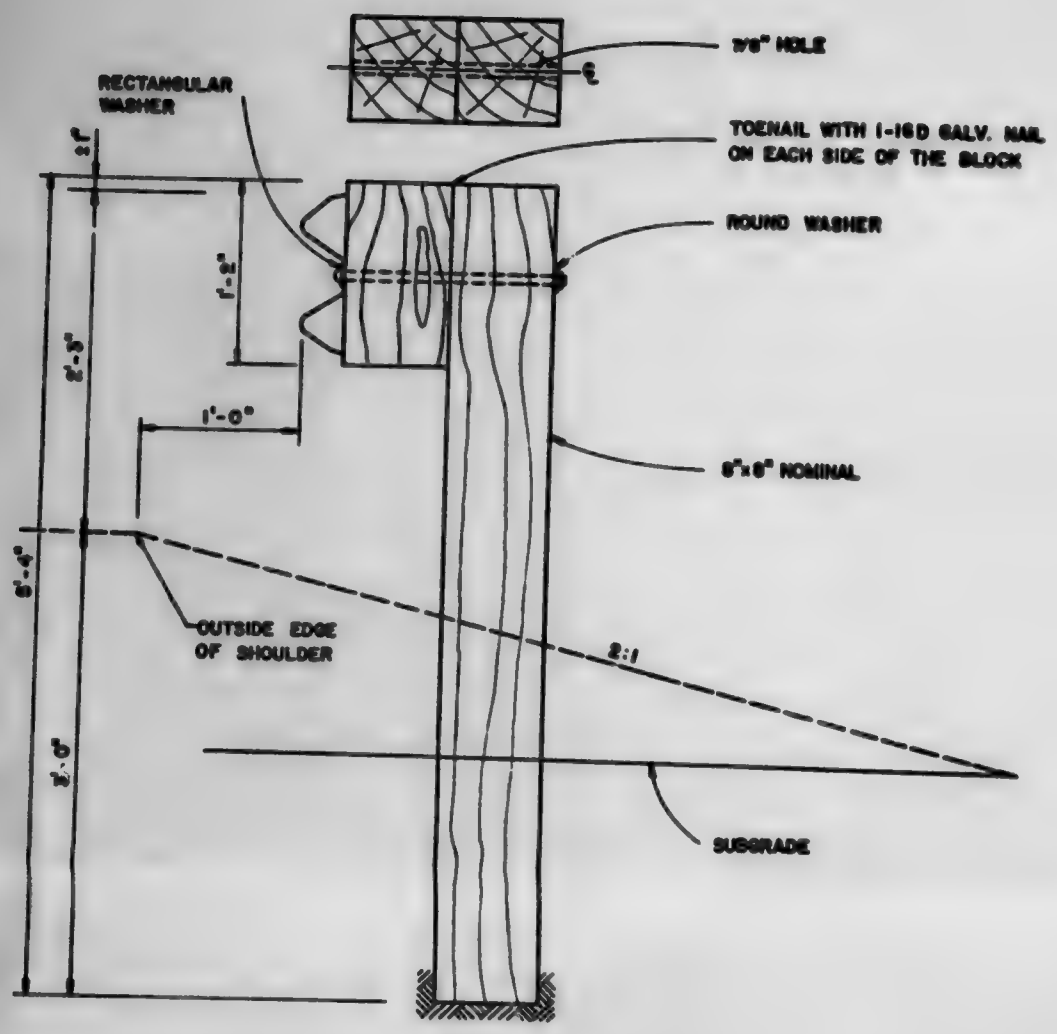
2. SPLICE BOLTS SHALL BE BUTTON HEAD BOLTS WITH HEX NUTS. POST BOLTS SHALL BE SIMILAR TO SPLICE BOLTS EXCEPT FOR LENGTH.
   A RECTANGULAR, FLAT WASHER SHALL BE PLACED BETWEEN THE POST BOLT HEAD AND THE RAIL.
   A CIRCULAR, FLAT WASHER SHALL BE PLACED BETWEEN THE POST AND THE POST BOLT NUT.

INFORMATION ONLY

RAIL PLATE DETAIL



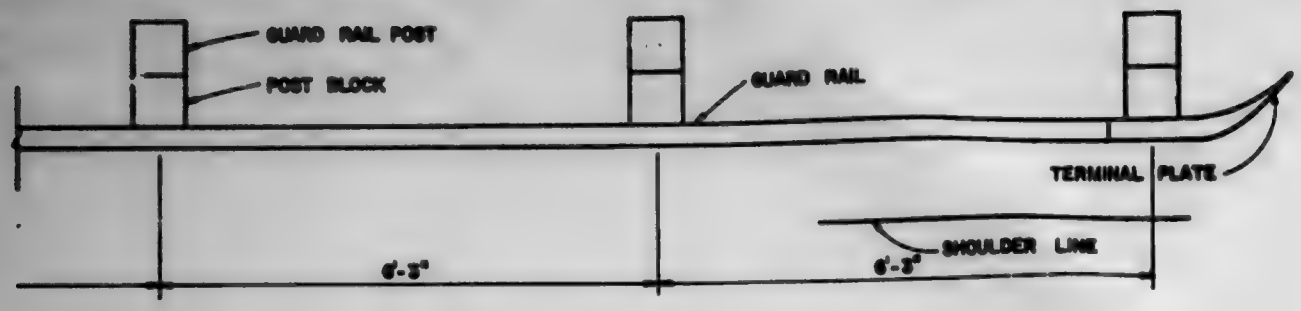
TERMINAL PLATE DETAIL



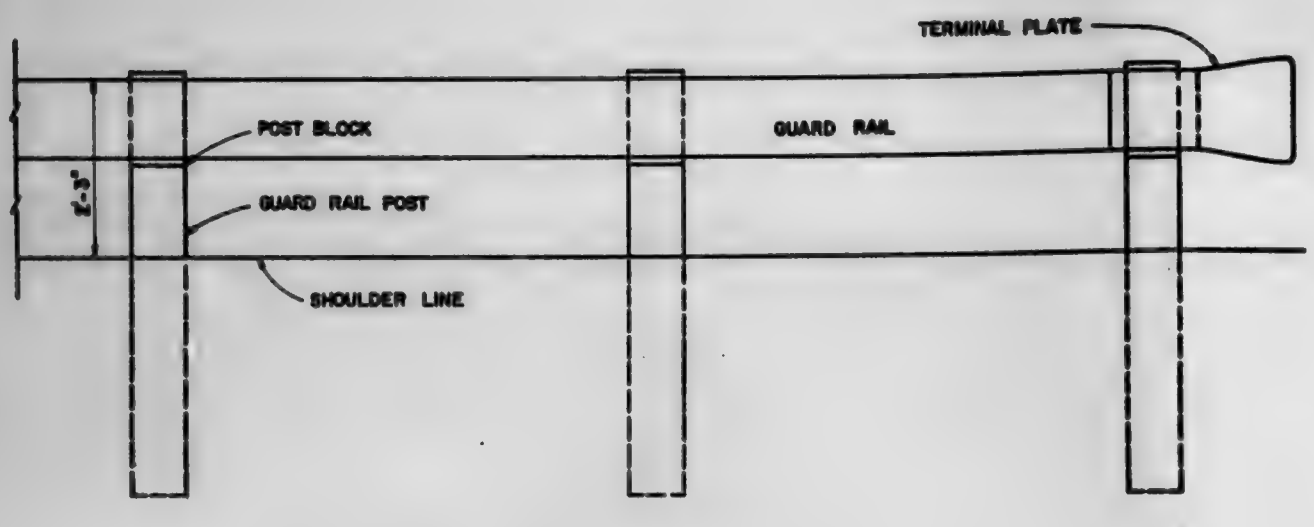
SQUARE TIMBER POST

TABLE OF GUARD RAIL DIMENS

LOCATION OF GUARD RAIL		SIDE OF ROADWAY		TOTAL LE OF GUARD (FEET
FROM STA	TO STA	L	R	
24+00.00	31+00.00		X	700'-
43+70.00	45+70.00		X	200'-
44+40.00	45+52.50	X		112'-
52+50.00	58+75.00		X	625'-
63+30.00	65+68.50		X	237'-
64+20.00	68+95.00	X		475'-
	TO BE COMPLETED AFTER COMPLET			
				2350'-



PLAN VIEW



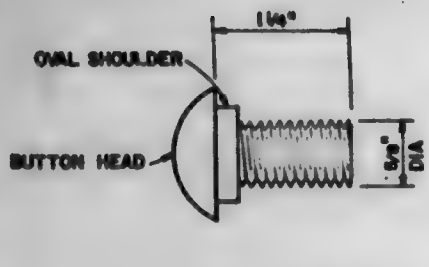
SIDE ELEVATION

TERMINAL NOT ANCHORED

1. PLATES SHALL BE LA
EITHER 12'-6" OR 25'
USED.
EITHER ROUND OF SQ
ONE TYPE SHALL BE U
PERMITTED.
SLAB GAINING WILL
MINIMUM THICKNES
PERPENDICULAR TO
BEFORE TREATMENT.
TIMBER POSTS AND

2. SPLICE BOLTS SHALL
NUTS. POST BOLTS S
FOR LENGTH.
A RECTANGULAR, FL
BETWEEN THE POST B
A CIRCULAR, FLAT W
POST AND THE POST

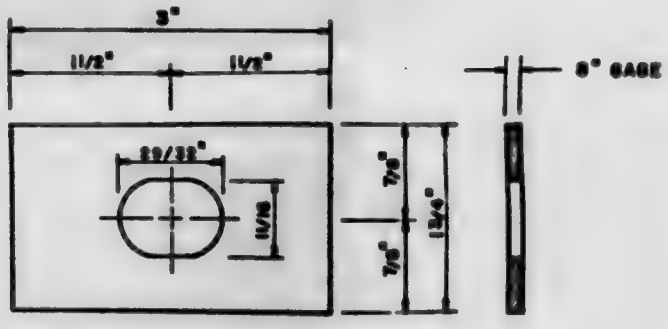
INFORMA
WILL NOT BE



SPLICE BOLT

POST BOLT: SIMILAR EXCEPT LENGTH.

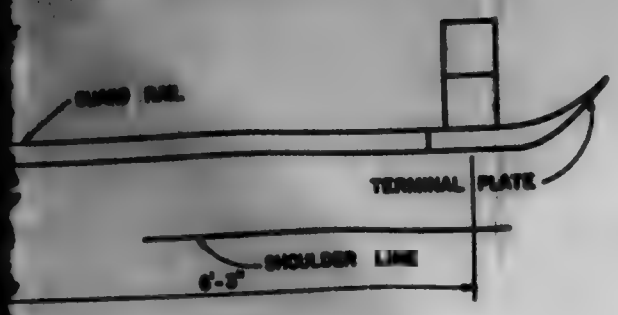
NUT

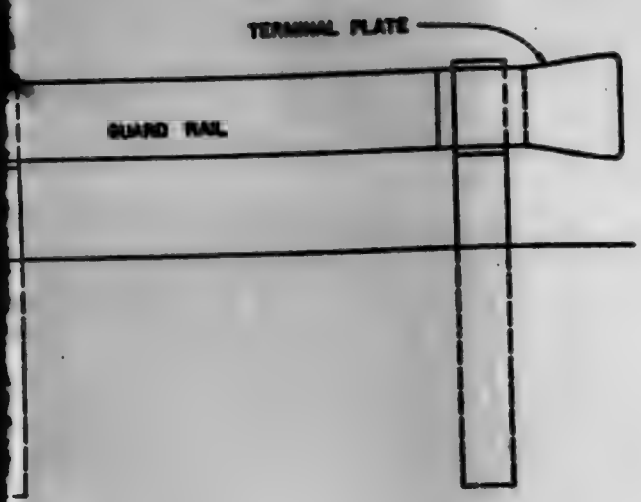


RECTANGULAR WASHER

DIMENSIONS AND QUANTITIES

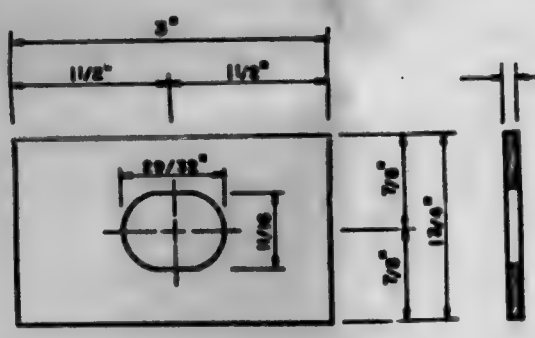
TOTAL LENGTH OF GUARD RAIL (FEET)	END PIECES (NO.)	25'-0" PIECES (NO.)	12'-6" PIECES (NO.)	POSTS (NO.)
700'-0"	2	28	—	112
200'-0"	2	8	—	32
112'-6"	2	4	1	18
625'-0"	2	25	—	97
237'-6"	2	9	1	38
475'-0"	2	19	—	76
ER COMPLETION OF	REVISED ALIGNMENT.			
2350'-0"	12	93	2	373





VATION

ANCHORED



RECTANGULAR WASHER

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INFORMATION ONLY

WILL NOT BE KEPT UP-TO-DATE

1	11/6/74	ISSUED FOR REVIEW	RF						
No.	DATE	REVISIONS	BY	CHKD					APPD

SCALE N.T.S. DESIGNED B.J.C. DRAWN E.M.V. CHKD. M.M.

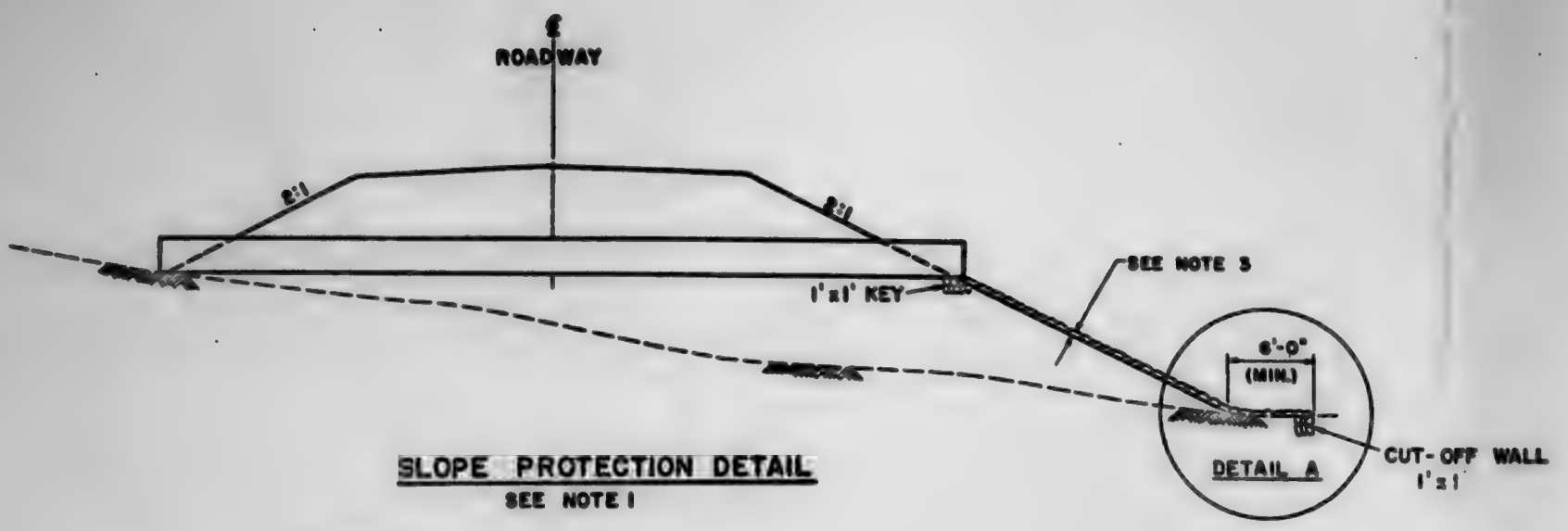
DEGHTEL
SAN FRANCISCO

PEBBLE SPRINGS NUCLEAR PLANT
UNIT 1
PORTLAND GENERAL ELECTRIC CO. PORTLAND, OREGON

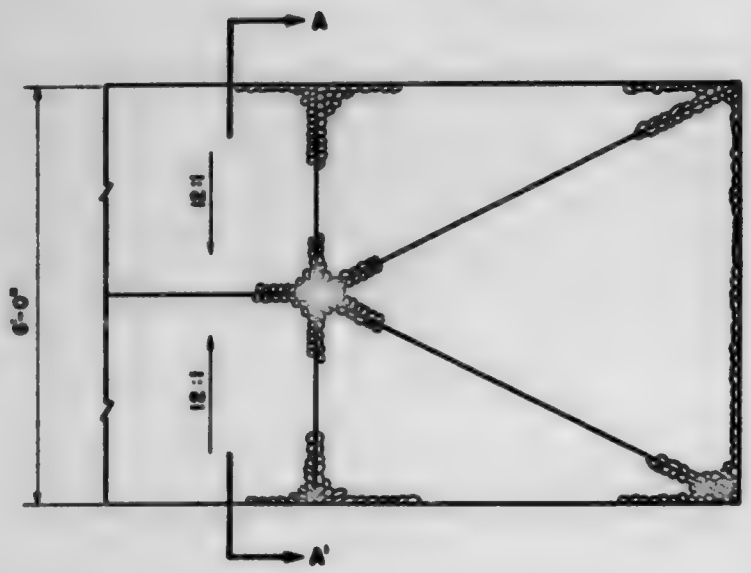
NUCLEAR PLANT ACCESS ROAD
MISCELLANEOUS DETAILS
GUARD RAIL

JOB No.	DRAWING No.	REV.
10411-001	HC-255	A

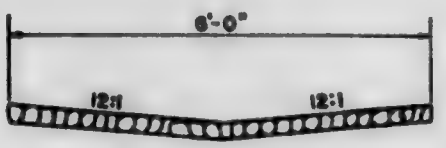
10411-001/HC 236



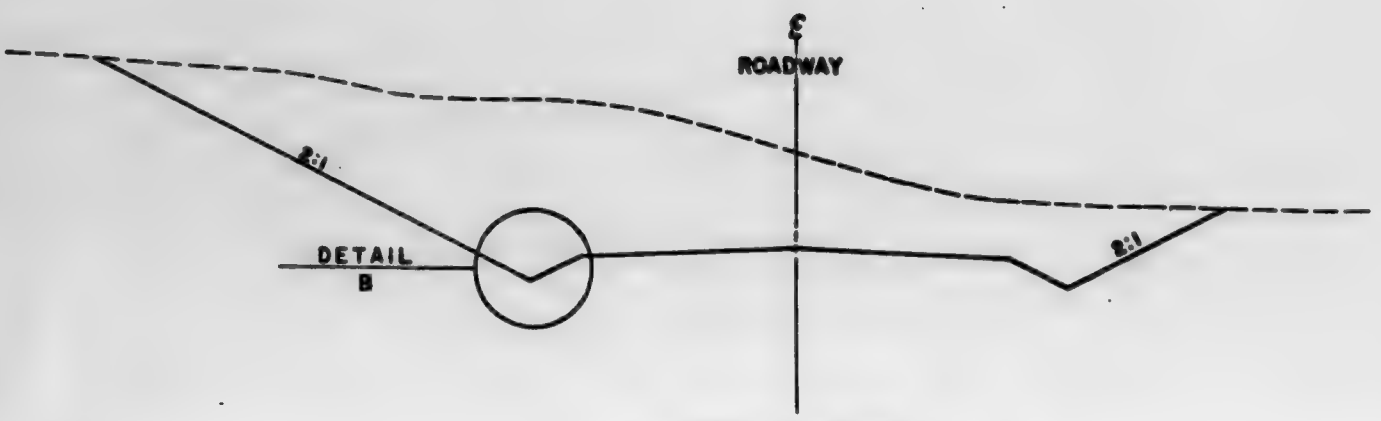
SLOPE PROTECTION DETAIL
SEE NOTE 1



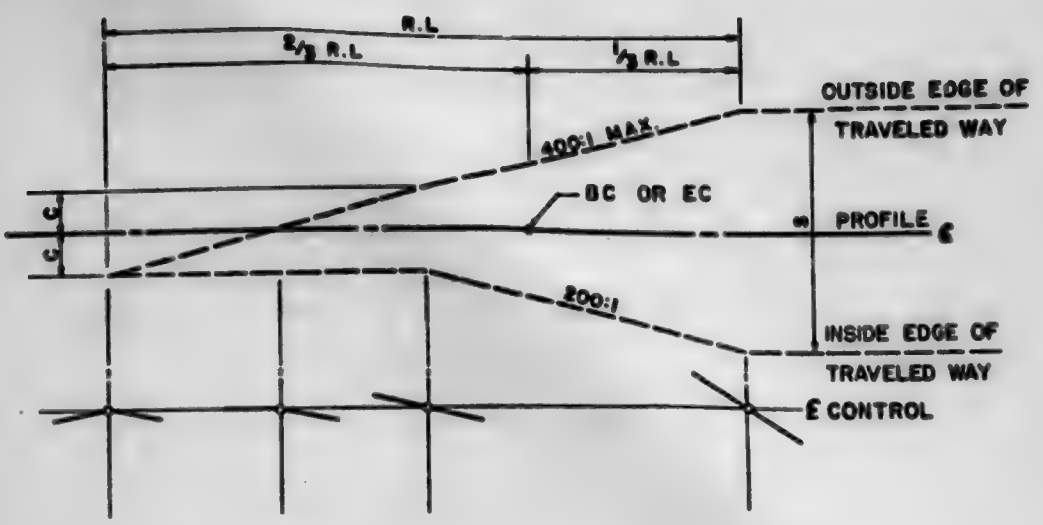
DETAIL A
PLAN



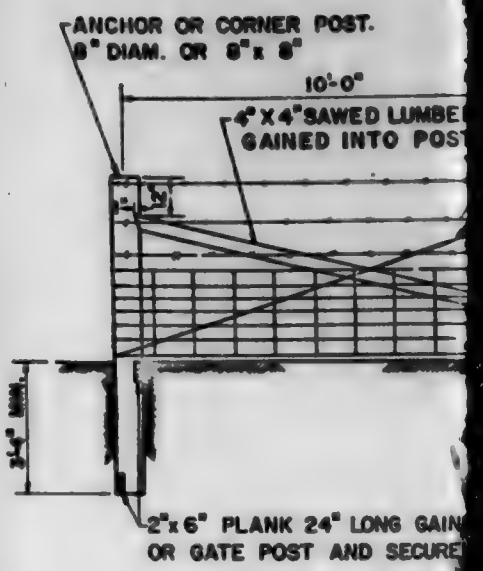
SECTION A-A'



DITCH LINING
FROM STA. 10+00 TO STA. 44+00 AND
FROM STA. 60+00 TO STA. 64+00
SEE NOTE 4



CUT-OFF WALL
1'x1'



SIMPLE CURVE SUPERELEVATION OF TRAVELED WAY

NOTE

R.L. = RUNOUT LENGTH

S = SUPERELEVATION OF TRAVELED WAY.

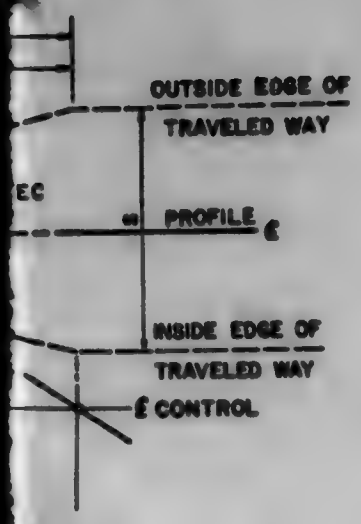
C = CROWN OF TRAVELED WAY.

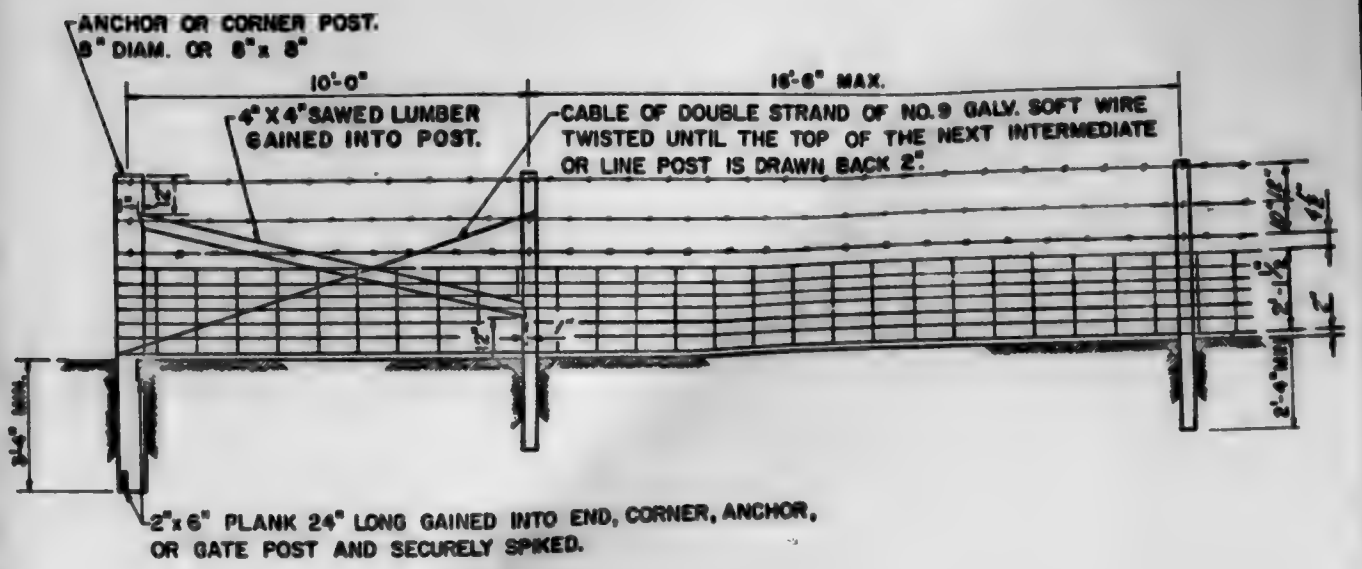
SUPERELEVATION

CURVE	BEGINNING POINT OF SUPERELEVATION (STATION)	END POINT OF SUPERELEVATION (STATION)	SUPERELEVATION RATE FT/FT.	RUNOUT LENGTH (FT)
1	22+91.02	29+16.15	0.07	150
2	48+02.40	54+26.62	0.09	190
3	55+65.71	62+50.05	0.10	210
4	62+60.84	70+32.68	0.10	210
	TO BE COMPLETED AFTER COMPLETION OF REVISED ALIGNMENT.			

LENGTH OF FENCE	NO. OF END POSTS	NO. OF INTERMEDIATE POSTS	LEFT DIST. F
100'	2	12	5
160'	—	9	—
500'	2	30	21
135'	—	8	—
400'	2	24	7
		TO BE COMP	

SIZE E




ANCHOR OR CORNER POST.
8" DIAM. OR 8"x 8"
10'-0"
16'-6" MAX.
4" X 4" SAWED LUMBER
GAINED INTO POST.
CABLE OF DOUBLE STRAND OF NO.9 GALV. SOFT WIRE
TWISTED UNTIL THE TOP OF THE NEXT INTERMEDIATE
OR LINE POST IS DRAWN BACK 2".
2"x 6" PLANK 24" LONG GAINED INTO END, CORNER, ANCHOR,
OR GATE POST AND SECURELY SPIKED.

R/W FENCE DETAIL

NOTE:

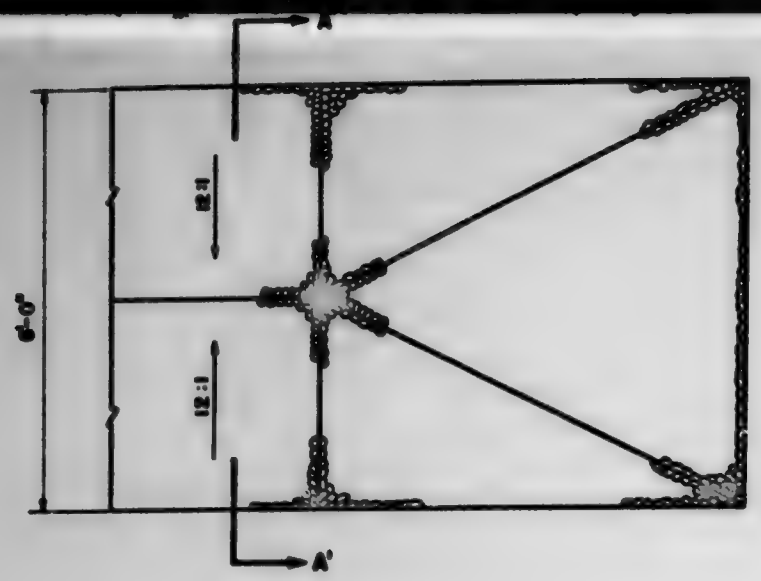
1. R/W FENCE SHALL CONSIST OF WOVEN WIRE FENCING 25 1/2" HIGH WITH 3 STRANDS OF BARBED WIRE ABOVE. THE WOVEN WIRE FENCING SHALL CONSIST OF 7 LONGITUDINAL, SMOOTH GALVANIZED STEEL WIRES. THE LONGITUDINAL AND STAY WIRES SHALL BE NO. 9 GAGE. THE SPACING OF THE LONGITUDINAL WIRES, COMMENCING AT THE BOTTOM, SHALL BE 3, 3 1/2, 4, 4 1/2, 5 AND 5 1/2 INCHES. FENCE POSTS MAY BE WOOD OR METAL AS SPECIFIED.

2. R/W FENCING SHALL BE CONSTRUCTED BY FOI CONTRACTOR UNLESS OTHERWISE SHOWN ON THE DRAWINGS.

ELED WAY.
Y.

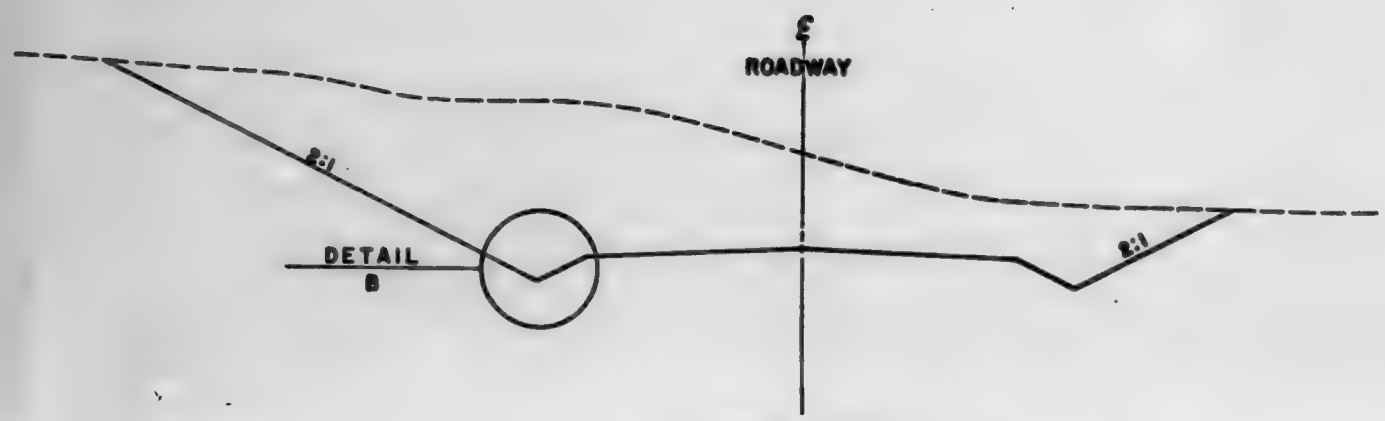
PERELEVATION RATE FT/FT.	RUNOUT LENGTH (FT)
0.07	150
0.09	190
0.10	210
0.10	210
ALIGNMENT.	

LENGTH OF FENCE	NO. OF END POSTS	NO. OF INTERMEDIATE POSTS	LEFT OFFSET DIST. FROM ℄	LOCATION FROM STA.	LOCATION TO STA.	RIGHT OFFSET DIST. FROM ℄	NO. OF INTERMEDIATE POSTS	NO. OF END POSTS	LENGTH OF FENCE
100'	2	12	50	50+00	51+00				
160'	—	9	—	51+00	—				
500'	2	30	210	51+00	56+00				
135'	—	8	—	56+00					
400'	2	24	75	56+00	60+00				
		TO BE COMPLETED AFTER COMPLETION OF REVISED ALIGNMENT.							



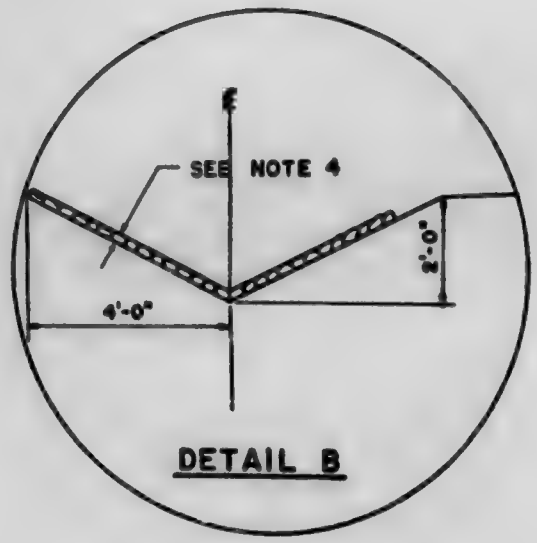
SECTION A-A'

DETAIL A
PLAN



DITCH LINING

FROM STA. 10+00 TO STA. 44+00 AND
FROM STA. 60+00 TO STA. 64+00
SEE NOTE 4



DETAIL B

NOTES:

1. CONTRACTOR SHALL CONSTRUCT OUTLET SLOPE PROTECTION FOR PIPES THAT PROJECT FROM FILLS ABOVE NATURAL GROUND.
2. CONTRACTOR SHALL CONSTRUCT KEYS AND CUT-OFF WALLS AS SHOWN. APRONS SHALL EXTEND A MINIMUM OF 6 FEET BEYOND THE TOE OF SLOPE.
3. OUTLET SLOPE PROTECTION SHALL BE EITHER 12 INCHES MINIMUM THICKNESS OF DUMPED AND SHAPED RIPRAP OR 4 INCHES MINIMUM THICKNESS OF CONCRETE.
4. CONTRACTOR WILL BE REQUIRED TO LINE DITCHES HAVING SLOPES GREATER THAN 2 PERCENT WITH EITHER A 12 INCH THICK LAYER OF ZONE [illegible] MATERIAL OR CONCRETE UNLESS CUT SECTIONS ARE THROUGH ROCK.

This drawing and the design it represents are the property of [illegible]

8 7 6

SIMPLE CURVE SUPERELEVATION OF TRAVELED WAY

NOTE

R.L. = RUNOUT LENGTH

S = SUPERELEVATION OF TRAVELED WAY.

C = CROWN OF TRAVELED WAY.

SUPERELEVATION

CURVE	BEGINNING POINT OF SUPERELEVATION (STATION)	END POINT OF SUPERELEVATION (STATION)	SUPERELEVATION RATE FT/FT.	RUNOUT LENGTH (FT)
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4	62+60.84	70+32.68	0.10	210
	TO BE COMPLETED AFTER COMPLETION OF REVISED ALIGNMENT.			

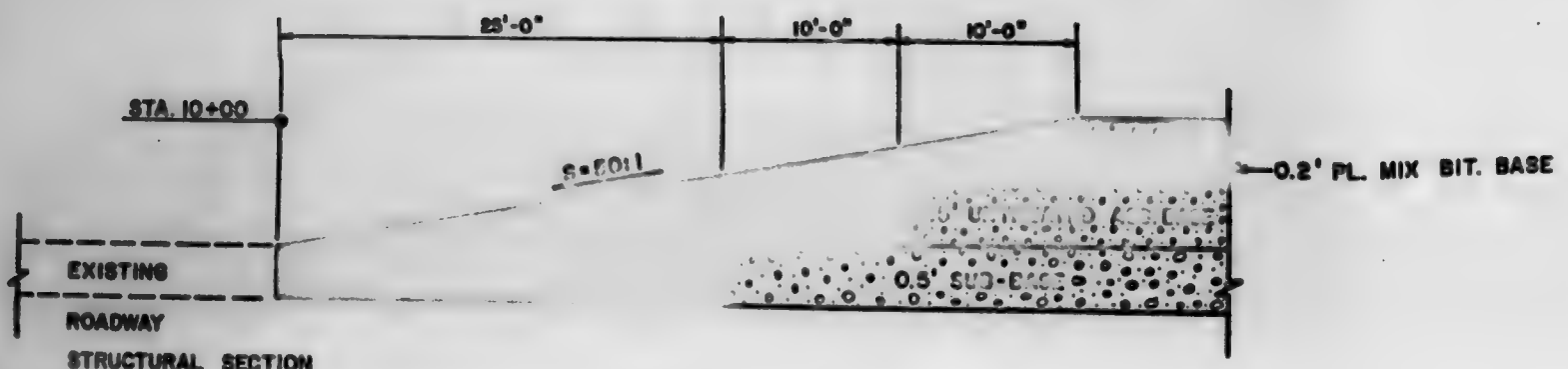
R/W

NOTE

1. R/W FE
25 1/2'
THE WO
SMOOTH
THE LO
THE SP
THE BO
FENCE

2. R/W FE
FOI CO
ON THE

LENGTH OF FENCE	NO. OF END POSTS	NO. OF INTERMEDIATE POSTS	LEFT OFFSET DIST. FROM ℄	FRO
100'	2	12	50	
160'	—	9	—	
500'	2	30	210	
135'	—	8	—	
400'	2	24	75	
		TO BE COMPLETED AFTER C		



INFO
WILL N

LONGITUDINAL SECTION SHOWING CONSTRUCTION DETAIL AT EXISTING AND NEW ROADWAY

NOTE:

IN AREAS WHERE THE EXISTING ROADWAY IS TO BE RECONSTRUCTED, THE EXISTING PAVEMENT SHALL BE CONSIDERED PART OF THE NEW SUBBASE. IF THE EXISTING ROADWAY LIES BELOW ANY LEVELLING TO MEET THE TOP OF SUBBASE ELEVATION, SUCH LEVELLING SHALL BE CONSTRUCTED OF SUBBASE MATERIAL.

5 | 4 | 3 | 2

R/W FENCE DETAIL

NOTE:

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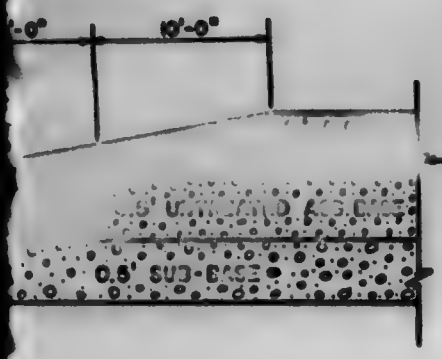
LENGTH OF FENCE	NO. OF END POSTS	NO. OF INTERMEDIATE POSTS	LEFT OFFSET DIST. FROM ℄	LOCATION FROM STA.	LOCATION TO STA.	RIGHT OFFSET DIST. FROM ℄	NO. OF INTERMEDIATE POSTS	NO. OF END POSTS	LENGTH OF FENCE
100'	2	12	50	50+00	51+00				
160'	—	9	—	51+00	—				
500'	2	30	210	51+00	56+00				
135'	—	8	—	56+00					
400'	2	24	75	56+00	60+00				
		TO BE COMPLETED AFTER COMPLETION OF REVISED ALIGNMENT.							

SUPERELEVATION RATE FT/FT.	RUNOUT LENGTH (FT)
0.07	180
0.09	190
0.10	210
0.10	210
D ALIGNMENT.	

AVELED WAY.
WAY.



OWING
XISTING

THE EXISTING PROFILE SHALL
W ELEVATIONS ANY LEVELING
NSTRUCTED OF SUBGRADE

INFORMATION ONLY
WILL NOT BE KEPT UP-TO-DATE

NO.	DATE	REVISIONS	BY	CHKD	ENGR	APPD
A	11/8/72	ISSUED FOR REVIEW	RF			

SCALE NTS | DESIGNED WW/BJC | DRAWN RMF | CHKD

DECHTEL
SAN FRANCISCO

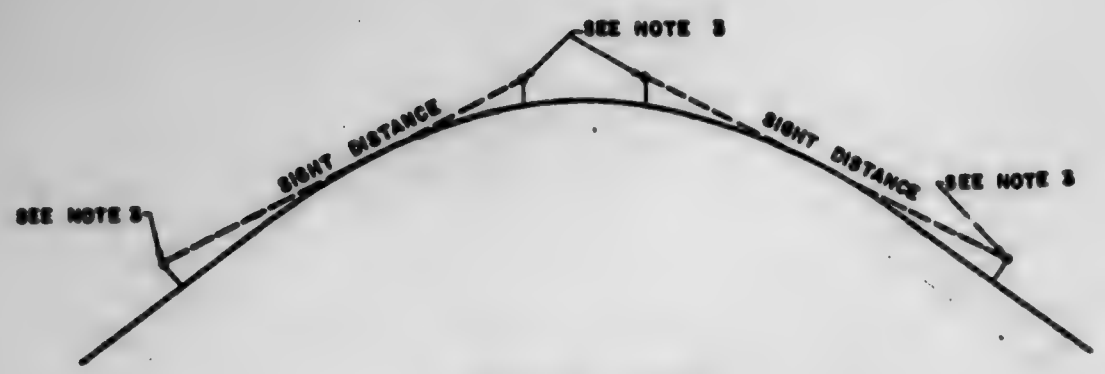
PEBBLE SPRINGS NUCLEAR PLANT
UNIT 1
PORTLAND GENERAL ELECTRIC CO. PORTLAND, OREGON

NUCLEAR PLANT ACCESS ROAD
MISCELLANEOUS DETAILS-FENCE, SUPERELEVATION AND RIPRAP

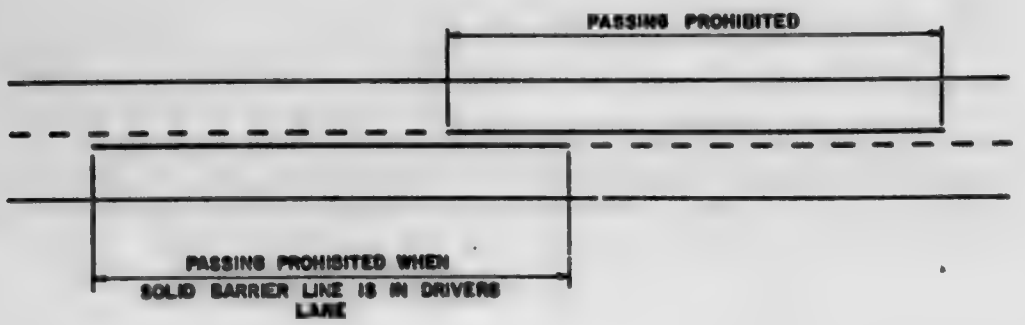
JOB No.	DRAWING No.	REV.
10411-001	HC-256	A

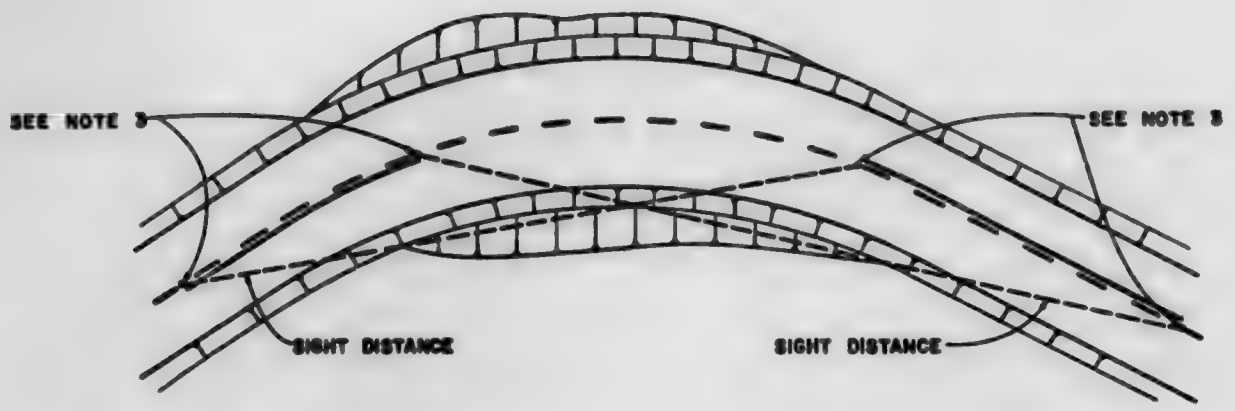
1 2 3

10411-001/HC-257



VERTICAL CURVE





HORIZONTAL CURVE

TRAFFIC STRIPE FOR NO-PASSING ZONE

NOTES

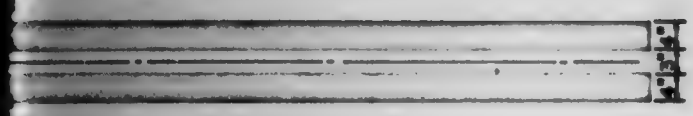
CENTERLINE STRIPING

1. APPLY A 4 INCH WIDE STRIPE TO THE PAVEMENT CENTERLINE USING AN INTERMITTENT YELLOW THERMOPLASTIC PAVEMENT MARKING STRIPE 9 FEET IN LENGTH WITH A GAP BETWEEN STRIPES OF 15 FEET IN LENGTH.

SINGLE TRAFFIC STRIPE

W1-2R OR W1-2L
BLACK ON YELLOW
30" x 30"

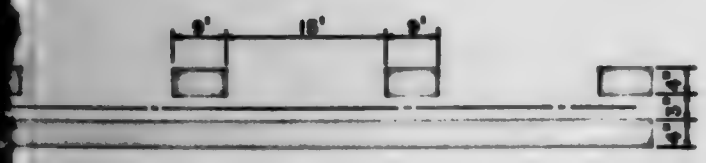
R1-2
RED ON WHITE
36"x36"x36"



TWO-WAY BARRIER STRIPE
FOR NO PASSING IN EITHER DIRECTION

R2-1
BLACK ON WHITE
24"x30"

R4-2
BLACK ON WHITE
24"x30"



ONE-WAY BARRIER STRIPE
FOR NO PASSING WHEN SOLID LINE
IS IN DRIVERS LANE

STANDARD TRAFFIC STRIPES

R1-1
WHITE ON RED
30"x 30"

W13-1
BLACK ON YELLOW
18"x 18"

TRAFFIC SIGNS

NOTES

INFORMATION ONLY
WILL NOT BE KEPT UP-TO-DATE

SIZE E

H

G

F

E

D

W1-2R OR W1-2L
BLACK ON YELLOW
30" x 30"

R1-2
RED ON WHITE
36" x 36" x 36"

W7-1
BLACK ON YELLOW
30" x 30"
24" x 18"

R2-1
BLACK ON WHITE
24" x 30"

R4-2
BLACK ON WHITE
24" x 30"

R4-1
BLACK ON WHITE
24" x 30"

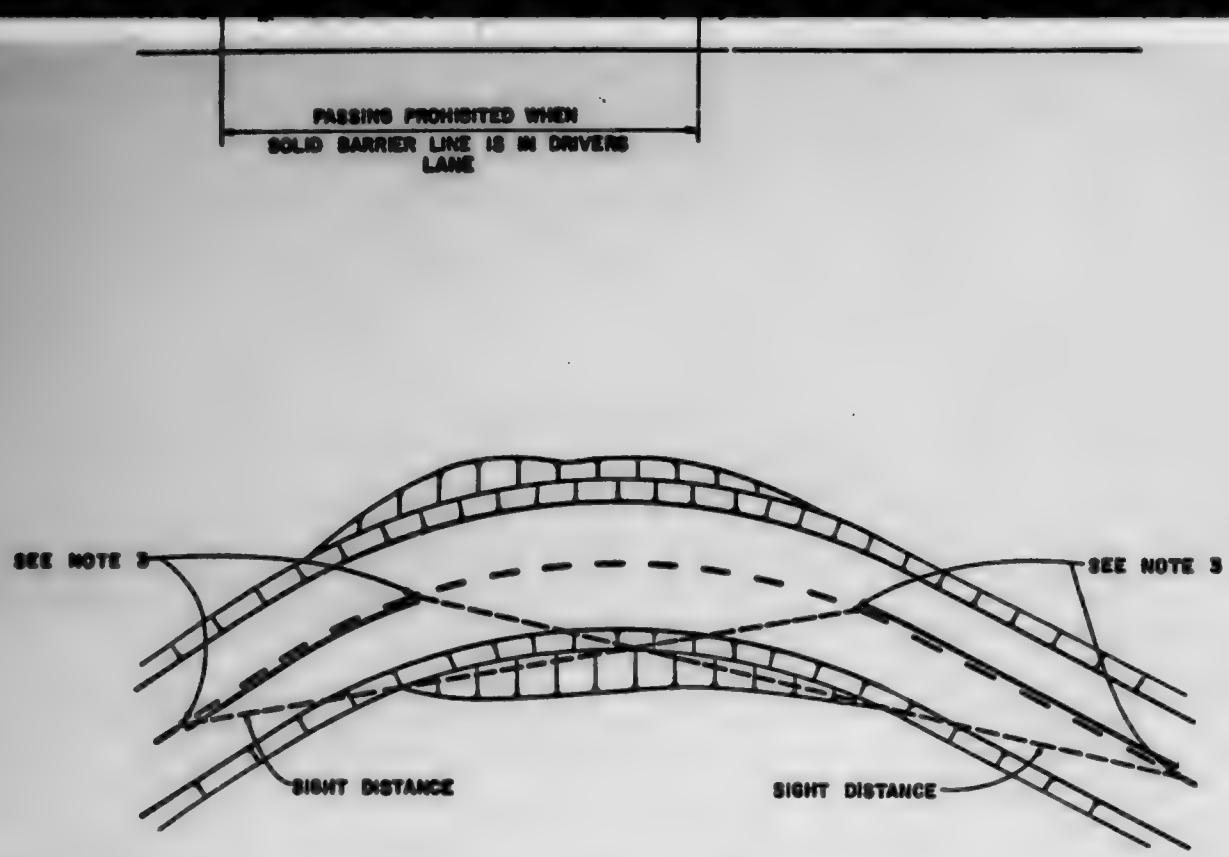
R1-1
WHITE ON RED
30" x 30"

W13-1
BLACK ON YELLOW
18" x 18"

D1-3
WHITE ON GREEN
VARIABLE

TRAFFIC SIGNS

NOTES



HORIZONTAL CURVE

TRAFFIC STRIPE FOR NO-PASSING ZONE

NOTES

CENTERLINE STRIPING

1. APPLY A 4 INCH WIDE STRIPE TO THE PAVEMENT CENTERLINE USING AN INTERMITTENT YELLOW THERMOPLASTIC PAVEMENT MARKING STRIPE 9 FEET IN LENGTH WITH A GAP BETWEEN STRIPES OF 15 FEET IN LENGTH.

NO PASSING STRIPING

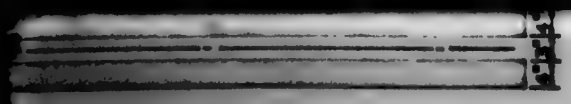
2. A CONTINUOUS 4 INCH YELLOW THERMOPLASTIC PAVEMENT MARKING STRIPE SHALL BE APPLIED IN THE AREAS WITH INADEQUATE PASSING SIGHT DISTANCE AS GIVEN IN THE ACCOMPANYING TABLE.

3. HEIGHT OF EYE AND HEIGHT OF OBJECT ABOVE PAVEMENT IS ASSUMED TO BE 3.75 FEET.

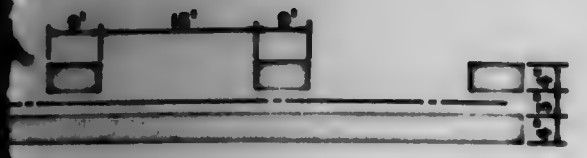
NO PASSING STRIPING

LEFT SIDE		RIGHT SIDE	
STA. TO STA.		STA. TO STA.	
60+00.00	69+00.00	57+00.00	61+50.00
		63+75.00	69+00.00

LOCATION	SIGN TYPE
30+00 RT	R2-1
47+00 RT	W1-2R & W13-1
55+00 RT	W1-2L & W13-1
55+00 LT	W1-2L & W13-1
57+00 RT	R4-1
60+00 LT	R4-2
61+50 RT	R4-2
62+00 RT	W1-2R & W13-1
63+00 LT	W1-2R & W13-1
63+75 RT	R4-1
66+00 LT	W7-1
69+00 RT	R4-2
69+00 LT	R4-1
70+00 RT	W1-2L
71+00 LT	W1-2L & W13-1
TO BE COMPLETED AFTER COMPLETION OF REVISED ALIGNMENT.	
INTERSECTION AT STA. 26+00.00	
[illegible] RT	D1-3
[illegible]	C.D. R1-1 (2)
[illegible]	R1-1
[illegible] LT	R1-2



WO-WAY BARRIER STRIPE
OR NO PASSING IN EITHER DIRECTION



ONE-WAY BARRIER STRIPE
R NO PASSING WHEN SOLID LINE
IS IN DRIVERS LANE

ANDARD TRAFFIC STRIPES

R2-1
BLACK ON WHITE
24"x 30"

R4-2
BLACK ON WHITE
24"x 30"

R1-1
WHITE ON RED
30"x 30"

W13-1
BLACK ON YELLOW
18"x 18"

INFORMATION ONLY
WILL NOT BE KEPT UP-TO-DATE

TRAFFIC SIGNS

NOTES

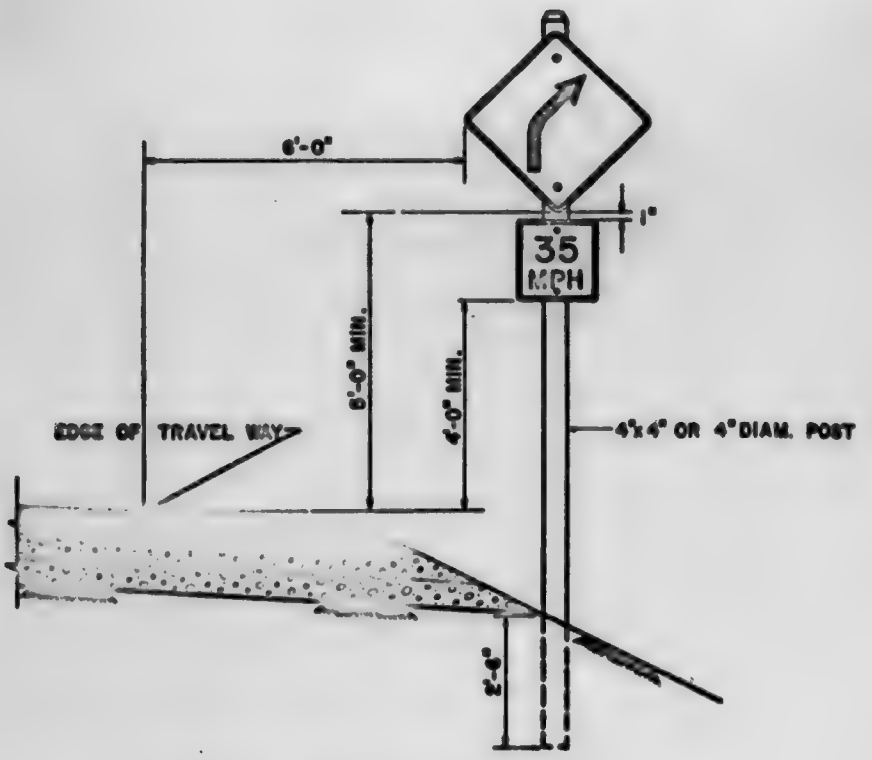
1. POSTS SHALL BE EITHER 4" X 4" OR 4" DIAMET
MATERIAL AND SHALL BE PROVIDED WITH MAT
1/2" DIA. GALVANIZED BOLTS

2. ALL SIGNS SHALL CONFORM TO THE STANDARDS
TRANSPORTATION MANUAL ON U
TYPES SHOWN ARE THE SAME AS THOSE USED
MAY BE SUBSTITUTED BY EQUIVALENT OREGON
OREGON STATE HIGHWAY DEPARTMENT TECHNIC
ON UNIFORM TRAFFIC CONTROL DEVISES FOR S
LATEST EDITIONS OF EITHER MANUAL, AS AP

3. SIGN MATERIAL, REFLECTORIZATION, PLACEM
CONFORM TO THE STANDARDS GIVEN IN EITHER

4. INSTALLATION OF ADDITIONAL OR DIFFERENT S
SHALL BE AS DIRECTED BY THE ENGINEER AND P
UNIT PRICE FOR THE EQUIVALENT SIGN TYPES.
AUTHORIZED BY THE ENGINEER.

SIGN TYPE
R2-1
2R & W13-1
2L & W13-1
2L & W13-1
R4-1
R4-2
R4-2
2R & W13-1
2R & W13-1
R4-1
W7-1
R4-2
R4-1
W1-2L
2L & W13-1
COMPLETION
26+00.00
D1-3
R1-1 (2)
R1-1
R1-2



TRAFFIC SIGN INSTALLATION

SIGN LIST	
SIGN TYPE	QUANTITY EA.
R1-1	TO BE COMPLETED AFTER COMPLETION OF REVISED ALIGNMENT
R1-2	
R2-1	
R4-1	
R4-2	
W1-2R	
W1-2L	
W7-1	
W13-1	
D1-3	

5 1 4 3 2

R2-1
BLACK ON WHITE
24"x 30"

R4-2
BLACK ON WHITE
24"x 30"

R4-1
BLACK ON WHITE
24"x 30"

R1-1
WHITE ON RED
30"x 30"

W13-1
BLACK ON YELLOW
18"x 18"

D1-3
WHITE ON GREEN
VARIABLE

TRAFFIC SIGNS

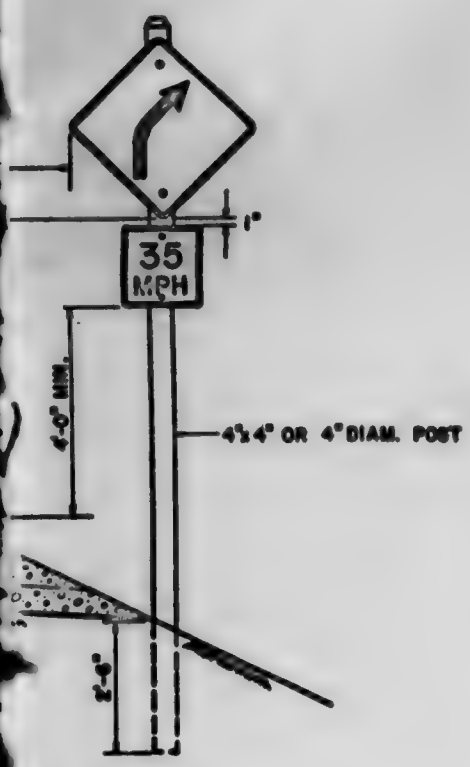
NOTES

1. POSTS SHALL BE EITHER 4" X 4" OR 4" DIAMETER TREATED TIMBER OR OTHER APPROVED MATERIAL AND SHALL BE PROVIDED WITH MATCHING BOLT HOLES FOR USE WITH 1/2" DIA. GALVANIZED BOLTS

2. ALL SIGNS SHALL CONFORM TO THE STANDARDS GIVEN IN THE U.S. DEPARTMENT OF TRANSPORTATION, MANUAL ON UNIFORM TRAFFIC CONTROL DEVISES, 1971. THE SIGN TYPES SHOWN ARE THE SAME AS THOSE USED IN THAT MANUAL. SIGN TYPES SHOWN MAY BE SUBSTITUTED BY EQUIVALENT OREGON STATE STANDARDS AS DETAILED IN OREGON STATE HIGHWAY DEPARTMENT TECHNICAL BULLETIN NO. 23, OREGON MANUAL ON UNIFORM TRAFFIC CONTROL DEVISES FOR STREETS AND HIGHWAYS, OR LATEST EDITIONS OF EITHER MANUAL, AS APPROVED BY THE ENGINEER.

3. SIGN MATERIAL, REFLECTORIZATION, PLACEMENT, SPACING AND LETTER SIZE SHALL CONFORM TO THE STANDARDS GIVEN IN EITHER OF THE ABOVE MENTIONED PUBLICATIONS.

4. INSTALLATION OF ADDITIONAL OR DIFFERENT SIGN TYPES OTHER THAN THOSE SHOWN SHALL BE AS DIRECTED BY THE ENGINEER AND PAID FOR AT THE APPROPRIATE CONTRACT UNIT PRICE FOR THE EQUIVALENT SIGN TYPES. ALL CHANGES AND ADDITIONS SHALL BE AUTHORIZED BY THE ENGINEER.



STALLATION

SIGN LIST	
SIGN TYPE	QUANTITY EA.
R1-1	TO BE COMPLETED AFTER COMPLETION OF REVISED ALIGNMENT
R1-2	
R2-1	
R4-1	
R4-2	
W1-2R	
W1-2L	
W7-1	
W13-1	
D1-3	

1	10/76	ISSUED FOR REVIEW		RF					
No.	DATE	REVISIONS		BY	CHKD				APPD

SCALE NTS | DESIGNED BJC | DRAWN RMF | APPROVED

DECTEL
SAN FRANCISCO

PEBBLE SPRINGS NUCLEAR PLANT
UNIT 1
PORTLAND GENERAL ELECTRIC CO. PORTLAND, OREGON

NUCLEAR PLANT ACCESS ROAD
MISCELLANEOUS DETAILS
SIGNING AND PAVEMENT MARKING

	JOB No.	DRAWING No.	REV.
	10411-001	HC-257	A

HC-[illegible] 24x36 "D" SIZE

8639 B 1-75 B

OREGON

Suggestions for data to be included in narrative report on an individual county road proposed for inclusion in the F. A. S. System

1. **Description of Route:**

   a. **Length:** 9.25 miles (Including to City Airport)

   b. **Location of termini:** State Hwy 19 near south City limits of the City of Arlington and State Hwy 79 - ½ of a mile north of Rhea (The Ione - Heppner Hwy).

   c. **Topography traversed (mountains, rolling, etc.):** 2 miles adverse grade, remainder flat and/or rolling.

   d. **Vicinity map:** Attached

2. **Was this route proposed for the FAS System at the time of the original submission?** No FAS roads have been added to the County.
   If deferred - why? Road system since 1942.

3. **General discussion of the area served:** The City of Arlington, Gilliam County, and eventually Ione, Lexington & Heppner in Morrow County, would provide an intertie between the PGE Pebbles Springs developement and the Boardman Boeing developement at Willow Creek.

   a. **Population directly served (estimate):** Population: 400 now, 2,400 by 1976

   b. **Communities served, directly or indirectly:** City of Arlington Airport, City of Arlington, Boardman, Ione, Lexington, and Heppner

   c. **Basic economy of the area served (farming, industrial, logging, lumbering, mining, etc.):** City of Arlington Airport, Farming with a need to serve present, existing and proposed future industrial needs.

   d. **Land classification (Department of Agriculture rating, if available, otherwise see County Agent):** Soil Class I and II

   e. **Social and recreational features (Grange Halls, schools, etc.):** School bus and U.S. Mail travle proposed routes.

   f. **Will improvement of the route encourage development of the area by making easily accessible additional high type land, stands of timber, etc.?** Intensified Agriculture is projected for the entire region served by the proposed Hwy route. Also will provide an all weather paved road to the City of Arlington Airport.

g. Number of farms served directly: 16

h. Will the road be used as school, mail, and milk routes? School and Mail

4. Engineering features:

a. Existing alignment and gradients (include brief summary of the deficient sections): Approx. 3/4 mile of adverse grade at each end will require adjusting or alignment relocation.

b. Bridges on route - make particular note of any major structures: No major structures required.

c. Railroad crossings - give name of railroad, type of crossing (by grade or separation), safety devices existing, and number of train movements per day for each. Particularly hazardous grade crossings should probably be commented upon:

No railroad X-ings involved.

d. Surface type and condition: ½ mile asphalt balance gravel or unimproved.

e. Cost of improvement for entire route and standards proposed: $1,221,000.00

36' wide all paved X-section on adverse grades, otherwise 32' wide all paved section.

5. Traffic analysis:

a. Present ADT volume for route; also give maximum and minimum ADT volumes and where found on route: 80 VPD Between State Hwy #19 and Arlington Airport and PGE Pebbles Springs Construction Site. Estimated 1976 ADT = 1100.

Estimated 1980 to then ADT Between Airport & PGE junction = 500 VPD.

b. Does the route provide alternate service? For example: Is there another route available that the major portion of the traffic could use without serious inconvenience?

No other existing route now available to provide the required service.

c FAS-1

c. **Estimate to future traffic -- discuss any unusual increase anticipated. Under this section should probably be included a discussion of any unusual growth that is considered a probability for the area served and the effect of such growth on future traffic volumes:** The need to improve, and upgrade the existing first 0.729 miles near the City of Arlington is urgent. Present and future needs dictate that the portion of the road to the City Airport and portion of the road to and near the proposed Portland General Electric Nuclear Power Plant at Pebble Springs can be constructed at the earliest date possible and be made operational for use by no later than may 1st, 1975. 1975 ADT is estimated at 300, 1976 at 600, 1977 at 900 and 1978 at 1200 VPD.

6. **General summary and recommendations:**

a. **How does this route integrate with other FAS or State Highway routes in the immediate route?** Would provide an intertie between State Hwy #19 and State Hwy # 74.

b. **Why do county officials regard this route as one of the "principal" county roads?** Due to increased activity resulting from use of City Airport, and projected construction of 2 nuclear power plants in vicinity of Airlington and Coal Fired Plants in vicinity of Willow Creek agricultural developement in the West End of Morrow County by Boeing has resulted in most of these employees doing business in the City of Arlington. Developement of this route into a major intertie with Morrow County and specifically the Ione, Lexington Heppner region will offer better service at less construction cost than upgrading and paveing of 4 mile canyon road.

c. **What particular feature or features discussed in the report qualify this route for the FAS System?** Need for business agriculture, farming and industrial developement also as an intertie between two existing State Hwys, each of which runs generally North and South through Gilliam County and North and South through Morrow County with no existing East-West connection on the North end of Gilliam County.

d. **A brief statement on the number of miles of county roads now on the FAS System in relation to the total mileage on the county road system:**

132 miles of the 349= miles of road maintained by the County is on the FAS system.

e. **A few remarks on the county's financial condition insofar as highways are concerned would be valuable here. The county's ability financially to improve and maintain is perhaps the principal prerequisite for additional mileage. In the writer's opinion, can the mileage now on the FAS System, including this route, be brought to an adequate state of improvement within a reasonable number of years (say - 15 years), taking into account all other financial obligations (maintenance, equipment, reserve, etc.)?**

Having the second smallest county pop.in The State and a low pop. density of 1.6 people per sq. mile places a financial burden on the maintenance of even a primitive road system.

f. **How does this route compare with other routes already accepted in the county with respect to traffic, social and recreational features, truck haul, etc.? (If this has been covered in general under 6-b, ignore this subparagraph.)**
The FAS road proposed will become Gilliam Counties most important and most heaviest travelled route in the County. Most important of the atomic plant at Pebble Springs and Carty. Following construction of the proposed Pebbles Springs plant, the county will be financially capable of undertaking an improvement program on all existing FAS roads within the County due to the increased valuation.

g. **How much mileage now on the approved system is not in need of improvement for ten to fifteen years? The fact that the major portion of the system is in an adequate state of improvement is good support for additions to system.**
In general most of the FAS road system is sub-standard in geometrical designs, however, due to low daily and hourly volumes and the fact that most of the roadway structual sections are adequate, there has been no serious need for major road improvement.

cc FAS-1

Sheet ___ of ___

F.A.S. Road No Not now on system

MP _____ to MP _____

Width_____ Type_____ Condition_____ A.D.T._____

I. Topography
- ☐ Mountainous
- ☑ Canyon
- ☐ Small valley
- ☐ Large valley
- ☐ Rolling hills
- ☐ Flat
- ☐ _____

II. Service
- ☑ Farm to market
- ☐ Log hauling
- ☑ Connecter route
- ☐ Interurban
- ☐ _____

III. Type of Culture
- ☐ Urban residential
- ☐ Urban commercial
- ☐ Suburban
- ☐ Small farms
- ☑ Large farms
- ☐ Residential acreage
- ☑ Sparsely settled
- ☐ _____

IV. Usage of Adjacent Land
- ☐ Residential
- ☐ Timber
- ☑ Grazing
  - ☑ Sheep ☐ Cattle
- ☐ Dairy
- ☑ Grain products
- ☐ Diversified agriculture
- ☐ Waste lands
- ☐ Logged over land
- ☑ Heavy Industrial _____

V. Construction of Present Road
- ☐ City street
  - ☐ Curbs ☐ No curbs
- ☐ Cut and fill
- ☐ Side hill
- ☑ Follows ground line
- ☐ Considerable variation in width
- ☐ _____

VI. Alignment, Horizontal
- ☐ Continuous extreme curves
- ☑ Occasional extreme curves
- ☑ Easy curves
- ☐ Tangent
- ☐ Poor sight distance on curves
- ☐ _____

VII. Alignment, Vertical
- ☑ Satisfactory
- ☐ Unsatisfactory

  Maximum vertical grade _____

VIII. Improvement required for present use

A. Grade improvement
- ☐ None
- ☑ Widen roadbed
- ☐ Widen curves
- ☑ Relocate sections
- ☑ Reshape roadbed
- ☐ _____

B. Surface improvement
- ☐ None
- ☑ Additional base material
- ☑ Additional crushed rock
- ☐ Oil mat
- ☑ Asphaltic concrete pavement
- ☐ _____

General Remarks: _____

KLICKITAT COUNTY

ARLINGTON

PROPOSED
T.D.S.-C
ARLINGTON TV
WILLOW CREEK

WILLAMETTE

BASE LINE

MORROW COUNTY

445

446

573

8639

cc: Bob Prange Gilliam Co

OREGON STATE HIGHWAY DIVISION

REGION 4

P.O. BOX 1249 • BEND, OREGON • 97701 • Phone 382-1911

January 29, 1975

Robert W. Straub
GOVERNOR

F.B. Klaboe
Administrator of Highways

Judge Leo Barnett
Gilliam County Courthouse
Condon, Oregon, 97823

Dear Judge Barnett:

Your letter of January 22 concerning our functional classification study has been forwarded to Salem, with the county map, for consideration. I recommended that Rhea Road be classified as a major collector, not as a minor collector. My reason for doing so is that most major collectors will become FAS routes after realignment, while no minor collectors can be placed on the Federal Aid System. In other words, if you want Rhea Road on the FAS system it must be classified as a major collector.

Your application to the State Highway Division for including Rhea Road on the FAS system has been returned to me. No new routes will be added to this system until after our functional classification study has been completed. We hope to have finished this study by July 1, 1975.

I recommend to you that the Gilliam County Commission requests that the State Highway Division classifies Rhea Road as a major collector. This request should be justified briefly by citing some of the same data that you used in your FAS application; e.g., projected average daily traffic (ADT), planned public and private construction in the area, etc. Your request should be directed to me, and I will forward it to Salem with my recommendation. I would hope to receive your request no later than February 21, 1975.

Yours very truly,

David S. Fenton,
Regional Federal Aid Engineer

DSF:pw
cc: J.Val Toronto

RECEIVED
COUNTY & CITY SECTION
JAN 30 1975
☑ ENGR. ☐ COOR. ☑ OE ☐ AE ☐ UE
☐ UPE ☐ CE ☒ RE ☒ RPE ☐

8639

SALEM, OREGON
January 27, 1975

TO: Mr. Carl M. Williams
Region 4 Engineer
Bend

RE: FAS System Addition
Gilliam County

Attention: Dave Fenton
Federal Aid Engineer

FROM: Robert H. Prange
Rural Engineer
County-City Unit

Attached is correspondence relative to placing a new route on the Federal Aid Secondary System in Gilliam County.

Please contact Gilliam County and inform them that, for the present, we are not adding new routes to the FAS System until the 1980 Functional Classification Study has been completed. They should be made aware that the Federal Highway Administration would not approve any route on the FAS System unless that route is classed at least as a major collector in the 1980 Functional Classification System. Therefore when Gilliam County reviews the preliminary maps showing the intended 1980 system, they should make their desires known as to the probability of putting the Arlington-Willow Creek route on the FAS System. If the County can't produce enough justification to have this proposed route classed at least as a major collector, there is very little chance of it being designated as an FAS route.

It is hoped that the ongoing 1980 Functional Classification Study will be completed by July 1 of this year, so systems realignment, including additional of new routes, cannot begin to take shape in any county for at least six months.

RHP:scr

Attachment

☑ ENGR. ☐ ASST. ☑ OE ☐ AE ☐
☐ UPE ☐ CE ☑ RE ☐ RPE ☐

8639

Gilliam Co
FAS

OREGON STATE
HIGHWAY DIVISION

P. O. Box 850
La Grande, OR 97850

Telephone 963-3177

January 14, 1975

J. Val Toronto
Gilliam County Engineer
219 S.E. 2nd
Pendleton, OR 97801

Dear Mr. Toronto:

Thank you for your FAS application covering the Arlington - Willow Creek Section and the spur route to the Arlington Airport. I have forwarded the application to Mr. Don Harwell, City - County Engineer, Project Management Section in Salem for further evaluation.

As previously mentioned, the Highway Divisions District numbering system no longer conforms to the Council of Governments, and the entire section lies outside of Region 5. In order that the county may receive prompt action, please direct all future correspondence on the section to:

Mr. C. M. Williams
Regional Engineer
P.O. Box 1249
Bend, OR 97701

Please do not hesitate to contact me if I can be of further assistance.

RECEIVED
COUNTY & CITY SECTION
JAN 16 1975
☑ ENGR. ☐ COOR. ☑ CE ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE

Sincerely,

W. E. Schwartz
Regional Engineer

By

R. C. Lang
Regional Federal Aid Engineer

fv

cc: D. Harwell
C. Williams

CONSULTING
Engineers

J. VAL TORONTO & ASSOCIATES

STATE OF OREGON
LICENSE #5802
STATE OF WASHINGTON
LICENSE #11766
STATE OF ALASKA
LICENSE #1413

TELEPHONE (503) 276-7402
219 S. E. 2ND
PENDLETON, OREGON 97801

RE
ROE
DE

RECEIVED
REGIONAL OFFICE

January 9, 1975

R. C. Lang
Regional Federal Aid Engineer
Oregon State Hwy Division
PO Box 850
La Grande, OR 97850

RE: Proposed FAS - C Route
Arlington-Willow Creek

Dear Mr. Lang,

In reference to our conversation of January 9, 1975 we wish to advise that the Counties original request to have the Arlington-Willow Creek road placed on the FAS-road system plan has been sustained by the recently elected Gilliam County Court in an offical meeting January 8, 1975.

Enclosed please find the completed application and we will review the proposed road improvement project with you at your convenience.

Sincerely yours,

J. Val Toronto P.E.

J. Val Toronto, P.E.
Gilliam County Engineer

cc: Judge Leo Barnett

8639

Gilliam Co
FAS.

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

La Grande, Oregon
January 14, 1975

FROM: Roger Lang
Region Federal Aid Engineer

SUBJECT: F.A.S. - C Application
Arlington - Willow Creek

TO: Don Harwell
City - County Engineer

Attached for your consideration and evaluation is an F.A.S. application covering the Arlington - Willow Creek Section in Gilliam County.

The request is generated by the apparent construction of 2 nuclear power plants in the vicinity of Arlington and a coal fired plant in the vicinity of Willow Creek.

The county anticipates the proposed route will become the most important transportation link in the county.

I have advised the county to direct future inquiries to C. M. Williams, Region Engineer, Region 4, as the proposed route lies entirely within Region 4.

fv

cc: C. M. Williams

RECEIVED
COUNTY & CITY SECTION
☑ ENGR. ☐ COOR. ☑ CE ☐ AE ☐ UC
☐ UPE ☐ CE ☐ RE ☐ RPE ☐

8640 Hines-Diamond Ave. (Burns) 1977
Sec. of Central Ore. Hwy. in Burns
(Grade, pave, sign & signals)

#8640

L.

HIGHWAY DIVISION

CON 5
8640

V. E. Skoog
Accounting Controller

September 29, 1981

H. S. Coulter
State Highway Engineer

Storm Sewer-Water Line Conflict
City of Burns
Hines-Diamond Avenue Section
Central Oregon Highway
Harney County
Contract No. 8640

At its meeting on September 24, the Commission approved the abandonment of this claim; therefore, it should be taken off the books. Please follow up on this.

HSC:lb

bc R. W. Gormsen
J. L. Sollis

8640

CON 5
8640

DATE: September 4, 1981

TO: Oregon Transportation Commission

FROM:
H. S. Coulter
State Highway Engineer

SUBJECT: Storm Sewer-Water Line Conflict
City of Burns
Hines-Diamond Avenue Section
Central Oregon Highway
Harney County
Contract No. 8640

During the course of completing the above contract, a conflict was discovered between the elevation of the proposed storm sewer line and an existing City waterline located in the highway right-of-way. Rather than have the City relocate its waterline, the Highway Division was able to change the grade of the storm sewer at a cost of $975.60 and continue with the project. The City of Burns was later billed for this amount as the conflict occurred within the state highway right-of-way and, under the terms of its permit, the City would have been required to accommodate the highway construction.

The matter has been under discussion with the City since 1978. The City contends that it is not responsible for the cost of relocating the storm line and, at the time, complained that we were improperly adjusting some of its other facilities.

We have had no success in convincing the City to make payment. The only alternative would be the institution of legal proceedings which, even if carried to a successful conclusion, would cost us as much or more as we might collect from the City. We would probably break even or possibly go in the hole by instituting legal proceedings to collect this claim, and in the process would cause considerable aggravation between ourselves and the City of Burns.

It is with this thought in mind that I ask your permission to drop this claim in the amount of $975.60 and write it off our records.

This matter will be on the consent calendar for your consideration at the September 24 meeting.

JLS:ss 1b
bc F. B. Klaboe
R. W. Gormsen
J. L. Sollis
V. E. Skoog
W. E. Schwartz
Roger Trygstad
George Bell

RECEIVED
STATE HWY ENGR
SEP 2'81
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

9-1-81

211 Transportation Building

October 23, 1979

Mr. Walter S. Ackley
Administrator/Recorder/Judge
City of Burns
City Hall
90 West Washington
Burns, OR 97720

If the charge is legitimate then we should have the right to charge it - reserved in the letter

Re: 8-inch Water Line Conflict
Hines-Diamond Avenue (Burns)
Central Oregon Highway
Harney County
Contract No. 8640
Project No. F-21-4(1)

Dear Mr. Ackley:

The above referenced file has been referred to me by the Highway Division as they have not received any response from Mr. Preston's letter to you dated June 14, 1979.

On the assumption that you may not have received Mr. Preston's letter and the attached documents, I am attaching the letter and documents that were forwarded with it to this communication. I have reviewed all of the material forwarded to you on the 14th of June and it would seem that the City of Burns did receive a benefit from the work performed by the Highway Division in that the City was not required to adjust its water line at expense of over $2,500 as it was required to under the provisions of the permit that authorized its placement of the water pipe in the state highway right of way but rather the Highway Division accommodated the City by lowering the sewer line for only $975.60.

I am sure the City is aware of the provisions of its permit which authorizes the installation of utilities on highway right of way and which provides that any adjustment or relocation necessitated by highway construction is the responsibility of the person securing the permit and in this case the City.

I am sure the City wishes to honor its legal committments and perhaps this letter will serve as an additional explanation that will satisfy the City Council that the claim by the Highway Division is indeed justified. If you or the members of the City Council have any questions concerning this matter, I would be most happy to discuss them. My phone number in Salem is 378-4259.

Sincerely yours,

Jack L. Sollis
Assistant Attorney General
and Counsel

JLS:hg

bc: Jim Kinns
C. T. Keasey
W. E. Schwartz
Barry Hatcher
H. Gerlach
Jack Cartwright

FORM 81.734.3030

RE ☐ RCE ☐ RI E ☐ ROE ☐

RFA ☐

FILE 1979

RECEIVED
REGION 5 OFFICE

OREGON STATE HIGHWAY DIVISION
INTER-OFFICE CORRESPONDENCE

Burns, Oregon
August 6, 1979

B N Hatcher

FROM: B. N. Hatcher
Resident Engineer

TO: W. E. Schwartz
Regional Engineer

SUBJECT: Hines-Diamond Ave. (Burns)
Central Oregon Highway
Harney County
Contract No. 8640
F.A.P. No. F-21-4(1)

L A G R A N D E

Attached please find Price Agreement #11 with checklist for the subject project.

This P.A. covers the reimbursement of a subcontractor, Douglas S. Coats, for the work he did relaying a storm sewer because of a waterline conflict.

City had verbally agreed to reimburse contractor but have failed to do so. One copy of P.A. was missing so had to be rewritten and resigned, which accounts for delay.

Copy of letter from Douglas Coats outlining charges is attached as documentation.

BNH:kp

Kansey

The contractors bill is in order. And Civil ought be requested that this P.A. be sent in. His step will attempt to recover monies from the city.

RECEIVED
AUG 20 1979
CONSTRUCTION BRANCH

Kuesay, Jackmond, Hopkins, Williams, Johnsen, Glenn, Richards, Berg, Inloes, Widmer, Gebauer, Church

to Cy Hatcher
cc/ Region

Form 21-734-1180 (Rev. 5-72)

OREGON STATE HIGHWAY DIVISION

Price Agreement

APPLYING TO EXTRA WORK AND EXTRA MATERIAL

Project Name Hines - Diamond Ave. (Burns) Date June 18, 19 79

Highway Central Oregon Contract No. 8640

County Harney Prefix 13-1060

Contractor R. L. Coats F. A. Project No. F-21-4 (1(

Address P.O. Box 1008, Bend, OR 97701 Price Agreement No. 11

For the below described extra work or extra material to be performed or furnished under the contract above referred to, the contractor agrees to accept payment at the prices given herein, understanding that, except as herein otherwise provided, the work is to be performed and the material is to be furnished in accordance with the specifications which form a part of the contract and in accordance with the instructions of the engineer.

Work to be done:

Reimburse contractor for work done May 12, 1978,
waterline conflict with storm sewer

Locations by station numbers:

1730+86

Names of pay items, estimated quantities and agreed prices:

31101 Relocate Storm Sewer Lump Sum $ 975.69

Specifications, basis of measurement and other provisions:

Standard Specifications shall apply, more particularly 109.07;
Lump Sum Payment.

INSTRUCTIONS

After the signature of the contractor has been obtained, submit six copies (including original copy) to the Salem Office. After approval by the Assistant State Highway Engineer, approved copies will be sent to the Contractor, the Regional Engineer, and the Resident Engineer.

This order does not constitute authority for expenditure until approved by the Assistant State Highway Engineer or State Highway Engineer.

Project authorization	$886,654.06
Present estimate of project cost, including $ 975.69 for work under this order	$886,654.06
Expected under-run / over-run (amount)	$ 00
Expected under-run / over-run (per cent)	00

Space to right of this line is for use of Salem Office

Submitted by: B. N. Hatcher — Resident Engineer

Signed R. L. Coats — Contractor

B. N. Hatcher

Approval Recommended: ..... — Division Engineer

Approval Recommended: ..... — Construction Engineer or Bridge Engineer

Approved: ..... — Deputy State Highway Engineer, Assistant State Highway Engineer or Office Engineer.

SP*78603-724

CHECK LIST OF INFORMATION
TO BE FURNISHED WITH PRICE AGREEMENTS, EXTRA WORK ORDERS,
AND STATE FORCE ORDERS

Region 5

Project Name Hines-Diamond Ave.(Burns) Contract No. 8640

Circle One: (PA) EWO SFO No. 11

		Check Information Furnished	
		RESIDENT ENGR	REGION
Description of work to be done.		X	
Reasons why work is necessary.		X	
Has work started:	Yes	X	
	No		
	Date Started	May 12, 1978	
Cost justification for price agreements.		X	
Credit for salvaged material:	None	X	
	Material list attached		
	To be determined later		
Salem headquarters approval:	Not received	X	
	Date received		
	Who discussed		
FHWA approval:	Not received	X	
	Date received		
	Who discussed		
Required signatures on order form.		X	

Comments:

June 14, 1979

Mr. Walter S. Ackley
Administrator/Recorder/Judge
City of Burns
City Hall
90 West Washington
Burns, OR 97720

RECEIVED
STATE HWY ENGR
OCT 10 '79
REFER TO
FOR
Info | Invgs | R/D | D/R | Sign | Act | File

8-inch Water Line Conflict
Hines-Diamond Avenue (Burns)
Central Oregon Highway
Harney County
Contract No. 8640
Project No. F-21-4(1)

Dear Mr. Ackley:

Your letter dated March 16, 1979, indicated that the Burns Council was not responsible for the plans or construction of this project and therefore was not responsible for the cost of adjusting the conflict between the State's construction and the City's 8-inch water main. However, the State statutes designate that the owner of the right-of-way can require the reconstruction or adjustment of any service facilities that conflict with highway construction or roadway usage (see attached ORS 758.010).

As stated in previous correspondence, the Oregon State Highway Division took over this portion of the highway from the County in 1917. Also, the City of Burns did not incorporate this area until 1924. Therefore, in accordance with the appropriate State statutes, policies and procedures, and the provisions of the Federal Highway Administration's Policy and Procedure Memorandum 30-4, the adjustment of this water line is the responsibility of its owner, the City of Burns.

The fact that the State's storm sewer was adjusted to avoid the conflict in lieu of the adjustment of the City's 8-inch water main was requested by your Fred Wensenk, City Water Superintendent, to save the City an estimated $1,500 and avoid the inconvenience of a water shut-off to the water users. This solution to the problem which was agreed to between our resident engineer and your City Water Superintendent has no bearing on the City's responsibility for bearing the cost of the work to remove the conflict. (See Mr. Hatcher's memo to files dated May 24, 1978.)

Attached is the following correspondence for your review of this matter: Mr. Hatcher's "Memo to the Files" dated May 24, 1978, which reviewed in

general the problems the State encountered with the City of Burns water facilities during the construction of this project and the specific problem with the 8-inch water main; letter signed by Richard Day, Chairman of the City of Burns Council to Mr. Barry Hatcher, Resident Engineer, Oregon Highway Division, dated July 13, 1978; Mr. Hatcher's letter to the City dated November 28, 1978; and your above-mentioned letter dated March 16, 1979, to Mr. Barry Hatcher.

I am sure that upon review of this information the Council will agree that they are legally obligated to pay the cost of adjusting the 8-inch water main.

Therefore, attached is a bill for $975.60 for the work performed by the State's contractor, Douglas S. Coates (a copy of his detailed bill is included for your information). Please make the check payable to the Oregon Highway Division, Department of Transportation, and forward it to this office for further handling.

If you or the Council have any further questions concerning this matter, please contact Mr. Hatcher, P. O. Box 1128, Burns, OR 97720, telephone 573-2434, for engineering questions and Mr. Jack Sollis, Chief Counsel, Oregon Department of Transportation, Highway Division, Room 211, Salem, OR 97310, telephone 378-4259, for any legal questions.

Very truly yours,

Phil Preston
(Acting) Utility Engineer

PP:cl
Attachments
cc: Jack Sollis (w/atts.)
Jim Kinns "
C. T. Keasey "
W. E. Schwartz "
Barry Hatcher (w/cy bill only)
H. Gerlach "

shops, equipment sheds, storage plants and warehouses, snow fences, patrolmen quarters or accommodations and any other building, structure or thing deemed necessary for the efficient administration of the duties of the department and which in the opinion of the department are required for the proper and adequate accomplishment of the purposes of this Act.

366.315 Widths of rights of way. The department may determine the widths of rights of way for all state highways.

366.317 Removal of trees and shrubs; notice; application. When the construction, expansion or improvement of a state highway as defined in ORS 366.005 would otherwise clearly and certainly cause the destruction of trees and shrubs which in the judgment of the engineer or his designee may be removed in safety, the Highway Division shall:

(1) Prior to their destruction, cause notice to be placed in a newspaper of general distribution in the locality in which these trees and shrubs are located that these trees and shrubs may be destroyed, and that application may be made to the division at a specific time and place to remove these trees and shrubs for transplanting; and

(2) Permit the removal of these trees and shrubs by those making application to do so.
[1975 c.414 s.1]

366.320 Acquisition of rights of way and right of access. (1) The department may acquire rights of way deemed necessary for all primary and secondary state highways, both within and without the corporate limits of cities and towns, except that such rights of way within the corporate limits of cities and towns may be acquired at the sole expense of the state, at the expense of the city or town or at the expense of the city or town and the state, as may be mutually agreed upon.

(2) The department may acquire by purchase, agreement, donation or by the exercise of the power of eminent domain, real property or any right or interest therein deemed necessary for rights of way, either for original location or for widening, straightening or otherwise changing any highway, road or street. The department may, when acquiring real property for right of way, acquire all right of access from abutting property to the highway to be constructed, relocated or widened.

(3) All rights of way owned or held by the several counties over and along any roads adopted as state highways are vested in the state, by and through the department. This subsection does not apply to any rights of way owned by any city for city streets.
[Amended by 1953 c.252 s.2]

366.321 Expense of relocating municipal facilities payable by department; exceptions. (1) When location, construction, relocation, reconstruction, maintenance or repair of a state highway requires relocation of any facilities placed or maintained in or on a public right of way by any municipal corporation, or a district or authority established under ORS chapter 264, 450, 451, 523 or 545, the department shall pay the municipal corporation, district or authority whose facilities are so required to be relocated the reasonable expenses of relocation, less any benefits and salvage of the relocation.

(2) Subsection (1) of this section shall not apply to:

(a) Facilities located in or on the right of way of a state highway under permits issued by the department upon the condition that the permitee would bear the cost of any relocation; or

(b) Facilities located in or on the right of way of a state highway where the municipal corporation, district or authority established under ORS chapter 264, 450, 451 or 545, has placed such facilities in or on the right of way of the state highway without a permit from the commission or has refused to execute a permit as required by law or commission regulations. However, this paragraph shall not apply where such municipal corporation, district or authority has located facilities in or on the right of way of a city street or county road with the permission of the governing body of such city or county before such city street or county road was selected and designated a state highway by the Department of Transportation pursuant to ORS 366.290 or 373.010.
[1967 c.272 s.1; 1975 c.587 s.1; 1975 c.782 s.51a]

366.323 Studies to aid in relocating persons displaced by highway acquisition. When plans of the Department of Transportation projected for one year involve acquisition of properties in any city which will require removal of 25 or more dwelling units, businesses or institutions, the Department of Transportation shall make a study of the persons residing on or maintaining businesses or institutions on property sched-

the proceeds of such bonds have been actually expended in the construction of one or more of such projects. Such claim for payment may be made only when all of the provisions of this title have been complied with to the same extent and with the same effect as though payment were to be made to the State under section 121 of this title, instead of this section, and the Federal share of the cost

Sec. 123. Relocation of utility facilities

(a) When a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project. Federal funds shall not be used to reimburse the State under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State. Such reimbursement shall be made only after evidence satisfactory to the Secretary shall have been presented to him substantiating the fact that the State has paid such cost from its own funds with respect to Federal-aid highway projects for which Federal funds are obligated subsequent to April 16, 1958, for work, including relocation of utility facilities.

(b) The term "utility", for the purposes of this section, shall include publicly, privately, and cooperatively owned utilities.

(c) The term "cost of relocation", for the purposes of this section, shall include the entire amount paid by such utility properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility.

Sec. 124. Approval of State

§ 1.23 Rights-of-way.

(a) *Interest to be acquired.* The State shall acquire rights-of-way of such nature and extent as are adequate for the construction, operation and maintenance of a project.

(b) *Use for highway purposes.* Except as provided under paragraph (c) of this section, all real property, including air space, within the right-of-way boundaries of a project shall be devoted exclusively to public highway purposes. No project shall be accepted as complete until this requirement has been satisfied. The State highway departments shall be responsible for preserving such right-of-way free of all public and private installations, facilities or encroachments, except (1) those approved under paragraph (c) of this section; (2) those which the Administrator approves as constituting a part of a highway or as necessary for its operation, use or maintenance for public highway purposes and (3) informational sites established and maintained in accordance with section 1.35 of the regulations in this part.

(c) *Other use or occupancy.* Subject to 23 U.S.C. 111, the temporary or permanent occupancy or use of right-of-way, including air space, for nonhighway purposes and the reservation of subsurface mineral rights within the boundaries of the rights-of-way of Federal-aid highways, may be approved by the Administrator, if he determines that such occupancy, use or reservation is in the public interest and will not impair the highway or interfere with the free and safe flow of traffic thereon.

§ 1.24 Labor and employment

(a) *Convict labor.* No convict labor shall be employed and no materials manufactured or produced by convict labor shall be used in the construction of a project. No convict labor shall be employed at the site of a project after the approval of the pro-

RIGHTS OF WAY

758.010 Authority to construct lines and facilities; requirements and conditions by public officials. (1) Except within incorporated cities, any person or corporation has a right and privilege to construct, maintain and operate its water, gas, electric or communication service lines, fixtures and other facilities along the public roads, highways and streets of the state, or across rivers or over any lands belonging to the state, free of charge, and over lands of private individuals, as provided in ORS 772.210. Such lines, fixtures and facilities shall not be constructed so as to obstruct any highway, street or navigable stream.

(2) The county courts or boards of county commissioners of the several counties through which such lines, fixtures or facilities may be constructed, if the road upon which such lines, fixtures or facilities are constructed is a county highway, and the State Highway Commission, if the road upon which such lines, fixtures or facilities are constructed is a state highway, has power and authority to designate the location upon such roads and highways, outside of cities, where such lines, fixtures and facilities may be located, and may order the location of any such line, fixture or facility to be changed when such court, board or commission deems it expedient. Any line, fixture or facility erected or remaining in a different location upon such highway than that designated in any order of such court, board or commission is a public nuisance and may be abated accordingly.

(3) The state officer, agency, board or commission having jurisdiction over any land belonging to the state with respect to which the right and privilege granted under subsection (1) of this section is exercised may impose reasonable requirements for the location, construction, operation and maintenance of the lines, fixtures and facilities on such land. The person or corporation exercising such right and privilege over any land belonging to the state shall pay the current market value for the existing forest products that are damaged or destroyed in exercising such right and privilege. Such right and privilege of any person or corporation is conditioned upon compliance with the requirements imposed by this subsection.

[Amended by 1955 c.123 §1; 1971 c.655 §100]

758.015 Certificate of public convenience and necessity. (1) When any person, as defined in ORS 758.400, providing electric utility service, as defined in ORS 758.400, proposes to construct an overhead transmission line which will necessitate a condemnation of land or an interest therein, it shall petition the Public Utility Commissioner for a certificate of public convenience and necessity setting forth a detailed description and the purpose of the proposed transmission line, the estimated cost, the route to be followed, the availability of alternate routes, a description of other transmission lines connecting the same areas, and such other information in such form as the commissioner may reasonably require in determining the public convenience and necessity.

(2) The commissioner shall give notice and hold a public hearing on such petition. The commissioner, in addition to considering facts presented at such hearing, shall make his own investigation to determine the necessity, safety, practicability and justification in the public interest for the proposed transmission line and shall enter his order accordingly. The order shall be subject to review as in other cases. In any proceeding for condemnation, a certified copy of such order shall be conclusive evidence that the transmission line for which the land is required is a public use and necessary for public convenience.

(3) This section shall not apply to construction of transmission lines in connection with a project for which a permit or license is otherwise obtained pursuant to state or federal law.

[1961 c.691 §19]

758.020 Joint occupancy of poles required. (1) The county court, board of county commissioners or the State Highway Commission, when designating the location where poles or other aboveground facilities described in ORS 758.010 may be placed on a road or highway which fronts on the ocean or on a river or other body of water and the water frontage of the highway is being developed or maintained for its scenic or recreational value, may require all lines to occupy the opposite side of the right of way, if such joint occupancy can be maintained without undue impairment of service or damage to public life and property.

(2) If the owners of such lines are unable to agree on the terms and conditions of joint occupancy, such commission, court or board shall request the Public Utility Commissioner to determine the practicability of such joint occupancy and the effect thereof upon adequate and safe service by

366.290 Secondary state highways. (1) The department may select, locate, establish, designate, improve and maintain out of the highway fund a system of secondary state highways, and for that purpose may, by mutual agreement with the county courts of the several counties, select market roads or other county roads or available locations or routes. By an appropriate order entered in its records the department may designate and adopt such roads as secondary state highways. Thereafter the construction, improvement, maintenance and repair of such roads shall be under the jurisdiction of the department.

(2) In the selection of highways or roads to comprise the system of secondary state highways the department shall give consideration to and shall select such market or other county roads or routes as will contribute to and best promote the completion of an adequate and connected system of secondary highways, intercounty in character but correlated with the state highway system.

(3) With the written consent of the county court of the county in which a particular highway or part thereof is located, the department may, when in its opinion the interests of the state will be best served, eliminate from the system of secondary highways any road or highway or part thereof. Thereafter the road or highway or part thereof eliminated shall become a county road or highway, and the construction, repair, maintenance or improvement, and jurisdiction over such highway shall be exclusively under the county court of the county in which such highway or road is located.

(4) The construction, maintenance and repair of secondary state highways shall be carried on at the sole expense of the state or at the expense of the state and the county by mutual agreement between the department and the county court of the county in which any particular secondary state highway is located.

[Amended by 1953 c.252 §2]

366.295 Relocation of highways. The department may make such changes in the location of highways designated by the legislature, or such highways as are designated and adopted by the department, as in the judgment and discretion of the department will result in better alignment, more advantageous and economical highway operation and maintenance, or as will contribute to and afford a more serviceable system of state highways than is possible under the present statutory location.

366.300 Treatment of sections eliminated when highway relocated. (1) Whenever the department relocates or realigns a state highway or a section thereof, and by reason of such relocation or realignment there is eliminated from the original route of the highway a section thereof, the eliminated section shall, if needed for the service of persons living thereon or for a community served thereby, be maintained by the department at state expense, or by the county or by the state and the county on such terms and conditions as may be agreed upon.

(2) If the abandoned sections are merely parts of the old right of way which are no longer needed for right of way purposes, then the abandoned sections shall, except as otherwise provided in this section, revert to and title thereto shall vest in the abutting owner or owners.

(3) If such sections of old right of way, or any part thereof, in the judgment of the department, are needed or valuable for any public use, then the department shall, by appropriate resolution entered in its minutes, declare the purpose of the department to preserve the same for public use; and, upon entry of such resolution in the records of the department, title to the portions specified therein shall remain in the public. In addition to the adoption and recording of such resolution the department shall cause a map to be made and filed with the department's records showing thereon the new and the old route of such sections; and if the relocation results in eliminated right of way areas only, then the map shall show the areas to be preserved for public use.

(4) Nothing in this section shall impair vested rights of property owners under existing deeds, easements or contracts whereby the state or any county acquired such right of ways. This section shall not prevent the department from contracting for the acquisition of easements or rights of way on such terms and conditions as to abandonment and reverter as it may consider advisable under the conditions then existing.

366.305 Materials, supplies and equipment. The department may select the materials to be used in the construction, maintenance and operation of state highways. It may purchase or contract for, independent

STATE HIGHWAYS THROUGH CITIES

373.010 Routing and marking state highways through cities. Whenever the route of any state highway passes through the corporate limits of any city of this state, the Department of Transportation:

(1) Shall select and designate the streets of the city over which the state highway shall be routed.

(2) Shall erect and maintain such road and other signs on and along such streets at such places and of such material and design as it may select.

(3) May alter or change such routing when in its opinion the interests of the motoring public will be better served. [Amended by 1957 c.663 §2]

373.015 Notice and hearing before location, relocation or abandonment of state highway through cities. Before the Department of Transportation acquires within any incorporated city any new rights of way, or relocates or abandons any existing state highway within any incorporated city, the department shall by letter notify the mayor of such city of the action contemplated by the department, and, if any remonstrances or objections thereto are made by the mayor or the council of such city within 10 days after receipt of such letter, the department, or its designated representative, shall hold a public hearing at the city hall in such city, after having first given written notice thereof to the mayor at least 10 days prior thereto, and, at such public hearing, persons who favor or oppose the contemplated action shall be given an opportunity to be heard. [1955 c.447 §1]

373.020 Jurisdiction over streets taken over for state highway routing through cities; effect on public utility duties. (1) Complete jurisdiction and control of streets taken over by the Department of Transportation as provided in this Act, as defined in subsection (10) of ORS 366.005, is vested in the department and extends from curb to curb, or, if there is no regular established curb, then such control extends over such portion of the right of way as may be utilized by the department for highway purposes. Responsibility for and jurisdiction over all other portions of the street or road remains in the city.

(2) All cities retain the right to grant the privilege to open the surface of any such street or road, but all damage occasioned thereby shall promptly be repaired by the city, either itself or at its direction, and the responsibility for the cost thereof shall be upon the city permitting the opening.

(3) Cities retain the exclusive right to grant franchises over, beneath and upon any such street or road, and to control and regulate such franchises and the utilization thereof, but the department may utilize any storm sewers thereon or thereunder without cost or charge therefor by the city.

(4) Nothing contained in this Act, as defined in subsection (10) of ORS 366.005, relieves any public utility from the maintenance and repair of any street or portion thereof or the performance of any other obligation required under any franchise granted to it by any city.

373.030 Construction and maintenance of streets; consent of city for grade change. (1) The Department of Transportation may construct, reconstruct, pave and improve and shall repair and maintain streets and roads through cities where such streets or roads, or both:

(a) Form a link in the highway system of the state or constitute a connection between two such highways; and

(b) Have been designated by the department as the streets or roads over which there is routed state highway traffic.

(2) The department, however, shall not change or establish any grade of any such street or road without the consent of the governing body of the city.

373.040 [Amended by 1955 c.490 §1; renumbered 105.760]

373.050 Closing streets which intersect with state highways routed through city. (1) Whenever the Department of Transportation has located a highway in, into or through the corporate limits of a city upon or over an alignment or route not theretofore comprising a city street and has acquired the necessary rights of way therefor and constructed a highway thereover, or whenever the department, pursuant to ORS 373.010 has selected and designated streets over which to route a state highway within an incorporated city, the department may close any street at the point where it intersects or is intersected by the state highway or by the streets selected and designated as the route of a state highway, by a formal agreement with the municipal authorities of a city set

CITY OF BURNS

CITY HALL
90 WEST WASHINGTON
BURNS, OREGON 97720
573-2383

JULY 13, 1978

MR. BARRY HATCHER
RESIDENT ENGINEER
OREGON STATE HIGHWAY DEPARTMENT
BURNS, OREGON 97720

RE: CENTRAL OREGON HIGH CONSTRUCTION PROJECT

DEAR MR. HATCHER:

IT HAS BEEN BROUGHT TO OUR ATTENTION THAT VALVE BOXES, METER BOXES, MANHOLES AND OTHER PUBLIC UTILITY ITEMS ARE BEING COVERED UP DURING THE COURSE OF CONSTRUCTION ON THE CENTRAL OREGON HIGHWAY. WE ARE VERY CONCERNED THAT THESE ITEMS MAY BE LOST, RENDERING THEM USELESS FOR THEIR INTENDED PURPOSE. ONE LINE IN QUESTION PROVIDES FIRE PROTECTION FOR OUR HIGH SCHOOL.

TO OUR KNOWLEDGE, ALL UTILITIES WITHIN THE STATE HIGHWAY RIGHT-OF-WAY HAVE PERMITS FROM THE HIGHWAY DEPARTMENT. WE THEREFORE REQUEST THAT ALL SUCH FACILITIES BE ADJUSTED TO GRADE, AS IS STANDARD PRACTICE WHEN THIS TYPE OF WORK IS PERFORMED.

ENCLOSED ARE THREE SHEETS FROM OUR RECENT WATER LINE PROJECT SHOWING THE APPROXIMATE LOCATION OF APPURTENANCES THAT WE ARE CERTAIN ARE IN CONFLICT WITH YOUR PROJECT. THESE SHEETS ONLY COVER NEW WORK RECENTLY INSTALLED AND ARE, BY NO MEANS, THE ONLY UTILITIES IN CONFLICT.

PLEASE GIVE THIS MATTER YOUR EARLIEST ATTENTION AND RESPOND TO OUR REQUEST, AS CONSTRUCTION IS PROCEEDING VERY RAPIDLY.

VERY TRULY YOURS,

RICHARD DAY
CHAIRMAN OF THE COUNTIL

RECEIVED
JUL 20 1978
RR & UTILITY UNIT

NOTED
J. M. CARTWRIGHT

OREGON STATE HIGHWAY DIVISION

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

Burns, Oregon
November 28, 1978

RE ☐ RCE ☐ RME ☐ ROE ☐
RFA ☐ NOV 30 1977

RECEIVED
REGION 5 OFFICE

City of Burns
City Hall
Burns, Oregon

re: Storm Sewer-Water Line Conflict
May 12, 1978

Gentlemen:

Concerning my conversation with Mr. Walter Ackley, City Recorder, 11/27/78; attached please find a bill in the amount of $975.69 from Douglas S. Coats Construction . Mr. Coats was one of the subcontractors on the recently-completed four lane section on the Central Oregon Highway from Hines to Diamond Avenue in Burns.

This bill is for relocating a 12-inch storm sewer pipe that was in direct conflict with one of the city's 8" water mains. The date of this work was May 22, 1978. Details are more fully explained in your copy of a memo to the files written by me, May 24, 1978.

As you recall, in this memo, I suggested that the City of Burns would be responsible for payment of this work, as it is not reimbursable as explained in Mr.Gerlach's letter to Mr. Fred Wensenk dated October 21, 1977.

The time and equipment required to perform this work was recorded by one of our inspectors on the project. Our records check the amounts given on the bill exactly. The equipment rental rates appear lower than would normally be allowed for this type of work. The 15% and 20% markup on equipment and labor respectively are considered normal for force account or anything of this nature done on an extra work basis. Just before the work was done, we estimated the cost at $ 1,000.00 so this bill appears to be in order.

Your early consideration of this matter would be appreciated. I understand that your next City Council meeting is scheduled for December 13, 1978. If I may offer you further assistance, please do not hesitate to contact me.

Truly yours,

B. N. Hatcher

B. N. Hatcher
Resident Engineer

cc: C. T. Keasey, Construction Engr. w/attchs.
W. E. Schwartz, Regional Engr.
Douglas S. Coats Construction
cy Gerlach

Form 81-734-3123

Form 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Burns, Oregon

May 24, 1978

RE ☒ RCE ☒ RME ☒ ROE ☒

RFA ☐ FILE: MAY 30 1978 ☐

RECEIVED
REGION 5 OFFICE

B. N. Hatcher

FROM: B. N. Hatcher
Resident Engineer

TO: MEMO TO THE FILES

SUBJECT: Hines - Diamond Ave. (Burns)
Central Oregon Highway
Harney County
Contract No. 8640
F.A.P. No. F-21-4(1)

On at least six occasions, while laying storm sewer pipe on the subject section, the subcontractor, Douglas S. Coats, has encountered City of Burns water mains in the excavations that are at a higher elevation than stated by City officials.

The dates these conflicts occurred were April 27, May 5, 8, 12, and 23, 1978. See Daily Progress Reports these dates for details.

Fortunately, in most cases, we were able to adjust the grade of the storm sewer and clear the water mains by going over them. This was normally accomplished without too much extra work and the subcontractor was willing to do it in order to expedite the project. It did, however leave the top of the storm sewer pipe dangerously near the minimum cover requirement in several cases.

On May 12th, an 8" cast iron water main was encountered in the storm sewer excavation left of station 1730+86. 41½ feet of transverse 12" concrete storm sewer pipe had already been laid to grade and backfilled ac ross the highway when the water main was discovered. The grade of the water line fell at about the middle of the sewer line, so a major adjustment was necessary in one or the other to obtain clearance.

The subcontractor asked the City to move their water line. The City wanted the contractor to adjust the storm sewer. We found that the sewer would still work if we lowered the grade enough to go under the water line, but the part previously completed would have to be dug up and relaid.

On May 16th, the subcontractor's foreman (Bob Cole) and myself estimated the cost of relaying the storm sewer at $ 1,000.00, figuring time in labor and equipment.

May 17th, I contacted the City Water Supt. (Fred Wensenk) and informed him that adjustment of water lines in conflict with our work was the City's responsibility and not reimbursable as stated in Mr. Gerlach's letter to him dated October 21, 1977. Mr. Wensenk said it would cost around $ 2,500 to relocate the water main in addition to the inconvience caused the users. He urged that the storm sewer be moved. I told him that the City would likely be held liable for the payment of doing this extra work. Mr. Wensenk said that this would be up to the Burns City Council.

C. Erick Gerlach

Hines - Diamond Ave. (Burns) cont.-

The storm sewer was relocated under the water main May 22nd. We recorded the time involved for the labor and equipment.

On April 21st, a one inch P.V.C. water line was broken in the storm sewer excavation at station 1752+60. This was a private service line leading in to a business. It was also found to be buried shallower than it was supposed to be. This was repaired at the subcontractor's expense in accordance with Section 107.19 of the Standard Specifications.

At this time, these are all the conflicts that have occurred. There should be no more concerning water lines as the storm sewer system work is nearing completion.

BNH/kf

cc: W. E. Schwartz
City of Burns

CITY OF BURNS

CITY HALL
90 WEST WASHINGTON
BURNS, OREGON 97720
573-2383

RE ☐ RCE ☐ RME ☐ ROE ☐
RFA ☐

MAR 19 1979

RECEIVED
REGION 5 OFFICE

March 16, 1979

Mr Barry Hatcher
Resident Engineer
Oregon State Highway Department
Burns, Or 97720

Re: City of Burns, Bill from Highway Department on Eight-Inch Water Line Conflict on Hines-Diamond Ave. Section of Central Or Highway Harney County. $975.69. May 12, 1978.

Dear Barry:

The Burns Common Council with the aide of Atty Steve Finlayson and others discussed again as you suggested the above billing on the recently completed Central Oregon Highway section in the City of Burns.

The Burns Common Council has requested that I inform the Oregon State Highway Department thru you that the city is not responsible for the plans or contruction of this section of Central Oregon Highway and therefore will not pay the billed amount by the Oregon State Highway Department for a Mr. Douglas S. Coats Construction Company.

Yours very truly,

Walter S. Ackley

Walter S Ackley
Administrator/Recorder/Judge
City of Burns

CC: W.E. Schwartz, Regional Engr.
Steve Finlayson
Douglas S Coats Construction

G Durlach

I would like to discuss this with you -

RECEIVED
MAR 23 1979
RR & UTILITY UNIT

OREGON STATE HIGHWAY DIVISION

FORM 61-734-1190

HIGHWAY DIVISION INVOICE

NO. 126821

DATE	BILLING REQ. NO.	YOUR ORDER NO.	CREDIT DISTRIBUTION
6-14-79	CA 5713		13-1060-291-04-632

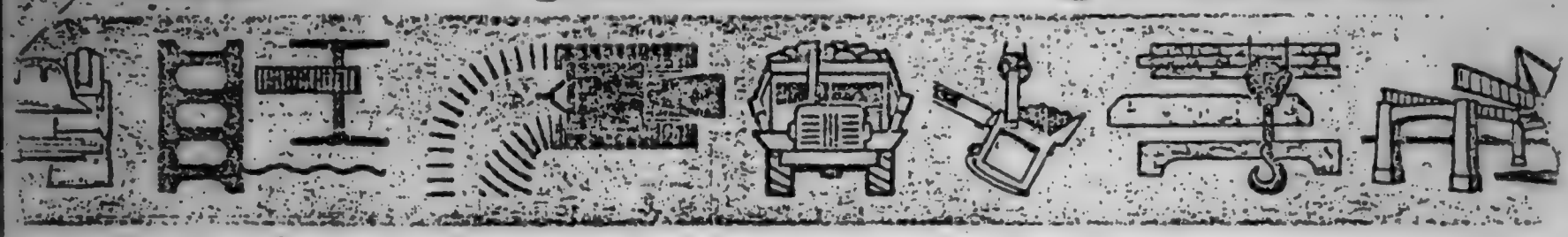
NEW: ACKLEGW

Walter S. Ackleg, Adm./Recorder/Judge
City of Burns, City Hall
90 W. Washington
Burns, OR 97720

MAKE CHECKS PAYABLE TO
THE OREGON STATE HIGHWAY DIVISION
SEND REMITTANCE TO:
OREGON STATE HIGHWAY DIVISION
TRANSPORTATION BUILDING
SALEM, OREGON 97310

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL PRICE
Actual cost to adjust conflict between highway construction and city's 8" water main Sta 1730+86 Hines-Diamond Ave (Burns) Project Contract No. 8640 (see attached letter) f-21-4(1)			$975.69

BRIDGES · STREETS & ROADS · STEEL STRUCTURES



DOUGLAS S. COATS CONSTRUCTION
P.O. BOX 311 • BEND, OREGON 97701 • (503) 382-7330

September 25, 1978

RECEIVED
OCT 12 1978
B. N. HATCHER
RES. ENGR.

Barry Hatcher
Resident Engineer
P O Box 31
Burns, Oregon 97720

Re: Contract #8640
Hines-Diamond Ave Burns,

Dear Barry:

We are requesting a change to the above referred contract for relocating storm sewer line to miss existing City water line for the City of Burns.

May 22, 1978

510 Backhoe 6 Hrs @ 22.00		132.00
Hydraulic Boom Truck 6 Hrs @ 35.00		210.00
1 Ton Pickup 6 hrs @ 5.57		33.42
Compactor $35.00 Day		35.00
		410.42
15%		61.56
		471.98
Carpenter 6 Hrs @ 10.65	63.90	
12 hr. (2-Flagmen) @ 8.39	100.68	
13 Hrs. Laborers @ 8.39	109.07	
	273.65	
Fringes: 6 Carp @ 1.93	11.58	
25 Laborer @ 2.65	66.25	
Payroll Tax: 24.95% on 273.65	68.28	
	419.76	
20% Overhead	83.95	503.71
TOTAL REQUEST:		975.69

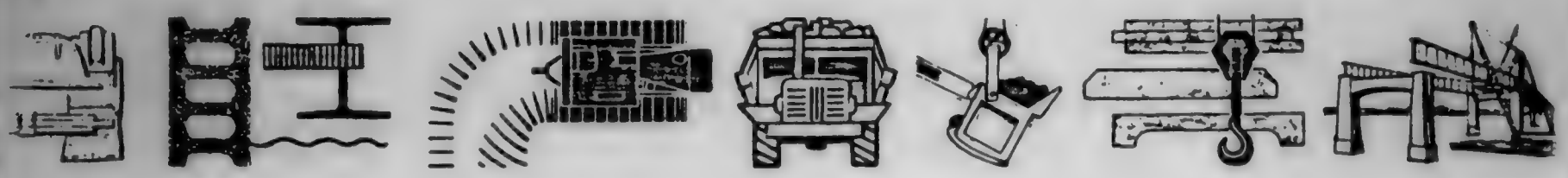
PAYROLL TAXES	
Soc Sec	6.05
Fed Unemp	.70
State Unemp	3.80
Wkmns Comp	14.40

Sincerely,

Douglas S Coats

DOUGLAS S COATS

BRIDGES STREETS & ROADS STEEL STRUCTURES



DOUGLAS S. COATS CONSTRUCTION

P.O. BOX 311 • BEND, OREGON 97701 • (503) 382-7330

September 25, 1978

RECEIVED
OCT 12 1978
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Barry Hatcher
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P O Box 31
Burns, Oregon 97720

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Payroll Tax: 24.95% on 273.65	68.28	
	419.76	
20% Overhead	83.95	503.71
TOTAL REQUEST:		975.69

PAYROLL TAXES

Soc Sec	6.05
Fed Unemp	.70
State Unemp	3.80
Wkmns Comp	14.40

Sincerely,

Douglas S Coats

DOUGLAS S COATS

CITY OF BURNS

CITY HALL
90 WEST WASHINGTON
BURNS, OREGON 97720
573-2383

RECEIVED
MAR 19 19[illegible]

B. N. HATCHER
RES. ENGR.

March 16, 1979

Mr Barry Hatcher
Resident Engineer
Oregon State Highway Department
Burns, Or 97720

Re: City of Burns, Bill from Highway Department on Eight-Inch Water Line Conflict on Hines-Diamond Ave. Section of Central Or Highway Harney County. $975.69. May 12, 1978.

Dear Barry:

The Burns Common Council with the aide of Atty Steve Finlayson and others discussed again as you suggested the above billing on the recently completed Central Oregon Highway section in the City of Burns.

The Burns Common Council has requested that I inform the Oregon State Highway Department thru you that the city is not responsible for the plans or contruction of this section of Central Oregon Highway and therefore will not pay the billed amount by the Oregon State Highway Department for a Mr. Douglas S. Coats Construction Company.

Yours very truly,

Walter S. Ackley

Walter S Ackley
Administrator/Recorder/Judge
City of Burns

CC: W.E. Schwartz, Regional Engr.
Steve Finlayson
Douglas S Coats Construction

#5670

cc: OSHD (H S Coult) 3-7-80

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

STATE COPY

FINAL ACCEPTANCE REPORT

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	4	Harney	Oregon
DATE OF REPORT	**REPORT MADE BY**		**PROJECT NO.**
March 3, 1980	David B. Carter, Area Engineer		F-21-4(1)
COMPLETION DATE	**ACCEPTANCE DATE BY CONTRACT AGENCY**	**TIME ELAPSED**	**CONTRACT TIME**
November 17, 1978	October 3, 1979	258 / 200 = 129 %	200 calendar work days
APPROVED EXTENSIONS	**LOCATION**		
None	Burns, Harney County, Oregon		

*The PR-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been submitted.

*A copy of the State's materials certificate is attached to the Division office copy of this report. There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: *The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.*

HINES-DIAMOND AVENUE (BURNS) SECTION
CENTRAL OREGON HIGHWAY
Grading, Paving, Signing, and Signals

The project provided for the reconstruction and widening of the Central Oregon Highway between Hines and Burns, Oreogn.

The project time was 200 calendar work days. The contractor used 258 calendar work days to complete the work. The contractor requested a time extension to allow for more time to complete the work. This request was denied, and so, 58 calendar workdays or $8,700 ($150 per day) of liquidated damages remain.

The final cost of the original contract items was $766,261.94. The contract bid amount was $771,803. The final cost of the project, including all engineering and changes, was $854,768.90.

All participating work on the project has been completed.

RECEIVED
STATE HWY ENGR
MAR 5'80
REFER TO
Keasey
FOR
Info | Inves | R/D | D/R | Sign | Act | File

3/5 ck

*NOTE: Not applicable for direct federal projects.

ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION	
SIGNATURE: Original Signed by D. B. Carter David B. Carter		SIGNATURE: Original Signed By G. K. HOSSNER G. K. Hossner	
TITLE: Area Engineer	DATE: 3-4-80	TITLE: Field Operations Engineer	DATE: 3-4-80

FORM FHWA-1446 B (12-73) FORMERLY PR-33E

Previous Editions of PR-33E Will Not Be Used.

8640

VICTOR ATIYEH
GOVERNOR

Department of Transportation
STATE HIGHWAY DIVISION

REGION 5 OFFICE

NOTED
H. S. COULTER

In Reply Refer to
File No.:

P. O. Box 850 La Grande, Oregon 97850 Telephone 963-3177

November 15, 1979

RECEIVED
STATE HWY ENGR
NOV 16 '79
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

City of Burns
90 West Washington
Burns, Oregon 97720

Gentlemen:

At the recent meeting of the Oregon Transportation Commission in Ontario, Councilman Mel Johnson spoke on behalf of the City of Burns and mentioned several issues which were of concern to the City.

The design of the new highway improvement between Egan Avenue and Burns Union High School was one area of concern mentioned. The design of the project was widely discussed and was the subject of a public hearing in Burns. This design was approved by the City and appeared to have broad public support. To improve the alignment between Safeway store and Teague Motors would have greatly impacted the abutting land and significantly increased the cost of the project. The improvement, as built, is adequate for the forseeable future. The Highway Division has no plans to upgrade this improvement. We would much prefer to concentrate future efforts on extending the improved highway through the City of Hines.

The location of the bicycle path on the westerly side of the improved highway was also mentioned. Again, at the time of our design hearings it was the opinion of the people who participated in the hearing that the west side was the proper location for the bicycle path. The reason generally given was that more children lived on this side of the highway and that less children would be forced to cross the highway if the path and the school were on the same side of the road. Our ultimate plan is to locate the path on the west side of the road all the way to Hines. This would eliminate the crossing at the school.

Councilman Johnson also was critical of the exterior maintenance of our highway office located adjacent to the highway in Burns. This office space is leased and the lease agreement specifically states that all exterior maintenance is the responsibility of the owner. The building houses our resident engineer's office. His function is primarily oriented to projects we are doing in the Burns area and he does not normally provide service to the general public. We have not felt that the appearance of the building detracts from the function of this office or reflected unfavorably on the State of Oregon.

If you wish to discuss any of these matters further, please advise and we will arrange a meeting at your convenience.

Sincerely,

W. E. Schwartz
Region 5 Engineer

WES/vt
cc: Transportation Commission
F. B. Klaboe
H. S. Coulter
Dale Hiatt
Barry Hatcher

CITY OF BURNS

Mel Johnson, Police Commissioner and Councilman

REFER TO
Pat Edwards
BY STATE HWY. ENGR.

1) A new highway was constructed through Burns about a year ago. There is a new administration in the City of Burns and they are dissatisfied what happened in the City. Would like a study made to see if something can be done. (Between Safeway and Teague Motors is the critical area)

2) Bikepath on the east side of the highway. When the highway went in the bikeway was taken off the east side and put on the west side. It is needed on the east side not the west side. Would like another study from the Highway Department. Contact him or Mayor.

3) The Highway Department building right on the main highway is a disgrace. The building is not maintained. Lawn needs mowing and building painted.

RECEIVED
STATE HWY ENGR
OCT 30 '79
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

RECEIVED
DOT DIRECTOR
OCT 29 '79
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

8640

COM 5
#8640

October 19, 1979

Safeco Insurance Company of America
1500 S. W. First Avenue
Portland, Oregon 97201

Gentlemen:

A post-final payment for $975.69 will be made to R. L. Coats, on Contract No. 8640 for work on the Hines-Diamond Ave. (Burns) Section of the Central Oregon Highway in Harney County as soon as the warrant is prepared.

The total amount paid on this contract will be $760,058.00 including the post-final payment. No force account work was performed on this contract.

Sincerely,

C. W. Head
COMMISSION SERVICES

rls

cc: R. L. Coats
63285 Skyline Ranch Rd.
Bend, OR 97701

C. A. Tomassene & Son
520 S.W. 6th Ave.
Portland, OR 97204

bc: C. T. Keasey
Walt Hart
W. E. Schwartz

8640

COM 5
#8640

October 5, 1979

Safeco Insurance Company of America
1500 S. W. First Avenue
Portland, OR 97201

Gentlemen:

Contract No. 8640 awarded to R. L. Coats for work on the Hines-Diamond Ave. (Burns) Section of the Central Oregon Highway in Harney County was completed on November 17, 1978 and accepted by the State Highway Engineer on October 3, 1979.

Final payment in the amount of $38,832.12 will be released to the contractor after October 10, 1979. The total contract amount is $759,082.31 and no work was performed under force account.

No claims for labor or material have been filed with us against the performance bond on this contract.

Sincerely,

C. W. Head
COMMISSION SERVICES

rls

cc: R. L. Coats
63285 Skyline Ranch Rd.
Bend, OR 97701

bc: C. T. Keasey
Walt Hart
V. E. Skoog Attn: Dick Hacek
W. E. Schwartz

March 13, 1979

R. L. Coats
P. O. Box 1008
Bend, OR 97701

Dear Mr. Coats:

Time Extension Request
Hines-Diamond Ave. (Burns) Section
Harney County
Contract No. 8640
FAP No. F-21-4(1)

Your request for an increase in the number of calendar workdays in which to complete the above project has been given careful review.

Signal work delays appear to be related solely to the late delivery of materials which is not considered a bona fide cause beyond the control of the contractor. Your request is therefore denied.

There remains 58 days liquidated damages.

Sincerely,

H. S. Coulter
State Highway Engineer

OBJ:DA:fr jh
bc: FHWA
C. T. Keasey
W. E. Schwartz
Barry Hatcher
Richard Hacek

FORM 81-734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

March 9, 1979

FILE: CON 5 #8640

FROM: O. B. Jackmond
Contract Administration Engineer

TO: H. S. Coulter
State Highway Engineer

SUBJECT: Time Extension Request
Hines-Diamond Ave. (Burns)
Harney County
Contract No. 8640

RECEIVED
STATE HWY ENGR
MAR 12 '79
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

R. L. Coats, contractor on the above project, has requested an increase of 58 calendar workdays in which to complete the project.

Pertinent project time data are:

Date of award	11-22-77
Calendar day count began	3- 1-78
Work began	4- 3-78
Specified calendar workdays	200
Time expired	9-20-78
2nd Notification	11-17-78
Excess time	58

The project consists of grading, paving, signing and signal work. The reasons stated by the contractor for this request are the time required by the State to approve drawings and time for delivery of materials, specifically the signal controller and poles.

A review of our records and information supplied does not indicate any delay in approval of drawings on the part of the State. All shop drawing submittals appeared to have been processed by the State in a timely manner.

A letter by the contractor infers the signal controller was delivered to the State for testing the latter part of May, 1978 and that it was about four months until it was received by the contractor. The controller was in fact received by our signal shop on October 17, 1978. Testing was performed in a minimal amount of time. The controller was picked up by the signal subcontractor on November 4, 1978, once testing by the State was complete. This was the last signal item to be received. The contract specifies that six weeks will be required for State testing of control equipment. The State testing of control equipment on this project was accomplished in three weeks.

It appears any delays in the signal materials were a result of late delivery from the supplier. Material delivery remains within the control and responsibility of the contractor. It is recommended that this request be denied. A rough draft letter to the contractor is attached.

OBJ:DA:fr
Att.
cc: W. E. Schwartz
Barry Hatcher

D-220 (Rev. 3-72)

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon

Date ..Dec.23....., 1978

Gentlemen:

We, the undersigned, respectfully request an increase in the number of calender workdays from ..200..... days to ..258..... days, within which to complete our Contract No. .....8640....., without the assessment of liquidated damages. The said contract is described as follows:

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows:

Time required for securing signal controls and poles. Reason for additional time is the time required by the state, for approval of drawings and time by manufacturer to make materials required in project. See attached letter from sub-contractor for dates. If additional information is required, please advise me.

Respectfully submitted,

R.L. Coats
Contractor

By R.L. Coats

CONSENT OF SURETY BOND NO. 2758759

Date December 29, 19 78

We, SAFECO INSURANCE COMPANY OF AMERICA

....., as surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

SAFECO INSURANCE COMPANY OF AMERICA

C. A. Tomassene
Attorney-in-fact

C. A. Tomassene, Attorney-in-Fact

C. A. TOMASSENE & SON
Resident Agent

SAFECO INSURANCE COMPANY OF AMERICA (SEAL) STATE OF WASHINGTON

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request for Increase in Number of Workdays to Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8640 Contractor R. L. Coats

Highway Central Oregon

Section Hines-Diamond Ave. (Burns)

Kind of Work Grading, paving, signing, signals

It is recommended that the request for increase in the number of workdays within which to complete said contract be **DENIED** ~~or GRANTED~~. The reasons for such recommendation are as follows:

See attached letter.

Request denied as delays related to late delivery of materials which is within the contractor's control and responsibility.

Recommended for Approval:

Region Construction Engineer / Regional Engineer

O. B. Jackmond
For Construction Engineer / ~~Bridge Engineer~~

State Highway Engineer

Contract No. 8640

Project designation Federal (State-Federal)

Date awarded 11-22-77

Work started 4-3-78

Per cent completed 103 (Date) 11-17-78

No. of Workdays Allowed 200

No. of Workdays Used 258

See attached letter.
No. of Added Workdays Requested

SP*67865-Y24

ELECTRICAL CONTRACTING

December 13, 1978

Bob Coats Construction
B. B. Newport Avenue
Bend, Oregon 97701

RE: Hines-Burns
Oregon State Highway Department #[illegible]

Information you requested as follows:

Signals ordered - January 24, 1978;
Signal drawings approved and returned from State on Febru[illegible]
1978;
Poles ordered on January 24, 1978 (delivery approximate[illegible]
weeks after receipt of approved drawings);
Pole drawings submitted to R. L. Coats on April 6, 1978;
Pole drawings returned from State on April 21, 1978;
Pole drawings returned to supplier on April 27, 1978;
Pole delivered to Burns September 25, 1978.

HAMILTON ELECTRIC, INC.

Betty L. Hanson

Betty L. Hanson for
K. W. Hamilton

BLH/jb

232 WEST 8th AVENUE [illegible] POST OFFICE BOX 7[illegible] EUGENE, OREGON 97[illegible]

8648

P

FORM 81-734-3001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Hines - Diamond Ave. (Burns)		WEEK ENDING: 11/25/78
		SECTION PREFIX: 13-1060
HIGHWAY: Central Oregon		COUNTY: Harney
NAME OF JOB: Hines - Diamond Ave. (Burns)	KIND OF WORK: Grading, Paving, Signing and Signals	
CONTRACTOR: R. L. Coats	CONTRACT NUMBER: 8640	FEDERAL AID PROJECT NUMBER: F-21-4(1)
DATE OF CONTRACT: November 22, 1977	DATE WORK STARTED: April 3, 1978	ESTIMATED COMPLETION DATE:
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: SUPERVISION:	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS: 200	CALENDAR DAYS USED: 258
	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED: 129
PROJECT AUTHORIZATION: $ 886,654.06		
EXCLUSIVE OF ENGINEERING: $ 816,346.69	ENGINEERING AUTHORIZATION: $ 70,307.37	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 97
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $ 781,193.00	ENGINEERING COST TO DATE: $ 77,894.53	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 95
ESTIMATED PERCENT: ~~OVERRUN~~ UNDERRUN 4 %	PERCENT OF AUTHORIZATION 111%	DATE PROJECT WAS COMPLETED: November 17, 1978

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		
100	100	100	100	100	100		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT	1.34	1.34			1.34
MILES PARTIALLY COMPLETED					
MILES COMPLETED	1.34	1.34			1.34
TOTAL ESTIMATED QUANTITIES (CONTRACT)	7,650 CY	15,600 T			12,800 T
TOTAL QUANTITIES CORRECTED TO DATE	7,650 CY	13,100 T			13,900 T
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE	5,000 CY	13,100 T			13,900 T
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.	16295							
PERCENT	100							

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY	Cloudy - Snow			
MONDAY	Cloudy - Rain			
TUESDAY	Cloudy - Rain			
WEDNESDAY	Cloudy - Snow			
THURSDAY				
FRIDAY				
SATURDAY				

RECEIVED
NOV 27 1978
CONSTRUCTION BRANCH

Kasey K — Richards
Jackmond — Berg
Hopkins — Inlow
Williams — Widmer
Johnsen — Gebauer
Glenn — Church

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY 19	No work.
MONDAY 20	
TUESDAY 21	
WEDNESDAY 22	
THURSDAY 23	
FRIDAY 24	
SATURDAY 25	

REMARKS

No work..All contract work completed.

Some final cleanup yet to be done.

Final Report.

SIGNED B. N. Hatcher — LOCATION Burns

Resident Engineer

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

SP-F216

8640

8

September 6, 1978

The Honorable Robert F. Smith
State Senator
318 State Capitol
Salem, OR 97310

Dear Bob:

I have reviewed the design of the culvert and ditch across and along the Central Oregon Highway between Hines and Burns.

In the design of this culvert, our hydraulics engineers researched two previous studies which included this particular drainage.

One of these, the "Burns-Hines Flood Plain Study" published by the State Water Resources Board in 1968, projects a maximum flow in this drainage of 540 cfs. at peak runoff, and recommended enlargement and improvement of the alignment of the ditch channel where it crosses the highway. This report also recommends a smooth channel large enough to pass a design flow of 540 cfs. in the area downstream from the highway.

The other, the City of Burns "Storm Drainage Study" made by C & W Engineering of Ontario in 1974, includes a recommendation for improving the highway crossing and constructing a concrete-lined drainage ditch with a cross-sectional area of 56 square feet to accommodate the anticipated runoff flow and prevent or greatly reduce flooding.

Prior to the present highway construction contract, we had two 36-inch culverts crossing the highway at right angles. During peak flow periods, these culverts would not handle the water and it backed up until it overflowed the highway, creating hazardous conditions and potential damage to private property through flooding.

Hydraulics studies of the drainage channel, both upstream and downstream from the highway, indicated that with the improved culvert alignment a 10-foot wide by 4-foot high box culvert would handle all but the worst floods before running across the highway. This was reviewed very thoroughly with city and county officials and with LCDC at a meeting in Resident Engineer Barry Hatcher's office on March 23, 1977, with the conclusion that the proposed culvert size was adequate and proper.

With the completion of the new culvert under the highway, flow in this drainage is now controlled by the downstream channel, including the culvert under Juntura Avenue. This drainage channel is owned by the city and is outside state right-of-way.

In designing the roadway cross section through this area, it was necessary to provide a wall on the north side of the channel where it parallels the highway in order to obtain the required highway width and still not encroach on the drainage channel. This was accomplished with gabions (rock-filled wire baskets), and, because of the proximity of the sidewalk, a 4-foot high chain link fence was provided for protection of pedestrians and bicyclists.

We believe the completion of this construction will provide a much safer facility for the public and will meet our obligation to pass drainage water across our right-of-way effectively.

The attached plan sheets show the typical gabion construction along the channel (sheet 2B) and the channel alignment as it crosses the highway (sheet 6).

Please let me know if you have any further questions concerning this matter.

Sincerely,

H. S. Coulter
State Highway Engineer

Att.

CTK:fr ia

bc F. B. Klaboe
W. E. Schwartz
C. T. Keasey
E. S. Hunter
J. H. Versteeg
Barry Hatcher
Frank Terpin

WILLIAM D CRAMER
A. DUANE PINKERTON II

CRAMER & PINKERTON
ATTORNEYS AT LAW
BURNS, OREGON 97720

P. O. BOX 646
PHONE 573-2066

July 25, 1978

Robert A. Holland
Assistant Attorney General
Department of Justice
100 State Office Building
Salem, Oregon 97310

Re: Condemnation Cases

Dear Bob:

I am writing in reply to your letter of July 21, 1978. In an attempt to pin down statements which were printed in the newspaper, I have interviewed Joan Davies, the reporter who wrote the article and the editorial. I am enclosing herewith an affidavit which she signed today explaining the basis of the article.

She advised me that after answering the question concerning the condemnation cases, Mr. Hatcher went on to discuss other matters not related to this.

If there is any question about this, I am sure that we could take the depositions of both parties. Mr. Hatcher was the sole source of information for the entire article and interview. It appears the reporter's interpretation of the conversation was entirely reasonable.

Very truly yours,

CRAMER & PINKERTON

William D. Cramer

WDC/ag
Enc. Copy Affidavit
cc: Roy Kilpatrick, Attorney, Box A, Mt. Vernon, Oregon 97865
The Honorable Robert W. Straub, Governor, Capitol Bldg., Salem,Or.
The Honorable Frank J. Yraguen, Circuit Judge, Malheur County Court House, Vale, Oregon 97918
Glenn L. Jackson, Chairman, State Dept. of Transportation, 135 State Highway Building, Salem, Oregon 97310
Tom Walsh, Commissioner, State Dept. of Transportation, 135 State Highway Bldg., SAlem, Oregon 97310
Barry Hatcher, Resident Engineer, Oregon State Highway, 102 W. Monroe, Burns, Oregon 97720
Burns Times-Herald, P. O. Box 473, Burns, Oregon 97720

RECEIVED
DOT OPERATIONS
JUL 31 78
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Other

8.1

A F F I D A V I T

STATE OF OREGON,)
)ss.
County of Harney.)

I, JOAN DAVIES, being first duly sworn according to law, depose and say:

That I am a reporter from the Burns Times-Herald, a weekly newspaper of general circulation, published in Burns, Oregon. That I acted as Editor of the issue of said paper published Thursday, July 6, 1978, and also wrote the lead article of said issue headlined "Condemnation Suits Slow Construction". That the editorial contained the statement:

> "The state of Oregon and Coates Construction are jointly working on the project. Progress has been slowed due to nine property owners refusing to sell right-of-way land."

That said statement was based upon facts obtained by me in a telephone interview of Barry Hatcher, Oregon State Highway Resident Engineer in Burns, Oregon. I called him at the Resident Engineer's office at about 9:00 A.M. on Wednesday, July 5, 1978. I asked him:

> "I have noticed that progress has slowed down on the project by the A & W (cement culvert). I understand there are condemnation suits against the right-of-ways and I wondered if that's what the hold-up was."

Hatcher answered:

> "Yes, we have nine people suing-----."

That the foregoing statements are true.

Joan Davies

Subscribed and sworn to before me this 25th day of July, 1978.

Notary Public for Oregon.
My Commission Expires: 8/1/78.

RECEIVED
JUL 28 1978
OFFICE
DIRECTOR of TRANSPORTATION

JAMES A. REDDEN
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
TRIAL DIVISION
100 State Office Building
Salem, Oregon 97310
Telephone: (503) 378-6313

July 21, 1978

RECEIVED
STATE HWY ENGR
JUL 24 '78
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

Mr. Roy Kilpatrick
Attorney at Law
Box A
Mt. Vernon, OR 97865

Re: Harney County Condemnation Cases

Dear Roy:

I have received your letter wherein you make serious charges against the State Highway Division and in particular a Resident Engineer, Barry Hatcher. In your letter you state that the story and editorial in the "Burns Times Herald" were obviously inspired by the State Highway Engineer, Mr. Hatcher.

Upon receipt of the letter I conducted my own investigation which revealed that the charges which you make are not true and that there is no substance to them.

Mr. Hatcher at no time called the newspaper, but a Ms. Davies called him and asked some questions. It is important to note that he did not initiate any telephone call to the newspaper. It is also important that an examination of the article reveals that the reporter did not attribute the headline material to Mr. Hatcher. In fact the headline material stating that the condemnation cases slowed construction is the reporter's statement and not Mr. Hatcher's statement. I can assure you that she did not receive any such information from Mr. Hatcher. Mr. Hatcher is well aware of the fact that the construction can proceed without regard to the status of the condemnation cases.

I also surveyed highway personnel who may have been involved with the Burns cases to see whether any statement was ever made that highway right-of-way must be freely given or there wouldn't be any state highway construction. I found no one who had made any such statement or who knew of anyone else who made such a statement.

You state that the Resident Engineer is commissioned to preach the gospel that highway right-of-way must be freely given. In that regard I interviewed the top engineers in the State Highway Division and find that such is not true. Mr. Hatcher has never made a statement in Burns or to anyone connected with the Burns condemnation cases that the right-of-way must be freely given.

In the next paragraph of your letter you state that the Engineering Department feels contempt for all lawyers, their own included. Based upon my long association with many Highway Engineers from both a personal standpoint and a business standpoint, that simply is not true. I have always enjoyed the utmost of cooperation most freely given by Highway Engineers. I have interviewed the other attorneys in the Department of Justice who work with Highway Engineers and they all assure me that that statement is not true as respect to them.

Ms. Davies at the newspaper telephoned Mr. Hatcher on the morning of July 5th. She stated that the paper was going to press in a few hours and would like to ask a few questions over the telephone. He agreed, She asked where the termini of the project was and who the contractor was. Mr. Hatcher advised her that Mr. Robert Coats was the prime contractor and that Doug Coats was a sub-contractor on the concrete work. At no time did he state that the State of Oregon was the contractor.

Ms. Davies stated that she understood there were some condemnation cases and Mr. Hatcher advised her that there were nine cases. He answered her general questions and did not volunteer any more information. He did not say anything about money being the issue or that a condemnation case is a last resort. He made no attempt to influence her article.

As to the editorial on the second page of the newspaper, it is not true that you can attribute any of this matter to Mr. Hatcher. At no time did he discuss anything in the editorial with this reporter or any other reporter. She did not ask any questions of him pertaining to the matter in the editorial. The editorial is purely a newspaper item.

In your letter you propose a solution wherein Mr. Hatcher would testify to the facts set forth in your letter. This would be both irrelevant and improper. None of the fault was that of Mr. Hatcher's. Since it was not, he has nothing to straighten out in connection with the newspaper article.

The people of the State of Oregon and the press are entitled to obtain information from public agencies. Employes cannot refuse to talk to them. If a particular reporter wrongfully interprets the information received it is his doing. We have no right to dictate his article. It is unfortunate that Ms. Davies included in her article information which is inaccurate. However, she did it, not Mr. Hatcher.

In your letter you state that you are not going to move for a change of venue because of the article. Unless the newspaper does something further to cloud and complicate the issue with the local citizens, I see no reason to move for a change of venue either. The article is inaccurate but is not inflamatory. Moreover, the average reader would be as likely to blame the state as the contractor, if in fact the condemnation cases had delayed construction.

I am sincerely sorry that this unfortunate incident occurred. However, I have concluded that the blame does not lie with Mr. Hatcher or the State Highway Division.

Very truly yours,

Robert A. Holland

Robert A. Holland
Assistant Attorney General

am
cc: The Hon. Robert Straub
The Hon. Frank J. Yraguen
William D. Cramer
Tom Walsh
Barry Hatcher
Jack Sollis
Scott Coulter
Glenn L. Jackson
W. E. Schwartz

#8640

9

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

La Grande, Oregon

July 17, 1978

FILE:

NOTED
H. S. COULTER

RECEIVED
STATE HWY ENGR
JUL 20 1978
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

FROM: W. E. Schwartz
Region Engineer

TO: H. S. Coulter
State Highway Engineer

S A L E M

SUBJECT: Kilpatrick letter of July 12, 1978.

Cy — Bob Holland who is writing Judge and/or Kilpatrick. HSC

Roy Kilpatrick's letter of July 12, 1978 to Attorney Bob Holland and the attached newspaper articles present several problems which I will attempt to answer.

Kilpatrick's concern was with remarks in the newspaper articles which he alleges are prejudicial to several condemnation cases he is handling in the Burns area.

Hatcher tells me that the newspaper stories are not an accurate reflection of what he told the reporter in a brief telephone interview. The reporter knew of the condemnation cases and asked Barry about them. Barry told her something of the processes followed in acquiring property for highway right-of-way. He claims that no remarks were made which would tie the slow progress of the construction work to the pending condemnation cases. This was the interpretation of the reporter.

If Kilpatrick has a problem, it is with the newspaper, not with Barry Hatcher or any other member of the Division. Kilpatrick's letter, in my view, reveals his well-known arrogance and prejudices against the State.

I have discussed with Barry the problems one can get into when discussing sensitive issues with people who are not knowledgeable. I am sure that Barry learned a lesson which will probably continue when Kilpatrick gets him in court. No real harm has been done except to ruffle the feathers of Kilpatrick.

I am sure you have most of the information regarding the culvert issue. Our hydraulics people have determined that a culvert with a 40 square foot opening is required to maintain the natural drainage way. A 10 x 4 box culvert is being installed across the highway. The outlet ditch parallels the highway for some distance. At the intersection of Juntura Avenue with the highway, the City has installed a metal culvert pipe in the outlet ditch which has an opening of 15 square feet. This pipe obstructs the drainage, causing problems to the highway and upstream property every time there is a high water problem. Because this occurs infrequently and for short periods of time, it is acceptable to the City. They apparently have never had any lawsuits or complaints from upstream property owners.

The property owner at the outlet end of our culvert has no highway frontage because the ditch which parallels the highway prevents ingress and egress to his property. He does have full access to the side of his property off Juntura Avenue. The property owner has contacted us on numerous occasions, trying to get us to either relocate the culvert and the outlet ditch or extend the culvert across his highway frontage so that he has full highway access to his property.

We have refused to bear the expense of extending the culvert. We have offered to extend the culvert if he would pay the estimated $28,000 it would cost to cross his highway frontage. The owner, Mr. Jordan, has taken his case to the City of Burns, hoping that the City would pressure us to extend the culvert. To date the only official communication we have had with the City of Burns was the letter from the Burns City Attorney, Steve Finlayson, to you, dated June 14, 1978, and which you answered on June 23, 1978 from our rough draft.

The City thinks our culvert is more than is required and that any extension of the culvert should be the same 15 square foot opening they have under Juntura Avenue. They have taken no action beyond the letter to you.

WES:sh
Enclosure

cc Barry Hatcher

Burns, Ore.
July 14, 1978

To: ~~Bob Holland~~

From: Barry Hatcher

re: Hines-Diamond Ave.
Condemnation Suits
Contract No. 8640

Dear Bob —

Here are the pictures and newspaper articles that you requested. Will try to explain below what happened:

The gal that wrote the front page story called me on the telephone the morning of Wednesday, July 5th and asked if I had time to give her some information on the above named project. I told her that I was quite busy and could maybe meet with her at a later date. She said that the paper was going to press in a few hours and asked if I could spare a few minutes to answer some questions over the phone. I said that I would.

She asked where the termini of the project was and who the contractor was. I told her that

Bob Coats was the prime contractor and that Doug Coats was a subcontractor on the concrete work. I did <u>not</u> tell her that the state was the contractor. The last half of the article is fairly accurate except for that.

In the first two paragraphs you will note that it does not say that I said that the suits were slowing construction. This is purely the paper's headline and implication.

Ms. Davies told me that she understood that there were some condemnation cases on the project I told her that there were nine. I did not volunteer any more information and did not say anything about money being the issue. She asked about how the cases were resolved and I told her that construction could proceed and that the price

paid for the land would be determined by a jury trial at a later date. I also mentioned something about the land being appraised by fee appraisers and that sometimes other things entered into the amounts awarded, such as the noise factor. I did say that condemnation was a last resort. She asked, and I told her what duties we performed on the construction project. She also asked what my title was.

I had nothing to do with the editorial on the second page, but think I know where she got her figures. It is obvious that she knows nothing about this as the "cubic feet" that she refers to should be square feet. We furnished some cost figures to the adjacent landowner, D.C. Jordan, a realtor, to extend the 10'x4'

box culvert through his property with the understanding that he would bear the cost of construction in excess of the chain link fence and gabions. He has been trying to get the ditch filled for years so that he can get access to the highway for his commercial property (at no cost to him, of course). He apparently got the city council and newspaper behind him and has even written to Scott Coulter about it.

I hope that this will answer your questions and possibly help in getting this mess straightened out. I quit giving information to the radio station several years ago because they couldn't get anything right. Looks like we'll have to treat the newspaper the same way.

Truly yours,

Dennis

P.S. - It is difficult to remember exactly what questions she asked and what I said during a telephone conversation over a week ago when being in a hurry.

Burns Times-Herald

"Covers Harney County Like the Sagebrush"

Nintieth Year, Seventeenth Week 20¢ Thursday, July 13, 1978

Drivers on N. Broadway, Burns, were faced with "flood conditions" a
heavy rains Friday. City water ducts are usually capable of handling
sparse rainfall in the county, but sudden rainstorms always ca
problems.

Burns Times-Herald

"Covers Harney County Like the Sagebrush"

, Seventeenth Week | 20¢ | Thursday, July 13, 1978

Drivers on N. Broadway, Burns, were faced with "flood conditions" after heavy rains Friday. City water ducts are usually capable of handling the sparse rainfall in the county, but sudden rainstorms always cause problems.

GIANT HIGHWAY CONSTRUCTION SALE!

Test your driving skill
Shop at Tiller's IGA Foodliner

GIANT HIGHWAY CONSTRUCTION SALE!

Test your driving skill
Shop at Tiller's IGA Foodliner

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503 932-4455

ROY KILPATRICK
HOME PHONE: 932-4652
MIKE KILPATRICK
HOME PHONE: 932-4767

KATHERINE J. EISMANN
CHARLOTTE BLANK
LEGAL ASSISTANTS
HELEN B. SAUNDERS
SECRETARY

July 12, 1978

Mr. Robert A. Holland
Assistant Attorney General
Department of Justice
100 State Office Building
Salem, Oregon, 97310

BURNS CONDEMNATIONS

Judge Yraguen has called our attention to a news story and an editorial in the Burns Times Herald which were obviously inspired by your engineer Hatcher.

Personally, I am sick and tired of this crap. For years, highway personnel have spread the story in eastern Oregon that unless right-of-ways were freely given to the state there wouldn't be any highway construction. In the past, it has usually been right-of-way personnel who spread the story, but now when the resident engineers are commissioned to preach the gospel, fair trials are even more difficult.

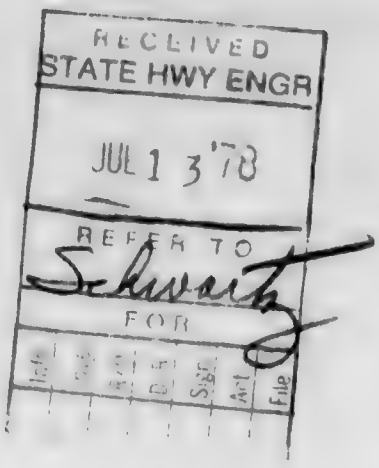
I know that you would never countenance this sort of behavior. I also know the contempt that the engineer department feels for all lawyers, their own included. I have thought long and hard about this situation in an effort to suggest a solution. We are not going to fall for the department's game and be driven out of Harney County and ask for a change of venue. I think probably that brother Hatcher should be required to attend every condemnation trial and testify at the beginning of each trial that the price paid for right-of-ways has no effect on this project or any other project, the right-of-ways are not in his department, that the awarding of construction or the alloting of money is not in his department and that he has been told by his superiors that every land owner affected is entitled to just compensation as fixed by a court or jury. That any publicity in any of the media that is attributed to him to the contrary does not reflect the policy of the state of Oregon, of the Department of Transportation or the lawyers representing the state in the instant case. I think there should also be an immediate retraction of the statement in the news story and the editorial. You may have some other ideas.

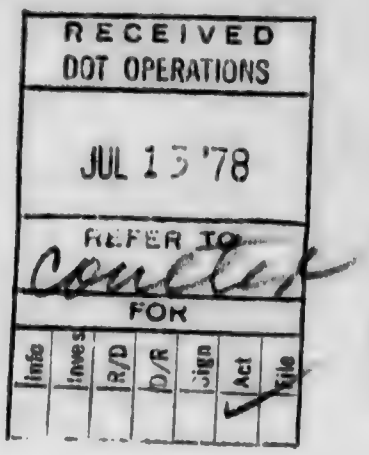
I am sure the department has gotten in its lick as usual and that the land owners are hurt as always.

Again, let me assure you I know that it is none of your doing, but from many years of condemnation experience, I am sure that it is deliberate on the part of the department.

ROY KILPATRICK
hbs

cc: The Hon. Robert W. Straub, Governor
The Hon. Frank J. Yraguen, Circuit Judge
Glenn L. Jackson, Chairman
State Department of Transportation
William D. Cramer
Tom Walsh
Barry Hatcher





Editorials

Culvert choice worth $21,000

What's the difference between 40 cubic feet and 15 cubic feet? If you're talking about a culvert on Burns-Hines Blvd., the difference is about $21,000.

Construction began in April on a projectd four-lane section of highway from near Saginaw Village (between Burns and Hines city limits) to Diamond Street in Burns. For the past month or so, drivers on the boulevard have had to contend with a single-land portion of road next to A & W Drive-in.

The state of Oregon and Coates Construction are jointly working on the project. Progress has been slowed due to nine property owners refusing to sell right-of-way land.

In order to lay a concrete culvert, four feet by ten feet, under the highway section, the contractors close the traffic one lane at a time. Once the culvert is completed under the highway, a chain-link fence is proposed to be established along the southeast side of the highway, to provide protection from the open ditch leading out of the culvert.

A pedestrian walkway will also be created, between the fence and four-lane highway. Thus, the fence is to keep people from falling into the ditch as they walk along, or to slow down any cars out of control and headed for the shallow waterway.

The city of Burns argues that a fence would prevent a pedestrian from escaping contact with an out-of-control car, and would also be a "catch-all" for wind-blown debris.

Burns City Council wrote to Oregon State Highway Resident Engineer Barry Hatcher, among others, in regards to the proposed fence. The council offered the solution of purchasing culverts of approximate 15 cubic foot capacity to place in the ditch. The culverts would be covered over, from the main culvert under the highway to S. Kearney, where the waterway leaves the highway.

The fencing material and rip-rap project to prevent erosion of the ditchbank are estimated at $9000. The cement culverts, providing 40 cubic feet of flow, would cost about $30,000.

The city council proposes that the $9000 allowed for fencing, and other materials should be used for the purchase of the smaller metal culverts. One such culvert has served use under the S. Juntura exit for at least 30 years.

The water carried in the ditch empties into a vacant lot in the W. Filmore and W. Pierce area. Every spring, an abundance of water creates a flooding problem there for two to three days. According to the council, the smaller culverts have aided this problem, by slowing down water flow.

A 40-cubic-foot culvert system would hasten the spring run-off into the Pierce area, the council contends, because there would be no slow-down. the elevation change between the culvert at Burns-Hines Blvd. and S. Juntura and the ditch end at W. Pierce is "minimal".

Covering the ditch in the area where it lies parallel to the highway would increase the value of private land banking the waterway. Smaller culverts will help slow down run-off and prevent a heavy flow against the base of S. Kearney, where the ditch turns.

To cover or not to cover; to fence or not to fence; 40 or 15. It's up to the voice of the people.

—jd

'If They're That Drunk, Let's A Them To Give Up Alcohol'

Lette

ALL LETTERS of general interest are welcomed, providing they are in good taste and not libelous.

250 WORDS is about the maximum length we can accept, however, if you need more space, please use it.

ALL LETTERS MUST be signed to be considered. If you wish to have your name withheld—for good cause—we will do so after contacting you for an explanation.

Thanks fo

Dear Editor,

We would like to thank the i donating towards the purchase celebration:

Tijuana Cafe
Duke Tropf
Silver Sage
Burns Lumber
Home Drug
Cyc's Arco
Desert Graphics

Condemnation suits slow construction

others. Oregon State Highway Resident
ulvert is being installed one-half at a time
gh that section.

Nine condemnation suits against property owners along Burns-Hines Blvd. have been brought due to a conflict of right of eminent domain, according to Barry Hatcher, Oregon State Highway Resident Engineer. The property involved is necessary for the construction of a four-lane highway from near Saginaw Village, between Burns and Hines, to Diamond Street in Burns.

Hatcher said the amount of money paid for the land has been the issue in the property owners' refusal to sell. According to Hatcher, the land value is set by state fee appraisors. "Taking the property owners to court is a last resort," Hatcher continued. "Punitive damages, such as the noise factor, are also figured into the suit."

Surveying and construction began April 3 and the project is due to be finished September 16. "We expect to be done before that time," Hatcher stated. Failure to finish construction by that date would result in a daily monentary penalty to the contractors.

The State of Oregon is the general contractor, but grading and paving has been sub-contracted to R.L. (Bob) Coates. Doug Coates has contracted the concrete work. State crews are in charge of inspection, cohstruction engineering and contract administration.

Hatcher said a culvert near the A & W Drive-in is being installed one-half at a time to prevent closing off traffic in that section of Burns-Hines Blvd. He said the other half of the culvert will probably be put in next week, switching traffic to the southeast of the section.

"I hope drivers using that part of the highway will drive with caution," Hatcher added. "We are sorry for the inconvenience and hope everyone will bear with us a little longer."

...-1640

8

June 23, 1978

Mr. Stephen D. Finlayson
Burns City Attorney
759 Ponderosa Village
Burns, OR 97720

Dear Mr. Finlayson:

Widening project within corporate limits of Burns

Our engineers have studied the culvert and drainage matter several times during the past few years of this project's development. These engineering studies have proven that the box culvert now being constructed is properly sized. Culverts of a smaller size could ultimately fail, with the resultant possibility of damage to property. The installation of a smaller structure under the highway is not appropriate.

We have further investigated the possibility of eliminating the fence and required channel work and installing, in its place, a culvert adjacent to the Jordan property. The additional cost of this proposal is $28,000. The Division is not in a position to make this expenditure and Mr. Jordan has declined. Would the City be interested?

Copies of the engineering studies used to make the determinations are available through our Resident Engineer in Burns, Mr. Barry Hatcher. Please feel free to call upon him if engineering documentation is desired.

Sincerely,

H. S. Coulter
State Highway Engineer

RDH:sh ia

bc F. B. Klaboe
W. E. Schwartz
Barry Hatcher

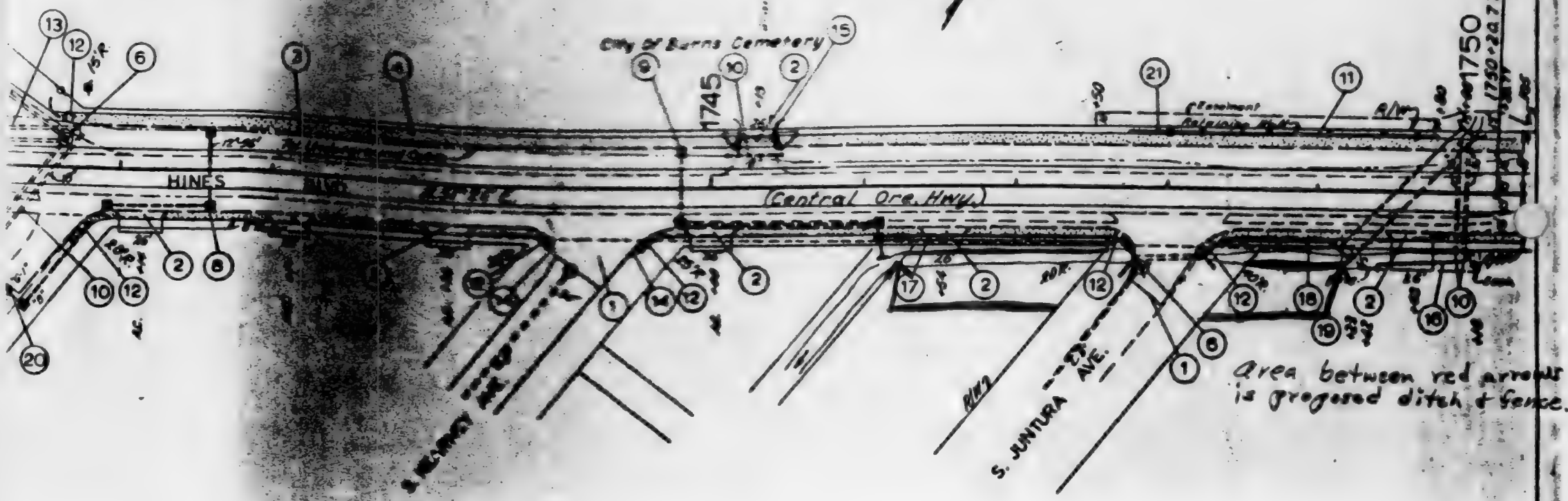
BURNS

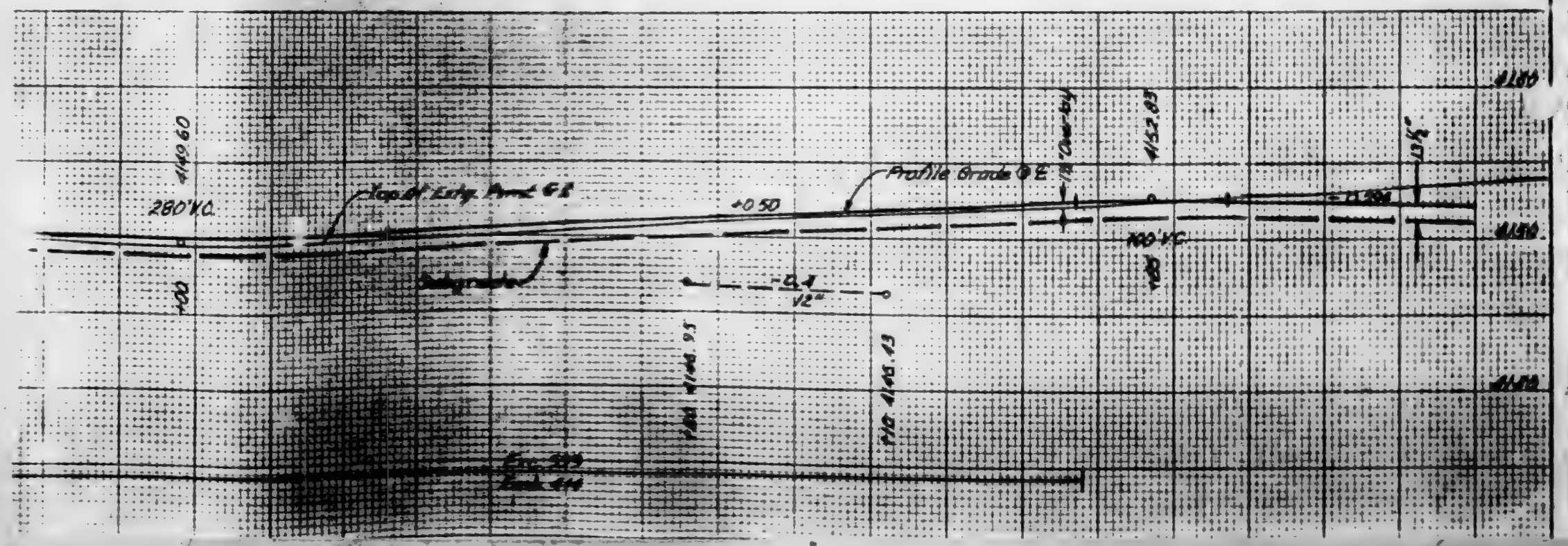
(19) Sta. 1749+62
Const. 10'x4' R.C.B.C. - 117'
P.C. Conc. - 114 C.Y.
Reinforcement - 18,[illegible]
CL-4R Modified Fence
Tr. Exc. 400 C.Y.
See Org. Nos. 31886 & 24[illegible]

[illegible]

(21) Const P[illegible]
Structure Exc. 320 C.Y.
P.C. Conc 85 C.Y.
Reinf 6600 Lbs.
Inst 6" Drain Pipe - 210'
Special Filter Material - 13 C.Y.
Br Org No. 31478

HINES - DIAMOND AVE. (BURNS) JCT. CENTRAL OREGON HIGHWAY HARNEY COUNTY				6
FED. ROAD DIV. NO.	STATE	PROJECT NUMBER	FISCAL YEAR	SHEET NO.
10	OREGON	F-21-4(1)		



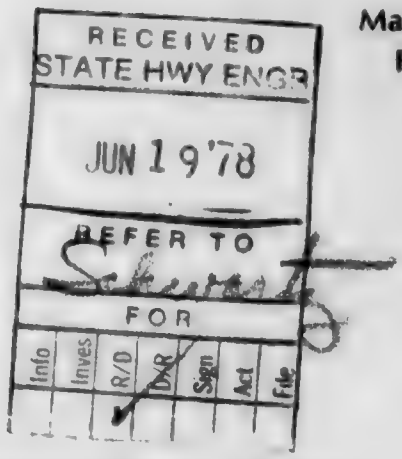


STEPHEN D. FINLAYSON
ATTORNEY AT LAW
759 Ponderosa Village
Burns, Oregon 97720

Area Code 503
573-2151

Mailing Address
P. O. Box 668

June 14, 1978



H.S. Coulter
State Highway Engineer
State Highway Building
Salem , Oregon 97310

Re: State Highway widening project within the corporate limits of Burns, Oregon

Dear Mr. Coulter:

As I'm certain you are aware, the State Highway Division is engaged in a highway widening project in Burns and Hines, Oregon. As part of the project the State Highway Division is in the process of putting a large new culvert under State Highways No. 20 and 395 at approximately milepost ____ in Burns, near the intersection of Highway 20 and South Juntura St. I have been asked, as City Attorney for the City of Burns, to write to you with respect to the work which is proposed in connection with the placement of that culvert and the drainage ditch into which the culvert will empty, which presently runs south of the highway, under Juntura Street and continues along the highway right of way for a short distance before turning south.

The City has been informed that the Division's plan calls for the continued use of an open ditch on the south side of the highway, part of which is in the highway right of way itself, and part of which is located on property of private owners. I am further informed that the plan calls for the placement of a fence on the north side of that ditch, chain link in construction, and the placement of riprap in the ditch to prevent further erosion and direct the flow of water. I understand that discussions have been held locally with persons from the Division pertaining to the possible use of appropriately sized culverts and the filling in of the ditch over the culverts, and elimination of the chain link fence. I understand that the response of the Division's representative has indicated that such a placement of culverts in that ditch will require the use of culverts the same size as those used by the Division to cross the highway, even though the culverts to be placed there are considerably larger than the existing culvert under Juntura St. We are informed that to use that large a culvert would involve the expenditure of a prohibitive sum of money. The City also is informed and believes that it may be feasible to use a smaller culvert, thus obviating the necessity for the installation of riprap and the fence for about the same total cost, and additionally removing the serious safety hazard that the ditch and fence would create if placed as planned.

Information available to the City of Burns indicates that the new culvert being placed by the Division is much larger than that necessary to handle any anticipated flow of water. That is understandable and perhaps commendable as part of the highway widening project to avoid any conceivable necessity for later tearing up a new surface and replacing that culvert at an even larger cost if the flow exceeds any reasonable projection. It does not follow, however, that the culvert, if one is

placed on the south side of the highway should necessarily be of the same dimension. Particularly if it is true that a smaller culvert would easily handle any projected flow without adverse consequence. Any consideration of the cost of increasing the size of the culvert on the south side of the highway at some distant point in the future, if ever, is greatly outweighed by the significant safety hazard which will be created by implementation of the proposed plan. Additional factors to consider are the cost of maintenance of both the ditch and fence, and the considerable problem of cleanup of refuse which will collect along the fence and in the ditch. Furthermore, the fence can hardly be expected to be aesthetically satisfactory. See attached photocopy with red markings indicating ditch and fence.

The City of Burns urges you to reconsider the project and make provision for the placement of an appropriate size culvert instead of leaving an open ditch with a fence protecting it. At least one landowner has indicated some willingness to provide fill to cover the culvert and spare the Division that expense. A cost analysis, assuming a culvert of adequate size, should be fairly simple to come up with and would certainly be worthwhile in view of the considerations raised above.

Please inform us of your intention.

Very truly yours,

Stephen D. Finlayson
Burns City Attorney

Enc.
cc: Robert F. Smith
Denny Jones
Glenn L. Jackson
B. Hatcher

7

Salem, Oregon
May 26, 1978

ORIGINAL SIGNED
DUANE O. CHRISTENSEN
Duane O. Christensen
Final Design Engineer

B. N. Hatcher
Resident Engineer

Sign Shop Drawings
Hines - Diamond Ave. (Burns) Sec.
Central Oregon Highways
Harney County
Contract No. 8640

Enclosed find four sets of approved sign shop drawings for the Type "U" signs on the above named project.

One set should be retained by you for field inspection purposes, one set forwarded to Don Wackerbarth's office for shop inspection of the signs and two sets sent to Coral Corp. for fabrication of the signs.

As a point of information, sign shop drawings should be sent to D. O. Christensen for approval.

WGB:ns
Attachments
cc: C. T. Keasey
W. E. Schwartz
W. G. Beard

#8640 4-24-78 8

U.S. DEPARTMENT OF TRANSPORTATION — FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: 21-4(1)

STATE PROJECT NO.: See Below

FROM: G. L. Green, Division Administrator, Salem, Oregon

PROGRAM NO.:

ITEM NO.: 80012

COUNTY NAME: Harney

PROGRAM STAGE (Check): ☐ 1. ☐ 2.

TO:

Mr. F. B. Klaboe
Chief of Operations, ODOT
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER / STATE ROUTE NUMBER
10-26-77	3-24-78	Primary 21 / Primary 7

GENERAL LOCATION:

"Hines - Diamond Avenue (Burns) Section"

GENERAL DESCRIPTION OF WORK:

Furnish and install bikeway Signs

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
- ☐ LOCATION ONLY

PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
- ☐ PREPARATION
- ☐ OTHER (Specify)

- ☐ ACQUISITION OF RIGHT-OF-WAY
- ☐ CONTRUCTION - ADVERTISE FOR RECEIPT OF BIDS
- ☒ CONSTRUCTION - PROCEED ON ~~EX~~FORCE ACCOUNT BASIS

REMARKS

This will confirm the advance authorization date of March 24, 1978, as requested in Mr. Keasey's letter of April 10, 1978 as being in the public interest for the use of State Forces to proceed with the above work. State Force Order No. 3 is approved for TEC NTE $990, Federal funds $850.

NOTED
F. B. KLABOE

Swan
11-25

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
4-24-78	G. K. Hansen	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—526-787

8640

STATE COPY

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	State: Oregon
MONTHLY TRANSACTION NO. 1-28	FEDERAL-AID PROJECT AGREEMENT 1-10-78	County: Harney
		Project No.: F-21-4(1)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

US 20, 0.2 mi. S of NCL Hines-N.E. 1.34 mi.

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	10-26-77	1.206
OTHER *(Specify)*		

FUNDS Pro rata 85.8%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 887,852.00	$ 359,852.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E. J. Lunte
Technical Services Engineer
(Title)

By H. S. Coulter
State Highway Engineer
(Title)

By _____
_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By Tony Burns
(Division Administrator)
For: G. L. Green

Date executed by Division Administrator JAN 10 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtednesss of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

file

Oregon State Highway Division
Salem, Oregon, December 12, 1977

Federal Aid Project
No. F-21-4(1)

Hines-Diamond Ave. (Burns) Section
Central Oregon Hwy. In Harney County

Project Agreement Estimate.

Type Code 6201
Grade & Pave (Sta. 1708+45.00 to Sta. 1772+10.00)

Furnishing Field Laboratory	1 Only	2,000.00	$ 2,000.00
Mobilization	All Required		60,000.00
Temporary Protection and Direction of Traffic	All Required		6,000.00
Temporary Signs	200 Sq.Ft.	5.00	1,000.00
Temporary Barricades	2 Only	100.00	200.00
Temporary Continuous Rail Traffic Barrier, Reflectorized	175 Lin.Ft.	10.00	1,750.00
Flagmen	3,200 Hour	1.00	3,200.00
Clearing and Grubbing	All Required		15,000.00
Removal of Structures and Obstructions	All Required		40,000.00
Ditch Excavation	70 Cu.Yd.	10.00	700.00
Borrow Excavation	650 Cu.Yd.	3.00	1,950.00
General Excavation	7,650 Cu.Yd.	4.00	30,600.00
Trench Excavation	1,770 Cu.Yd.	9.00	15,930.00
Finishing Roadbed and Slopes	All Required		5,000.00
Watering	370 M-Gal.	7.00	2,590.00
Structure Excavation	320 Cu.Yd.	10.00	3,200.00
1"-0 Aggregate Base	15,600 Ton	5.00	78,000.00
Class "B" or Class "C" Asphalt Concrete Mixture	12,800 Ton	8.00	102,400.00
Asphalt Cement in Mixture	840 Ton	100.00	84,000.00
Asphalt in Tack Coat	9 Ton	180.00	1,620.00
Rock Gabions	160 Cu.Yd.	40.00	6,400.00
Concrete in Wall	85 Cu.Yd.	250.00	21,250.00
Concrete in Box Culvert	114 Cu.Yd.	250.00	28,500.00
Reinforcement in Wall	6,000 Lb.	0.40	2,400.00
Reinforcement in Box Culvert	18,100 Lb.	0.40	7,240.00
12-inch Culvert Pipe	56 Lin.Ft.	12.00	672.00
18-inch Culvert Pipe	32 Lin.Ft.	20.00	640.00
12-inch Sewer Pipe	1,974 Lin.Ft.	9.00	17,766.00
15-inch Sewer Pipe	1,306 Lin.Ft.	12.00	15,672.00
18-inch Sewer Pipe	1,050 Lin.Ft.	12.00	12,600.00
24-inch Sewer Pipe	36 Lin.Ft.	15.00	540.00
Extra for Pipe Under Pavement	400 Lin.Ft.	10.00	4,000.00
Concrete Inlets, Type B	1 Only	400.00	400.00

Concrete Inlets, Type D	8 Only	400.00	$ 3,200.00
Concrete Inlets, Type G-1	1 Only	400.00	400.00
Concrete Inlets, Type CG-1	38 Only	400.00	15,200.00
Concrete Inlets, Type CG-2	5 Only	400.00	2,000.00
Concrete Junction Boxes	1 Only	300.00	300.00
6-inch Drain Pipe	210 Lin.Ft.	8.00	1,680.00
Special Filter Material In Drains	13 Cu.Yd.	20.00	260.00
CL-4R Chain Link Fence	170 Lin.Ft.	20.00	3,400.00
CL-4R Modified Chain Link Fence	295 Lin.Ft.	30.00	8,850.00
Concrete Walks	5,335 Sq.Yd.	9.00	48,015.00
Concrete Driveways	1,455 Sq.Yd.	10.00	14,550.00
Concrete Curbs	365 Cu.Yd.	120.00	43,800.00
Extra for Asphalt Approaches	51 Only	150.00	7,650.00
Extra for Asphalt Walks	390 Sq.Yd.	6.00	2,340.00
Adjusting Manholes	15 Only	200.00	3,000.00
Adjusting Inlets	2 Only	300.00	600.00
SIGNING			
Removal of Existing Sign Installation	All Required		700.00
Wood Sign Posts	All Required		4,400.00
Type "C" and "D" Signs In Place	248 Sq.Ft.	8.00	1,984.00
Type "EE" Signs In Place	10 Sq.Ft.	14.00	140.00
Type "U" and "V" Signs In Place	40 Sq.Ft.	25.00	1,000.00
Move Existing Signs	All Required		900.00
			$737,589.00
Anticipated Items			
Permanent Striping (S.F.)	All Required		$ 1,200.00
Temporary Striping (S.F.)	All Required		1,200.00
Temporary Erosion Control (E.W.)	All Required		1,000.00
On-the-job Trainees (1 @ $800)	All Required		800.00
			$ 4,200.00
	Subtotal		$741,789.00
	Engineering		100,141.00
	Total		$841,930.00

Type Code Y031
Traffic Signal

Traffic Signal Installation, Complete	All Required		$ 34,214.00
	Subtotal		$ 34,214.00
	Engineering		4,018.00
	Engineering (Signal Controller Testing)		600.00
	Total		$ 38,832.00

Length of Project . . . . . 1.206 Miles

Cost of Roadway Per Mile. $698,117.74

Retain in Program –

Remove Pavement Striping (E.W.)	All Required	$ 1,600.00
Bikeway Signs (S.F.)	All Required	990.00
City of Burns (Water)	All Required	2,500.00
Seeding & Mulching	All Required	2,000.00
		$ 7,090.00

**SUMMARY OF FUNDS (85.8%)

Description	Total Cost	Federal Funds	State Bond Funds
Grade & Pave	$841,930.00	$326,535.00	$515,395.00
Signal	38,832.00	33,317.00	5,515.00
Subtotal	$880,732.00	$359,852.00	$520,910.00
Retained in Program	7,090.00	--	7,090.00
Total	$887,852.00	$359,852.00	$528,000.00

**Note: Funding for this project is to expend $528,000 of State Bond money. If the project underruns the federal funds are to be reduced but if the project overruns the extra match money must come out of State funds.

Group 5 100%
Prefix No. 13-1060
Contract No. 8640

8640

yellow 7

Form 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

November 10, 1977

FILE:

FROM: Duane O. Christensen
Duane O. Christensen
Final Design Engineer

TO: Barry Hatcher
RESIDENT ENGINEER

SUBJECT: Hines-Diamond Ave. (Burns)
Central Oregon Highway
Harney County

The attached lists are the results of profile grade computations made by the 370 IBM system. If a revised computation is required showing additional breaks or correcting errors, mark the requirements on the data sheets clearly, with a note of explanation, and return to the Road Design Engineer for a rerun. The columns contain data as indicated below:

STATION	ELEVATION	OFFSET	TAN. ELEVATION	GRADE AHEAD
526+00	172.01	0.03	171.98	.355645
526+50	172.16	0.0	172.16	.355645

The profile grades included in this tabulation are as follows:

9119	00	Mainline, Centerline	Profile Grade
	01	Mainline, Centerline	Subgrade

Attachment
CC: Carl Barner

8640.

Salem, Oregon
November 2, 1977

H.S. Coulter
State Highway Engineer

Footpaths and Bicycle Trails
November 17, 1977 Bid Letting

F I L E

This is an informational report to document the Highway Division's action taken with regard to establishing footpaths and bicycle trails on projects as set forth in ORS 366.514. Bids will be opened November 17 on the following:

1. Wolf Creek Inn, Josephine County

   Building Restoration

   Footpaths or bicycle trails are not incorporated in this project as no new highway construction, reconstruction or relocation is involved.

2. Pacific Highway East at SE River Road (Milwaukie)
   Pacific Highway East (SE McLoughlin Boulevard)
   Clackamas County

   Traffic Signals

   Same as No. 1.

3. Sandy West City Limits-Alder Creek
   Mt. Hood Highway, Clackamas County

   Paving
   Overlay project--4-foot to 10-foot shoulders provided

   Same as No. 1.

4. Warrenton/Astoria Highway Junction
   Oregon Coast Highway, Clatsop County

   Grading, Paving, Signals
   Left turn refuge with 6- to 10-foot shoulders available for bicycle traffic.

   Bike lane striping in this area contemplated at later date.

5. Oregon Coast Highway at Cemetery Road (Millington)
Oregon Coast Highway, Coos County

Grade, Paving. Primarily frontage road improvement.

Footpaths and bicycle trails will not be established under this project as per ORS Chapter 366, Section 2, subsection 2(b) wich states "Footpaths and trails are not required to be established...if the cost of establishing such paths and trails would be excessively disproportionate to the need or probable use.

6. South Umpqua River (Winston) Overflow Channel
Coos Bay-Roseburg Highway, Coos County

Channel Improvement

Same as No. 1.

7. Rhea Road Relocation
Rhea County Road, Gilliam County

Grading, Base
Four-foot shoulders provided

Same as No. 5.

8. Hines-Diamond Avenue (Burns)
Central Oregon Highway, Harney County

Grading, Paving

An 8-foot Class II bikeway will be constructed in conjunction with this project.

9. Pacific Highway-McKenzie Highway (Springfield)
Eugene-Springfield Highway, Lane County

Guard Rail, Signing

Same as No. 1.

10. Pacific Highway East at Irving Road
Pacific Highway East, Lane County

Traffic Signals

Same as No. 1.

11. Rome-Burns Junction
I.O.N. Highway, Malheur County

Paving
Overlay project. Four-foot shoulders provided.

Same as No. 1.

12. Snake River (Adrian) Bridge
Succor Creek Highway (Parma Spur), Malheur County

Bridge Repairs

Same as No. 1.

13. Tunnel Creek-Whitewater Road
North Santiam Highway, Marion County

Grading, Paving
Cutbank Stabilization and Overlay

Same as No. 1.

14. Kings Valley Highway at Main Street (Dallas)
Kings Valley Highway, Polk County

Traffic Signals

Same as No. 1.

15. Newbury and Vermont Streets Viaducts (Portland)
Pacific Highway West, Multnomah County

Structure Repairs

Same as No. 1.

16. NW Kittridge Avenue-NW 26th Avenue (Portland)
FAU 9300 (NW Front Avenue), Multnomah County

Grading, Paving, Signals

Five-foot and 7.5-foot sidewalks will be provided on this project.

17. Murray Boulevard at Butner Road
FAU 9067, Washington County

Traffic Signals

Same as No. 1.

18. Tualatin River-Six Corner
Pacific Highway West, Washington County

Overlay Project
Four-foot to 10-foot shoulders provided

Same as No. 1.

DES:jp

cc Robert Burco
F.B. Klaboe
E.S. Hunter
D.G. Talbot
L.E. George
F.E. Terpin
George Bell
Don Harwell

8640

October 31, 1977

TIMES-HERALD
P.O. Box 473
Burns, OR 97720

Attention Classified Ads Department

Gentlemen:

Attached is the Oregon State Highway Division's notice relative to the Hines-Diamond Avenue (Burns) Section of the Central Oregon Highway (US20) in the cities of Hines and Burns in Harney County, Oregon.

Please run this notice as a paid advertisement in your classified section under the heading "Legal Notices" on November 10, 1977, or the nearest publication date thereto. Please submit your billing in triplicate to the Fiscal Officer, Finance Branch, 434 Department of Transportation Building, Salem, Oregon 97310, and attach one copy of an affidavit of publication.

It will be satisfactory to print the notice in one column. If any questions arise, you may call W. E. Schwartz, Regional Engineer in LaGrande, at 963-3177.

Very truly yours,

H. S. Coulter
State Highway Engineer

Attachment

cc: The Honorable Robert E. Smith
State Senator

The Honorable D. E. Jones
State Representative

Harney County Board of Commissioners

bc: Federal Highway Administration
F. B. Klaboe
Finance: 13-1301-980
Public Affairs
Location
Right-of-Way
W. E. Schwartz
D. E. Swan
Local Government Programs (2)

JLG:dpy

NOTICE GRANTING HIGHWAY LOCATION/DESIGN APPROVAL

In conformance with federal statutes and regulations, and the Oregon Action Plan, the Oregon State Highway Division received on October 27, 1977, the Federal Highway Administration's location/design approval on the Hines-Diamond Avenue (Burns) Section of the Central Oregon Highway (US20) extending from the south city limits of Hines into the City of Burns in Harney County, Oregon.

The proposal consists of approximately 2.6 miles of widening the existing 2-lane highway to a 4-lane curbed facility with accommodations for a bikeway the length of the project.

Maps and related data pertinent to the proposal are on file and available for review and copying if interested persons desire in the Highway Division files, Department of Transportation Building, Salem.

H. S. Coulter
State Highway Engineer

* * * * * * * * * * * *

TIMES-HEARLD, Burns

10/31/77

8640

7

ENVIRONMENTAL REVIEW CHECKLIST

ALL CLEAR 10/24/77
Donald L. Rant

11-17-77 / ~~8-25-77~~ Bid Letting _____ All Clear Deadline

SECTION Hines - Diamond Ave. (Burns)
Highway Central Oregon
County Harney Region 5
Type of Work G-P Funds FA Bond 24
State __ Consultant __ Plans Avail. __ Yes __ No

F-21-4(1)

	Not Required	Required	Mitigation Required	Mitigation/Plans	ALL CLEAR	
DOCUMENTS:						
EIS	X					
Negative Declaration	X					
Project Assessment		X			X	No significant problems
Write-off Letter	X					
PERMITS:						
Division of State Lands		X				
D.O.G.M.I.		X				Application made - anticipate no problems
Corps of Engineers	X					
Coast Guard	X					
Co. Conditional Use	X					
NPS Air Pollution	X					
NPS Water Pollution	X					
CULTURAL:						
Cultural Survey		X			X	
Cultural Salvage	X					
NOISE:						
Noise Study		X			X	

8640 10-21-77

Hines-Diamond Avenue Projection
Burns, Harney County
Central Oregon Highway

The Hines-Diamond Avenue project will widen the Central Oregon Highway from two to four lanes. The improvement of this road will also include some minor alignment changes, 10-15 feet. Current traffic volumes are near the design limit of the existing facility, approximately 7,500 vehicles per day. This project should allow the road to carry the projected 1997 volume of 13,900 vehicles.

The land-use along the project is residential, commercial, and some undeveloped areas. In addition, a school and a cemetery are located adjacent to the roadway.

The worse period for traffic noise is the peak truck hour, 9-10 a.m. Traffic data representing this period was used for the noise level projections, Table #1. As shown, traffic noise levels along the right-of-way currently exceeds the design noise level, $L_{10}70$ dBA. The school should be just under this level. The main effect of the project will be in the year 1997. The noise levels for the build condition are 3-4 dBA higher than the no-build levels. This increase would then permit excessive noise levels to be experienced at the school.

Most of the impacted residences along the project have access to the highway. This condition would hinder the design of effective noise barriers. Only in a few isolated locations may traffic noise impacts be mitigated with noise barriers. Mitigation of traffic noise impacts is not usually compatible with commercial developments. Although the exterior noise levels at the school are projected to be excessive, the actual extent of traffic noise impacts within

the classrooms is not known. With these facts in mind, no immediate mitigation of traffic noise impacts is proposed. Further studies involving the school though, may be warranted.

Table #1

Peak Truck Hour Traffic Noise Levels
(L_{10} Levels)

Site	No Build		Build	
	1977	1997	1977	1997
Along the Right-of-Way Line	81 dBA	81 dBA	81 dBA	85 dBA
At the School	67 dBA	67 dBA	67 dBA	70 dBA

Parking lot between hwy & school – parked vehicles would give some attenuation - If study inside school is ever made this should be considered rather than use an empty school as we usually do.

WLP.

8640

8

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

Intergovernmental Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Leslie Lehmann, Coordinator Ph: 378-3732

8640-A

STATE A-95 REVIEW CONCLUSIONS

APPLICANT: State Highway Division

PROJECT TITLE: Hines-Diamond Avenue

DATE: June 17, 1977

The state has reviewed your project and reached the following conclusions:

6/28/77
cc: G.L. Green
H.S. Coulter ✓
F.E. Terpin
J.B. Boyd
J.H. Versteeg
Gary Potter
W.J. Hart
W.E. Schwartz, Reg.5
C.K. Ansell, Dist. 14
Aeronautics Div.
Paul Hartwig, Parks
B. L. Gifford

[X] No significant conflict with the plans, policies or programs of state government have been identified and your proposal is endorsed as presented.

NOTED
H.S. COULTER

[ ] Relevant comments of state agencies are attached and should be considered in the final design of your proposal.

[ ] Potential conflicts with the plans and programs of the state agency(s) have been satisfactorily resolved. No significant issues remain.

[ ] Significant conflicts with the plans, policies or programs of state government have been identified and remain unresolved. The final proposal has been reviewed and the final comments and recommendations of the state are attached.

NOTICE TO FEDERAL AGENCY

The following is the officially assigned State Identifier Number:

7704 2 960

This number should be used on all correspondence and particularly on SF 240 as required by OMB A-98.

RECEIVED
STATE HWY ENGR
JUN 29 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

A copy of this notification and attachments, if any, must accompany your application to the federal agency as required by OMB A-95. Comments of the appropriate local reviewing agencies must also be included.

BEN GIFFORD
6-29-77

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

Intergovernmental Relations Division
Room 306, State Library Building
Salem, Oregon 97310, Phone: 378-3732

INTERGOVERNMENTAL RELATIONS DIVISION
MAY 12 1977

PNRS STATE REVIEW

Project #: 7704 2 960 Due Date: MAY 13 1977

To Agency Addressed: If you intend to comment but cannot respond by the return date, please notify us immediately. If no response is received by the due date, it will be assumed that you have no comment and the file will be closed.

PROGRAM REVIEW AND COMMENT

To State Clearinghouse: We have reviewed the subject Notice and have reached the following conclusions on its relationship to our plans and programs:

( ) It has no adverse effect.

( ) We have no comment.

( ) Effects, although measurable, would be acceptable.

( ) It has adverse effects.

( ) We are interested but require more information to evaluate the proposal.

(X) Please coordinate the implementation of the proposal with us.

( ) Additional comments for project improvement. (Attach if necessary)

- - - - - - - - - - -

REMARKS (Please type or print legibly)

THE HIGWAY DIVISION ENVIRONMENTAL SECTION HAS IDENTIFIED TWO ARCHEOLOGIC SITES WITHIN THIS PROJECT AREA IN HINES AND BURNS. THEY WILL COORDINATE EVALUATION AND MITIGATION WITH THIS OFFICE.

HISTORIC PRESERVATION OFFICE
STATE PARKS & RECREATION BRANCH
525 TRADE STREET SE
SALEM, OREGON 97310

Agency SHPO By Dan Purdue

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

INTERGOVERNMENTAL RELATIONS DIVISION
MAY 12 1977

Administrative Services Division
Dept. of Environmental Quality
RECEIVED
APR 29 1977

Intergovernmental Relations Division
Room 306, State Library Building
Salem, Oregon 97310, Phone: 378-3732

MAY 13 1977

PNRS STATE REVIEW

Project #: 7704 2 960 Due Date: _____

To Agency Addressed: If you intend to comment but cannot respond by the return date, please notify us immediately. If no response is received by the due date, it will be assumed that you have no comment and the file will be closed.

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( ) It has no adverse effect.

( ) We have no comment.

(✓) Effects, although measurable, would be acceptable.

( ) It has adverse effects.

( ) We are interested but require more information to evaluate the proposal.

( ) Please coordinate the implementation of the proposal with us.

( ) Additional comments for project improvement. (Attach if necessary)

- - - - - - - - - -

REMARKS (Please type or print legibly)

Noise assessment should have been more complete.

Agency DEQ By Norman L Lotto

(#2) 8640

8

DEPARTMENT OF TRANSPORTATION

ROBERT W STRAUB
GOVERNOR

STATE HIGHWAY BUILDING • • SALEM, OREGON • • 97310

April 19, 1977

TO Executive Department
Federal Aid Coordination Unit

FROM D. E. Swan
Federal Aid Engineer

SUBJECT Notice of Intent for Federal Aid Funds
State Admin. Dist. No. 14
Section: Hines-Diamond Ave. (Burns)
Highway: Central Oregon
County: Harney

864-H

In accordance with Executive Memorandum 02-270-20, attached are copies of the Notices of Intent for the subject project.

Early programing of this project for advance planning in anticipation of future construction is necessary; therefore, your prompt attention to this proposal will be appreciated.

Allowing time for your review, we estimate the date of filing for federal aid funds on this project to be May 23, 1977.

BLG: ljt

Attachment

cc: G. L. Green
H. S. Coulter
F. E. Terpin
J. B. Boyd
R. E. Royer
J. H. Versteeg
Gary Potter
R. W. Ellison

Region Engineer: W. E. Schwartz
District Engineer: C. K. Ansell
Aeronautics Division
Paul Hartwig, Parks
B. L. Gifford

RECEIVED
STATE HWY ENGR
APR 20 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

NOTIFICATION OF INTENT TO APPLY FOR FEDERAL AID

For Internal Use Only	1-8] PNRS #	Page One

02	12] APPLICANT: Dept. of Transportation [45	46] DIVISION: Highway [79				
03	12] APPLICANT ADDRESS STREET: DOT Building [45	46] CITY: Salem [60	76] ZIP: 97310 [80			
04	12] CONTACT PERSON: L. W. Rulien [45	46] AREA CODE: 503 [48	49] PHONE: 378 [55	56] EXTENSION: 6563 [59		
01	12] PROJECT TITLE: Hines-Diamond Ave. (Burns) [71					
11	12] PROJECT LOCATION—CITY: Central Oregon Highway Burns, Hines	PROJECT LOCATION—COUNTY: Harney	PROJECT LOCATION: SEC: -- T: 23S R: 31E [79			
05	SUMMARY PROJECT DESCRIPTION (ATTACH SUPPORTING DOCUMENTS AS NECESSARY—SEE INSTRUCTIONS ON BACK): This project involves preliminary engineering, acquisition of right-of-way,					
06	12] grading and paving and incidental work to widen the existing two-lane facility [71					
07	12] to four lanes. Overall length is approximately 1.5 miles. [71					
08	12] [71					
09	12] [71					
10	12] [71					

	AMOUNT REQUESTED—FEDERAL FUNDS		NON-FEDERAL MATCHING FUNDS		OTHER	TOTAL
12	12] (A) Grant [19: 405,000	20] (B) Other [27: --	28] (C) State [35: 555,000 Bond	36] (D) Local [43: --	44] (E) FUNDS [51: --	52] (F) FUNDS [60: 960,000

13	12] TYPE OF OTHER FEDERAL FUNDS (See 12B) [45	46] TYPE OF OTHER NON-FEDERAL FUNDS (See 12E) [79
14	12] FEDERAL PROGRAM TITLE: Title 23 USC Highways [71	
15	12] FEDERAL AGENCY NAME: U.S. Dept. of Transportation [45	46] FEDERAL SUB-AGENCY NAME: Federal Highway Administration [79

17

(A) TYPE OF APPLICANT: (Check (X) the single most applicable box)

STATE	INTER-STATE	COUNTY	CITY	SCHOOL DISTRICT	SPECIAL DISTRICT	COMMUNITY ACTION	SPONSORED ORGANIZATION	OTHER
[X] 12	[ ] 13	[ ] 14	[ ] 15	[ ] 16	[ ] 17	[ ] 18	[ ] 19	[ ] 20

(B) TYPE OF ACTION: (Check (X) as many boxes as apply to this action)

NEW GRANT	CONT. GRANT	SUPPL'T GRANT	INCREASE DURATION	DECREASE DURATION	CANCELLATION	INCREASE DOLLARS	DECREASE DOLLARS
[X] 21	[ ] 22	[ ] 23	[ ] 24	[ ] 25	[ ] 26	[ ] 27	[ ] 28

(C) HAS DISTRICT CLEARINGHOUSE BEEN NOTIFIED?	(D) REVIEW REQUIRED by A-95	(E) ENVIRONMENTAL IMPACT	(F) HOUSING RELOCATION REQUIRED
Yes [X] 29 No [ ] 30 Date: April 19, 1977	Yes [X] 31 No [ ] 32	Yes [ ] 33 No [X] 34	Yes [ ] 35 No [X] 36

(G) ESTIMATED APPLICATION FILING DATE:	41] MONTH	42]	43] DAY	44]	45] YEAR	46]
	May		23		1977	

ADDITIONAL INFORMATION—ALL APPLICANTS

I. A. Is the project consistent with the city or county comprehensive plan, zoning and subdivision ordinance? No ☐ Yes ☒

I. B. Is the proposal consistent with statewide land use goals? No ☐ Yes ☒

I. C. Is the proposal consistent with state and regional plans? No ☐ Yes ☒

II. Will the project have an impact on a neighboring jurisdiction? No ☒ Yes ☐

If so, is the project consistent with the comprehensive plan for that jurisdiction? No ☐ Yes ☐

III. Explain deviations if any, from pertinent plans.

IV. Federal Catalog number (or Public Law no. and title) 20.205 Highway Planning & Construction

V. Has funding agency been notified? No ☐ Yes ☒ Date: 4/19/77

VI. If project includes state funds (12C), identify agency State Highway Division

STATE AGENCIES ONLY

VIII. (a) IS PROGRAM BUDGETED ☐ NON-BUDGETED ☐

(b) STATE SHARE

GENERAL FUND CASH	OTHER FUND CASH	IN KIND
$_____	$_____	$_____

(c) FUNDING METHOD

	FEDERAL SHARE	STATE SHARE	TOTAL
First Year	%____ $_____	%____ $_____	%____ $_____
Second Year	%____ $_____	%____ $_____	%____ $_____
Third Year	%____ $_____	%____ $_____	%____ $_____

(d) WILL PROGRAM REQUIRE HIRING OF NEW STATE EMPLOYEES? No ☐ Yes ☐ Number _____

(e) Will accounting for this grant be administered by the Executive Dept. Accounting Division? Yes ☐ No ☐

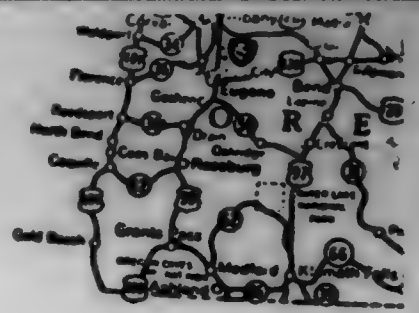
PLEASE ATTACH ANY ADDITIONAL NARRATIVE OR REMARKS

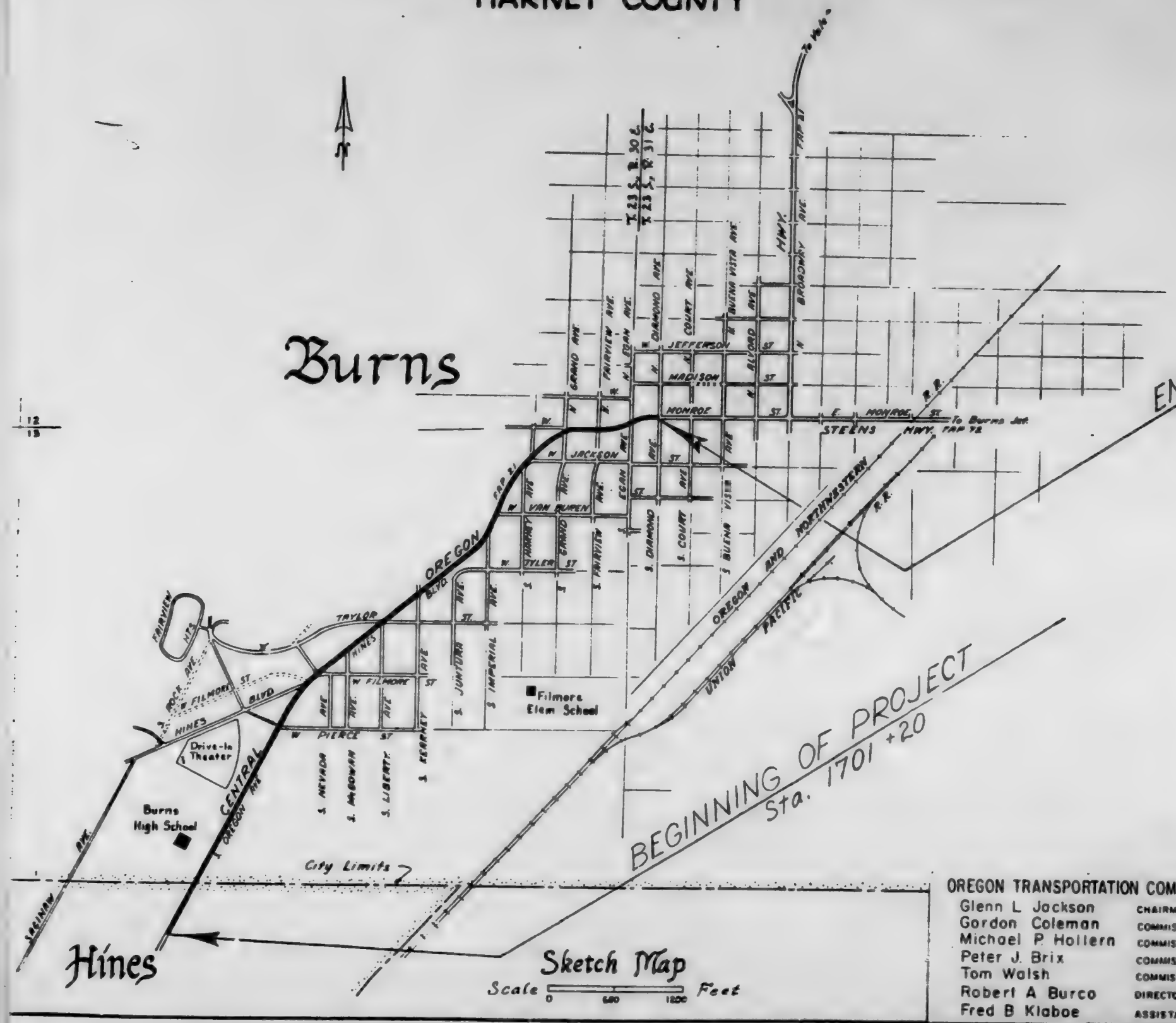
17(e) This is a Category 3 project of non-major environmental impact under Oregon's Action Plan.

A public hearing was held November 25, 1975.

CENTRAL OREGON HIGHWAY

HARNEY COUNTY





Sketch Map

Scale 0 600 1200 Feet

REGISTERED PROFESSIONAL ENGINEER
OREGON
OCT. 20, 1967
H. S. COULTER

H. S. Coulter ST.

E. S. Hunter DE

OREGON TRANSPORTATION COMMISSION

Glenn L. Jackson	CHAIRMAN
Gordon Coleman	COMMISSIONER
Michael P. Hollern	COMMISSIONER
Peter J. Brix	COMMISSIONER
Tom Walsh	COMMISSIONER
Robert A Burco	DIRECTOR OF TRANSPORTATION
Fred B Klaboe	ASSISTANT DIRECTOR FOR OPERATIONS

DEPARTMENT
FEDERAL HIG
APPROVED:
DIVISION E

8640

5

FORM 81-734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Burns, Oregon

March 23, 1977

B. N. Hatcher

FROM: B. N. Hatcher
Resident Engineer

SUBJECT: Hines - Diamond Ave. (Burns)
Project Drainage

TO: Memo To The Files

A meeting was held in the Resident Engineer's office in Burns March 21, 1977 concerning the proposed drainage design for the Hines - Burns Section.

Those attending were:

Dale Allen, Regional Construction Engineer, La Grande
B. N. Hatcher, Resident Engineer, Burns
Dick Lenz, Hydralics Engineer, Salem
Fred Eriksen, Design Engineer, Salem
Tom Martin, R/W, La Grande
Bill Lovelace, R/W, La Grande
Richard Tabor, Maintenance Forman, Burns
Dick Day, Planning Commission, Burns
Virginia Tabor, Planning Commission, Burns
A. M. Rockwell, Mayor, Burns
Jean Renwick, Councilperson, Burns
Chris Christensen, Councilperson, Calif. Pacific Utilities, Burns
Fred Wensenk, Water Dept., Burns
Art Woodruff, Water Dept., Burns
Jack McAllister, Property Owner, Burns
W. R. Opitz, B.U.H.S. Principal, High Desert Parks & Receration Dist., Burns
K. L. Fordice, Highway Division, Burns

The main text of the meeting was to find out if those involved can live with our design. It was concluded with minor changes in pipe sizes, it is feasible.

The City of Burns and City Planning Commission were told that the Highway Division is responsible to get the existing water under the highway, but it is their responsibility to see that developers above the highway take care of the excess runoff that is created by paving and building. After the Highway Division gets the water under the highway, as long as it is not increased and is in the natural drainage it is the responsibility of the City Of Burns as it was before.

It was indicated by the City of Burns that their water line replacement would be completed before the Highway Contract was to start.

REFERRED TO

Boyd
Cole
Brison
Hagen

Signed by Phillips
OF FINAL DESIGN ENGINEER

Versteeg
Olson
Christensen
Scott
Swenson
Savage
Trout

RECEIVED
MAR 24 1977
ROAD DESIGN SECTION

Requires Reply
Requires Approval
Receiver Keep
Do not File
Return To
Bring Up
Other

Mr. Opitz suggested that in the area of the High School and High Desert Parks and Recreation, the cross pipes be increased from 12" to 15", which is agreeable with the Highway Division.

Mr. Tabor indicated doubt that an 18" pipe was large enough at station 1726 ±. He was assured by Mr. Lenz that under normal conditions it is, which is all that it is designed for.

The question was asked, what will happen to the water coming down Pierce St., when a large amount of water comes down the drain ditch between S. Kearney Ave. and S. Juntura Ave. which hasn't packed the water in the past, because of being of such a flat grade. It was indicated that this would not change and was still a city problem as it has always been. Also, the 10' x 4' R.C.B.C. at station 1750± will permit more water to pass at a higher velocity, it will not increase the total amount of water.

Mr. McAllister was asked if he and Mr. Blackburn were going to dig the ditch down Pierce St. within the street R/W to take care of the drainage crossing at that point. He replied in the affirmitive. Mr. Lenz indicated that it would require a 5 foot flat bottomed ditch with 1½:1 side slopes. The ditch could possibly be partly on their property.

It was determined that the latest design be accepted as final and all necessary arrangements be made so that the section can proceed to contract.

BNH/kf

cc: Dale Allen
Dick Lenz
Fred Eriksen
Vern Allen
City of Burns
City Planning Commission
W. R. Opitz, B.U.H.S.
Jack McAllister

8640 7

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon

February 1, 1977

FROM: Duane O. Christensen
Final Design Engineer

SUBJECT: Hines-Diamond Avenue (Burns)
Central Oregon Highway
Harney County

TO: MEMO TO THE FILES

According to Mr. Frank Lowe of the Right Of Way Section, the right of way on the subject project should be clear in May assuming there are no unforseen difficulties. This should allow the project to be advertised for a June letting.

DOC:az
cc: L. W. Rulien
F. Eriksen
A. Brummitt

1 Versteeg
Olson
Christensen
Scott
Swenson
Savage
2 Trout

RECEIVED
FEB 2 1977
ROAD DESIGN SECTION

Requires Reply
Requires Approval
Receiver Keep
Do not File
Return To
Bring Up ___/___/___
Other

8640

ORIGNAL SIGNED
DUANE O. CHRISTENSEN

Salem, Oregon
December 1, 1976

Duane O. Christensen
Final Design Engineer

Wendell E. Schwartz
Region 3 Engineer

Hines-Diamond Ave. (Burns) Section
Central Oregon Highway
Harney County

Recently the City of Burns asked Mr. Barry Hatcher to give them an estimate of cost to extend the box culvert at Sta. 1749+75 parallel to the roadway for approximately 300 feet. This would rid them of the existing ditch and its problems.

Mr. Hatcher contacted Mr. Lenz in the Hydraulics Section and requested an estimate.

We worked with Mr. Lenz to prepare a cost estimate for the drainage treatment shown on our preliminary plans ($52,065) and for a box culvert 425 feet long, eliminating the parallel ditch situation ($135,370).

The cost to eliminate the parallel ditch is about $83,000.

One copy each of our estimates is attached.

It should be noted that this section of ditch along the highway abuts private as well as city property. Unless the City and the property owner can fund the difference in cost it is questionable as to whether it is justified.

FE:az
cc: Barry Hatcher
Fred Eriksen

Versteeg
Olson
Christenson
Scott
Swenson
Savage
Trout

RECEIVED
DEC 0 1 1976
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up / /
Other

OREGON STATE HIGHWAY DIVISION
QUANTITY SUMMARY & COST ESTIMATE

Sheet 1 of 2 Sheets

Section Hines - Diamond Ave. (Burns)
Highway Central Oregon County Harney Prefix 13-[illegible]
Length _____ Miles _____ Designer T. Iwen Date 11-18-74
Box Culvert & Gabions as on "Preliminary Plans" Sta. 1749+75 GRADING AND SURFACING ITEMS

ITEM	UNIT	NET	GROSS	PRICE	AMOUNT
10'x4'x118' R.C.B.C.					
Concrete	Cu. Yd.		112	175	19,600
Reinforcing	Lb.		18,000	055	9,900
Gabions	Lump Sum				3,000
Fence	" "				1,650
Trench Excavation	Cu. Yd.		367	10	3670
Mobilization 8%					3[illegible]8
				Sub Total	4[illegible]3
Engr. & Cont. 12½%					5735
				Total	$52,063

TOTAL _____

OREGON STATE HIGHWAY DIVISION
QUANTITY SUMMARY & COST ESTIMATE

Sheet 2 of 2 Sheets

Section Hines-Diamond Ave. (Burns)
Highway Central Oregon County Harney Prefix
Length Miles Designer T. Iwen Date 11-13-76

Box Culvert sta. 1746+25-1750+00 GRADING AND SURFACING ITEMS

ITEM	UNIT	NET	GROSS	PRICE	AMOUNT
Box Culv.-Dble. 6'x5'x425'					
Concrete	Cu. Yd.		419	175.-	73,325.-
Reinforcing	Lb.		53,075	.55	31,941.-
Trench Excavation	Cu. Yd.		565	10.-	5,650.-
Remove Exts. Pipe & Headwalls	Lump Sum				500.-
Mobilization 8%					8,913.-
				Sub Total	120,329.-
Engr. & Cont. 12½%					15,041.-
				Total	135,370

TOTAL

8640

7

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Burns, Oregon

November 4, 1976

B.N. Hatcher

FROM: B.N. Hatcher
Resident Engineer

TO: W.E. Schwartz
Regional Engineer
La Grande

☐ RE ☐ RCE ☐ RBE ☐ RME

☑ ROE ☐

☐ RDE ☐

NOV 5 1976

RECEIVED
REGIONAL OFFICE

SUBJECT: Hines - Diamond Avenue
(Burns) Section
Central Oregon Highway
Harney County

At Mr. Floyd Scott's request this letter is being prepared to help explain to Mr. Versteeg why the line revision is necessary near the east end of the section.

The main reasons for shifting the line were to miss a tree and clear the Pine Room Restaurant.

We chose the simplest method possible to shift the line so that it will fit through this critical area without touching anything. This new line has been run in the field and field measurements have been made to verify that all questionable structures or objects will be cleared. (Please refer to your copy of my letter to Mr. Versteeg dated October 18, 1976.)

Another interesting thing cropped up yesterday when we finally received a copy of the latest R/W map. The line on it differs from the one shown on the preliminary plans in that it doesn't have the reverse curve at the east end. No wonder we couldn't match in to the center of Monroe St. when trying to run the plan line!

cc Floyd Scott, ✓
I understand you requested this letter before the rev. descriptions are written. Don't know where the mix-up in lines started but apparently the revised line will miss the Pine Room & stone house, proceed to write the descriptions accordingly.

Revised descriptions to RIW 11-10-76

1 Versteeg ✓
Olson
3 Christensen Don
2 Scott ✓
Swenson
Savage
Trout

RECEIVED
NOV 0 9 1976
ROAD DESIGN SECTION

☐ Requires Reply
☐ Requires Approval
☐ Receiver Keep
☐ Do not File
Return To
Bring Up
Other

Dale Allen

REFERRED TO

Beard Reed
Cole Sample
✓ Eriksen F.E. Watson
Hagar Wolfe
Return Discuss Do File Copy Due
BY FINAL DESIGN ENGINEER

8640 7

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Burns, Oregon

Oct. 18, 1976

FROM: B. N. Hatcher
Resident Engineer

SUBJECT: Hines - Diamond Ave.
(Burns) Section
Central Oregon Highway
Harney County

TO: J. H. Versteeg
Road Design Engineer
S A L E M

Attention: Fred Erikson

Herewith please find transit notes for the L4 line on the subject section.

This revision was necessary in order to fit the required section through a very tight area near the east end of the proposed project. This being between the Pine Room Cafe and the service station opposite.

The final line used was 1½' Lt. of the L3

The L3 line fits very well up to near this point (sta. 1766+). The back edge of the sidewalk misses the native stone house steps by about 3 feet and also just clears the tree nearby. At the Pine Room, however, we found the back of the walk to be about 2 feet into the building. Using this as a premise, and a 2 foot surplus on the other side, the line was shifted the required amount by introducing a short 1° curve to the left and changing the last two reversing curves on the job.

This new L4 line has not been run in the field as yet. We have field - checked it with measurements to the structures and find that we are within a tenth of a foot of clearing the restaurant (the sidewalk could be a tenth narrow for a few feet) and that the back of the sidewalk will clear (be inside of) the service station concrete apron on the other side of the street.

If you have any questions, please call.

Call from Hatcher 10-25-76
Schwartz wants to go with the line change per the field notes mentioned above.
B.

BNH/kf

cc: W. E. Schwartz

REFERRED TO

Beard	Reed
Cole	Semple
✓ Eriksen FE	Watson
Heger	Wolfe

Return Discuss Do File Copy Due
BY FINAL DESIGN ENGINEER

Transit to put in the Files

1 Versteeg ✓
Olson
2 Chrisgreen DDC
3 Scott ✓
Swenson
Savage
Trout

RECEIVED
OCT 19 1976
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep
Do not File
Return To
Bring Up /
Other

Called Hatcher 10-26-76 He will check to see which line they run, get a decision on the tree, etc. and get back to us
Scott

8640

5

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

La Grande, Oregon

September 15, 1976

FILE:

FROM: Dale D. Allen
Regional Construction Engineer

SUBJECT: Shopping Center
Burns, Oregon

TO: C. K. Ansell
District Engineer

ONTARIO

Preliminary plan reviews for the Hines-Diamond Avenue Project are due in Salem September 24, 1976. Barry has advised that a proposed shopping center is planned on the east side of the highway opposite the high school. Due to the limited time, we probably will not be able to coordinate their development plans with our highway plans. Therefore, would you proceed to contact the developer (Tiller's Market, I think) and submit a road approach permit outlining the requirements you feel are necessary. What we probably will do is construct the work as extra work on the contract and bill the developer.

They want access points at 1706+80, 1708+70, and 1711+80. Unless you come up with something different, our suggestions are these.

1) At 1711+80 (near school entrance) we should not approve an access unless it lines up with the school entrance and proposed channelization. This access should be at 1712+14, and then we could modify channelization to provide left turn slot.

2) The center access (1708+70) is in poor location due to channelization and probably should not be approved.

3) The south access (1706+80) would be better if it was moved to 1705+50 (prior to channelization).

4) The developer would have to pay for curb and additional drainage to extend our curb section from 1709 back to their property line at approximately 1704+40. We would have to modify (move east) the bikepath to match the top of the curb.

See what you can work out along the above lines. Barry can work up an estimate for the developers work once you get it settled.

DDA/dlm

cc: Barry Hatcher
Design

1 Versteeg ✓
2 Olson
Christensen
Scott
Swenson
Savage
Trout

RECEIVED
SEP 17 1976
ROAD DESIGN SECTION

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Bring Up / /
Other

8640

8

August 27, 1976

864-H

The Hon. Carolyn Negus
Mayor of Hines
P. O. Box 336
Hines, OR 97738

Dear Mayor Negus:

Attached is a reduced set of advance preliminary plans for the Hines-Diamond Avenue (Burns) Section of the Central Oregon Highway as requested in your August 10 letter. This project is scheduled for the January 27, 1977 bid letting.

If you wish to discuss these plans, I suggest you contact Regional Engineer Pat Schwartz, P. O. Box 850, La Grande, 97850, telephone number 963-3177.

Very truly yours,

For E. S. Hunter
Deputy State Highway Engineer

Attachment

bc H. S. Coulter
C. T. Keasey (enc.)
J. H. Versteeg
Pat Schwartz (enc.)

DOC:jh ja

CITY OF HINES

HINES, OREGON 97738

Versteeg
Olson
Christensen
Scott
Swenson
Savage
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AUG 13 1976
ROAD DESIGN SECTION

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Bring Up ___/___/___
Other

August 10, 1976

Oregon State Highway Division
State Highway Building
Salem, Oregon 97310

Dear Sir:

The Hines Common Council would like a copy of the Highway 20 four (4) lane plan that is to begin construction in the near future. The reason for this request is that the City of Hines is also interested in providing a safe crossing for the school children in Hines, and there is also a possibility of a shopping center being built here that would require left and right turns to alleviate traffic congestion.

We would appreciate receiving these plans as soon as possible so that we may be able to answer some of the questions put forth by the residents of Hines.

Respectfully submitted,

HINES COMMON COUNCIL

Carolyn Negus
Carolyn Negus, Mayor

CN:mcb

City of Hines

P.O. Box 338
Hines, Oregon 97738

RECEIVED
STATE HWY ENGR
AUG 12 '76
REFER TO
Hanke
FOR
Info | Invest | R/D | D/R | Sign | Act | File

Versteeg
Swenson

8640

7

ORIGNAL SIGNED
DUANE O. CHRISTENSEN

Salem, Oregon
August 10, 1976

Duane O. Christensen
Final Design Engineer

W. E. Schwartz
Regional Engineer

Hines-Diamond Ave. (Burns) Section
Central Oregon Highway
Harney County

Attention: Vernal Moore

This project is currently scheduled for the January 27, 1977, contract letting.

Material source recommendations are needed for the following:

Borrow excavation--- 700 cu. yds.
Aggregate Base------6800 cu. yds.
Paving Aggregates---8900

Mr. Moore, in his letter of January 28, 1975, identified two quarries that could be used for this project. The Hatchkiss quarry, 2.0 miles left of mile post 128.72 and the BLM quarry 6.0 miles up the Silvies River from Burns.

Please furnish us with sketch maps, development and reclamation plans and permit applications as may be required.

FE:az
cc: Fred Eriksen

Vorstoeg
Olson
Christensen
Scott
Swenson
Savage
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AUG 12 1976
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Bring Up ___/___/___
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7

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon 97310

June 10, 1976

FILE:

FROM: L. E. George
Traffic Engineer

TO: J. H. Versteeg
Road Design Engineer

SUBJECT: School Crossing Signs
Hines-Diamond Ave. (Burns) Sec.
Central Oregon Hwy.
Harney Co.

Attached are drawings, special provisions and estimate of costs for installation of overhead 48 inch school crossing signs at Sta. 1711+75 on the above named section.

Please include the drawing with the contract sign plans for the project.

L. E. George
Traffic Engineer

ELS:rj
Attachment

1 Versteeg
Olson
3 Christensen
Scott
2 Swenson
Savage
Trout

RECEIVED
JUN 14 1976
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
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Bring Up ___/___/___
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we have ord. one spare

REFERRED TO

1 Board Reed
Cole Semple
2 Britson Watson
Hager Wolfe
Return Discuss Do File Copy Due
BY FINAL DESIGN ENGINEER

8640 7

Salem, Oregon
June 7, 1976

Fred Eriksen
Design Team Supervisor

Leonard L. Wallace
Bridge Design Engineer

Hines-Diamond Ave.(Burns) Sec.
Central Oregon Highway
Harney County
Prefix: 13-1301

The project is presently scheduled for the October 21, 1976, Contract letting.

The proposed improvement is the construction of a four lane section with concrete walks in the city of Burns. From Station 1747+50 to 1749+70 Left, the section is in a cut along the city cemetary and a retaining wall will be required.

Please furnish us with design data for a retaining wall to be included in the plans.

Attached for your use is one copy each of a plan, profile, typical section andand cross sections.

FE:ez

Versteeg
Olson
Christensen
Scott
Swenson
Savage
Trout

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JUN 08 1976
ROAD DESIGN SECTION

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Receiver Keep
Do not File
Return To
Bring Up
Other

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FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon 97310

June 2, 1976

FILE:

FROM: L. E. George
Traffic Engineer

TO: J. H. Versteeg
Road Design Engineer

SUBJECT: Sign Plan Revision
Hines-Diamond Ave.(Burns) Sect.
Central Oregon Highway
Harney County

Attached are two revised prints of the preliminary sign plans on the above named section.

The revisions were made as a result of moving the two school crosswalks on the south portion of the project.

L.E. George
Traffic Engineer

ELS:rah
Attachment

cc: W. E. Schwartz w/att.

REFERRED TO

✓ Beard WGB	Seed	1 Versteeg ✓	Requires Reply ☐
Cole	Sample	Olson	Requires Approval ☐
Eriksen	Watson	2 Christensen DOC	Receiver Keep ☐
Hager	Wolfe	Scott	Do not File ☐
Return Discuss Do	File Copy Due	Swenson	Return To
BY FINAL DESIGN ENGINEER		Savage	Bring Up / /
One print kept by Beard		Trout	Other

RECEIVED
JUN 0 3 1976
ROAD DESIGN SECTION

MATCH LINE

S Kearney

1745

S Juntura

1750

S Imperial

1755

W. Van Buren

S. Harney

"STOP AHEAD"

Hines Blvd.

1730

W. Pierce

1725

"RIGHT LANE ENDS"

1720

MATCH LINE

W. Fillmore

1735

2'-6"

ARMORY

5'-6"

HIGH SCHOOL

3'-6"

HIGH SCHOOL

Hines

"DO NOT PASS"

"DO NOT PASS"

REMOVE EXISTING "SPEED 45" SIGN

RELOCATE EXISTING CITY LIMIT SIGNS AS REQUIRED FOR CONSTRUCTION

CITY LIMITS

1710

1715

Burns

6' 0"

BURNS HINES

24x24 20 395 24x30

(1) Install "S

(2) Install "SP

(3) Install "S

(4) Install Sch

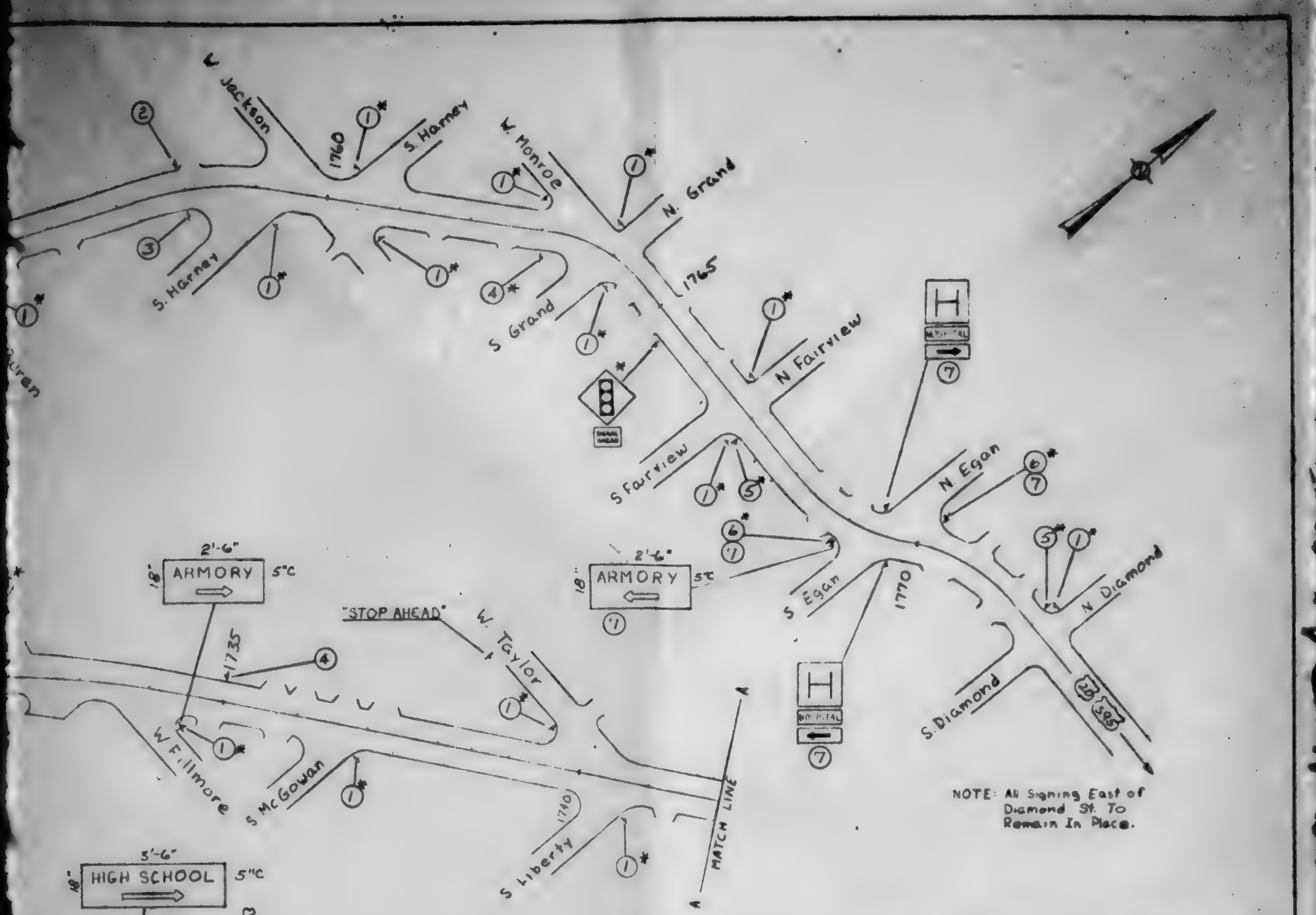
(5) Install "Sch

(6) Install Sch

(7) Mount Sign

* ...e Existing

** Mount on SP and 12" Fl



NOTE: All Signing East of Diamond St. To Remain In Place.

NOTE: The City Will Be Responsible For All Street Name Signs.

① Install "STOP" Sign
② Install "SPEED 45" Sign
③ Install "SPEED 25" Sign
④ Install School Advance Sign
⑤ Install "School Speed 20 When Children Are Present" Sign
⑥ Install School Crossing Sign
⑦ Mount Sign On Signal Pole
* Use Existing Sign.
** Mount on span wire with illumination and 12" Flashing Beacon.

P.W. Clemens
CITY ATTORNEY
2/18/76
DATE

SIGNING PROJECT

Hines - Diamond Ave. (Burns) Sect.
Central Oregon Hwy. - Harney County

Action	Date		Title
Submitted	12-8-75		Engr.
Approved	12-11-75		Traffic Engineer
"	1/26/76		Traffic Engineer
"	1/26/76		Asst. Hwy. Engr.
Accepted		Not Required	USBPR

8640

7

ORIGNAL SIGNED
DUANE O. CHRISTENSEN

Salem, Oregon
May 5, 1976

Duane O. Christensen
Final Design Engineer

Hines-Diamond Ave. (Burns) Sec.
Central Oregon Highway
Harney County

Dale Allen
Region 5 Construction Engineer

The change in location for the crosswalk near the Dairy Queen, discussed with you yesterday, is shown on the attached copies of plan sheet 5. The change was recommended by Mr. Hatcher and you.

Mr. Dwayne Hofstetter informed us the change in location should be approved by the City. He did not think the school was involved in this location.

Please obtain the City's approval, so we can add this work to the plans.

FE:az
Attachments (3)
cc: Fred Eriksen
L. E. George

1 Versteeg ✓
Olson
Christensen
Scott
Swenson
Savage
Trout

RECEIVED
MAY 5 - 1976
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up ___/___/___
Other

8640

7

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

La Grande, Oregon

April 6, 1976

FILE:

FROM: Dale D. Allen
Regional Construction Engineer

TO: Duane O. Christensen
Final Design Engineer

S A L E M

SUBJECT: Relocation of School
Cross Walk
Hines-Diamond Ave. (Burns)
Harney County

We have received approval of the City of Burns and the school to relocate the crosswalk on the above project. Refer to your March 16, 1976 letter.

We concur with the resident (Hines Blvd.) that a crosswalk and necessary signing will be required at Station 1728+50 (Dairy Queen). Is this included in the plans? I do not see why the city and school need to approve this crossing, as it would not be a school crossing. Advise if this is correct.

1 Verstoeg ✓
Olson
2 Christensen DOC
Scott
Swenson
Savage
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APR 7 1976
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
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Return To
Bring Up ___/___/___
Other

DDA:je
Attachments

cc: Barry Hatcher

REFERRED TO

Beard Reed
Cole 1 Sample 7888
2 Eriksen FE Watson
Heger Wolfe
Return Discuss Do File Copy Dup
BY FINAL DESIGN ENGINEER

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Burns, Oregon

April 2, 1976

FILE:

B. N. Hatcher

FROM: B. N. Hatcher
Resident Engineer

TO: W. E. Schwartz
Regional Engineer

LAGRANDE

RE ☐ RCE ☐ RBE ☐ RME ☐ ROE ☑ RDE ☐

APR 6 1976

RECEIVED
REGIONAL OFFICE

SUBJECT: School Crosswalk
Hines - Diamond Ave. (Burns)
Section
Central Oregon Highway
Harney County

Herewith, please find Dale Allen's letter (with attachments) to me dated March 22, with the appropiate official's signatures thereon, approving moving the crosswalk at the high school.

These people are concerned with and stress the need for the crosswalk at the Dairy Queen and Ponderosa Village. They have somehow gotten the idea that this crossing is to be abandoned. The current location of this school crosswalk is at station 1732+50. I would recommend that this crossing be relocated to station 1728+50 to coincide with the end of the sidewalk on one side and get it somewhat away from the vehicular congestion in the area. This would also improve the sight distance for both pedestrians and vehicles by having the crossing near the beginning of the spiral instead of near the middle of the curve.

This will probably require getting approval from the school and city again.

w/attachments

BNH/hc

cc: file

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

La Grande, Oregon

March 22, 1976

FILE:

FROM: Dale D. Allen
Regional Construction Engineer

SUBJECT: Hines, Diamond Avenue
School Crosswalk

TO: Barry Hatcher
Resident Engineer

BURNS

The attached letter and preliminary copy of plans shows the proposed school crosswalk location.

This change is primarily required because the existing path will be removed east of Station 1711+75. However, it would appear to be the best location for the foot traffic from Hines.

The crosswalk will be marked with the appropriate ground mount and overhead signs.

Please review this matter with the City of Burns and school and, if they concur, request their signatures on this letter.

Approved:

P. H. Clemens.
City of Burns

Approved:

W. R. Opst. Supt
School

DDA:je
Attachments

RECEIVED
MAR 23 1976
B. N. HATCHER
RES. ENGR.

8640

7

ORIGNAL SIGNED
DUANE O. CHRISTENSEN

Salem, Oregon
March 16, 1976

Duane O. Christensen
Final Design Engineer

W. E. Schwartz
Region 5 Engineer

Relocation of School Cross
Walk to Suit Elimination of
A Portion of the Existing
Footpath (Bikeway)
Hines-Diamond Ave. (Burns) Section
Central Oregon Highway
Harney County

The construction of this section obliterates the existing easterly (right) footpath (bikeway).

This footpath is being replaced with walks as follows: (Lt.) westerly side (8' Hines/Burns City Limit-W. Van Buren St.; 5' W. Van Buren St.-Diamond Ave.)and on the (Rt.) easterly side (5' W. Pierce St.-Diamond Ave.).

We propose to move the existing cross walk southerly a distance of approximately 575 feet to about Station 1711+75 (see plans sheet 3) near the existing amber flashing light and opposite end of the school walk. A temporary walk (bikeway) will be constructed from this crosswalk (Sta. 1711+75) back on the easterly (Rt.) side to Station 1708+75 to connect with the existing footpath (bikeway). We believe this plan to relocate the cross walk will do the following:

(a) Be more directional for school children.

(b) The length of the temporary footpath will be reduced from 875 feet to 300 feet at a savings of approximately $6,000.

(c) The future relocation of the existing footpath to the (Lt.) westerly side in Hines as proposed in hearings will be accomplished with less public reaction if only a minimum of temporary footpath is constructed at this time.

If you concur in this crosswalk relocation, please take appropriate steps to obtain the approval of the school district and the City of Burns.

WHS:fw
Attach.
cc Fred Ericksen

Versteeg ✓
Olson
Christensen
Scott
Swanson
Anderson
Trout

RECEIVED
MAR 16 1976
ROAD
DESIGN
SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
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Bring Up / /
Other

8640

7

Salem, Oregon
March 2, 1976

ORIGNAL SIGNED
DUANE O. CHRISTENSEN
Duane O. Christensen
Final Design Engineer

Hines-Diamond Ave (Burns) Section
Central Oregon Highway
Harney County

Verne Allen
Region V Right of Way Supervisor

Attached are two copies of a portion of the plan at the A & W Drive-in on South Imperial Avenue in Burns. We are having some difficulty working out what we feel would be a satisfactory grade from the driveway to the parking area.

The proposed driveway is shaded red on the plan. The parking stalls are outlined in red.

Please give us cost estimates for:

1. Damage to the property if there is no access to the highway (driveway not built).
2. Damage for loss of parking stall 1 and 2 if driveway is built.
3. Damage for loss of parking stalls 1, 2, 3, and 4 if driveway is built.

Enclosure
FE:az
cc: John Oakes, (w/encl.)
Fred Eriksen

Verstieg ✓
Olson
[illegible]
Scott
Swenson
Anderson
Trout

RECEIVED
MAR 2 1976
ROAD DESIGN SECTION

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Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up ___/___/___
Other

Ok copy to Region 5

Sta. 1750+45
Const. (1) G-1 Inlet
Install 24" C.P. - 35'
Trench Exc. = 16 C.Y.

Hines - Diamond Ave. (Co
Ce...a. Dragon Hwy.
Harney County

10° C.L.
Δ = 28°14'
T = 144.09'

1750 + 20.77 P.C.

1750

G-1 Inlet
P-84
2 C.Y.

Construct Retaining Wall

Gravel Road

Existing Channel

20' R.

Not Found

Stop

18" C.P.

Jack Rabbit Ranch Motel
(73-44)

1-Story

Burn Box

A/W Root Beer

32'

31

42

A.C. Lot

25' R

Gravel

W Tyler (A.C. Rd.)

S. Imperial (A.C. Rd.)

Top 50.2
F.L. Gut. 43.5

Sta. 1750+45
Const. (1) G-1 Inlet
Install 24" C.P. - 35'
Trench Exc. = 16 C.Y.

Hines - Diamond Ave. (Euro.) Sec.
Cen. Co. Dragon Hwy.
Harney County

1750

1750+20.77 P.C.

10° C.L.
Δ = 28°14'
D = 144.09'

1753+03.07 P.T.

Construct Retaining Wall 2

Existing Chan.

18" CP

20' R.

Gravel

Jack Rabbit Rendezvous Motor

1-Story A&W Root Beer

Burn Box

Asphalt

42

25' R

W. Tylar (Ac. Rd.)

S. Imperial (Ac. Rd.)

Top 50.2
Fl. Gut. 43.5

1-Story Harney Propane

1-Story Res.

8640 7

OREGON STATE HIGHWAY DIVISION
Location Section

Section: Hines - Diamond Ave. (Burns)
Highway: Central Oregon #7
County: Harney
Prefix: 13-1301
Res. Engr: Barry Hatcher

Date February 18, 1976
Traffic Coefficient 8.1
18 kip s.a. per day 112.6
R value 19
Frost Penetration 30"±
CBE Total Requirement 23.5"

STRUCTURAL SECTION
NEW WORK

ACTUAL THICKNESS	COMPONENT	CREDIT
2.0"	A.C. (F.A.)	4.0
1.5"	A.C.W.S. (I) Mod. Cl. C.	3.0
4.0"	A.C.B.	8.0
8.0"	A.B.	8.0
15.5"		23.0

EXISTING ROADWAY
(22'± width)

2.0"	A.C. (F.A.)
*1.5"	A.C. Overlay with an extra allowance (1.0") for leveling.

*Mod. Cl. C.

1.0"	Asphaltic Concrete Wearing Surface & Base	=2.0" Aggregate Base
1.0"	Cement Treated Base	=1.8" Aggregate Base
1.0"	Plant Mix Bituminous Base	=1.8" Aggregate Base
1.0"	Emulsion Treated Wearing Surface & Base	=1.8" Aggregate Base
1.0"	Soil Cement (Existing Roadway Material)	=1.5" Aggregate Base
1.0"	Oil Mat	=1.1" Aggregate Base
1.0"	Lime or Cement Treated Subgrade	=1.0" Aggregate Base
1.0"	Aggregate Subbase	=0.8" Aggregate Base

Above Factors apply to materials that comply with Standard Specifications and Special Provisions.

REFERRED TO
Boyd
Cole
Eckman
Hoge
Remm Please Do
BY FINAL DESIGN ENGINEER
Beal
Semple
Watson
Wolfe
File Copy Dup

F.H.W.A.
Asst. State Highway Engineer
Location Engineer
Construction Engineer
Region Engineer
Resident Engineer
Specifications Engineer
Final Design Engineer
Regional Geologist

1 Versteeg ✓
Olson
2 Terpin DOL
Scott
M copy Swenson
Anderson
Trout

RECEIVED
FEB 20 1976
ROAD DESIGN SECTION

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Requires Approval ☐
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Do not File
Return To
Bring Up
Other

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FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

January 26, 1976

FILE:

FROM: Donald E. Shaffer
Bicycle Route Engineer

SUBJECT: Hines-Diamond Avenue Section
Central Oregon Highway
Harney County

TO: Fred Eriksen
Road Design Team Supervisor

For the safety of children who must cross the highway to get to the school, I feel the existing bikeway should be continued on the south side of the highway from the beginning of the project to Station 1717+50. This will provide a crossing at the present crosswalk for bicyclists as well as pedestrians.

DES:jp

REFERRED TO

Beard	Reed
Cole	Semple
Eriksen FE	Watson
Hager	Wolfe

Return Discuss Do File Copy Due

BY FINAL DESIGN ENGINEER

RECEIVED

8640

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FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

FILE:

INTER-OFFICE CORRESPONDENCE

La Grande, Oregon

January 13, 1976

FROM: Dale D. Allen
Regional Construction Engineer

SUBJECT: Hines-Burns Section
Central Oregon Highway
Harney County

TO: Frank Terpin
Final Design Engineer

SALEM

In reference to your letter requesting that we investigate lowering the grade to match the adjacent properties, we have investigated this in the field and find that a large portion of this property will match very nicely to the adjacent properties without lowering the grade.

There is only one approach at the A & W Drive-In where an abrupt grade change will occur. The Resident Engineer has suggested a possible solution to the problem. We suggest that you weigh the cost of this solution with an estimate that Right-of-Way might furnish on buying the access.

REFERRED TO

Beard — Reed
Cole — Semple
Eriksen FE — Watson
Heger — Wolfe
Return Discuss Do File Copy Due
BY FINAL DESIGN ENGINEER

DDA:sh
Enclosures

cc B. N. Hatcher

1 Versteeg ✓
Olson
2 Terpin
Scott
Swenson
Anderson
Trout

RECEIVED
JAN 15 1976
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up ___/___/___
Other

FORM 81-734-3020

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Burns, Oregon

January 9, 1976

FILE:

B. N. Hatcher

FROM: B. N. Hatcher
Resident Engineer

TO: W. E. Schwartz
Regional Engineer

L A G R A N D E

SUBJECT: Hines - Diamond Ave. (Burns)
Section
Central Oregon Highway
Harney County

The grade change throughout the entire subject project proposed by the Design Section to reduce the difference in elevation between the roadbed and the abutting property; more specifically to decrease the grade on private and commercial accesses, is not necessary.

A careful study of the feasibility of such a change found that in practically all cases, the present approach may be extended to reduce any adverse grade. Where existing superelevation is excessive in the reduced speed area at the east end of the project, the situation can be relieved by building up the low side with A. C. and leaving the high side at about the same elevation.

The only place that appears to be a problem is the approach at, and the street connection near the A & W Drive-In ("L" -station 1750+50 & 1752). This area is on the right side of a curve left. Due to the grade and superelevation, the approach is already quite steep and the connection has a distinct bump or roll in it. The extra width of the new section will magnify the problem in both cases. In order to relieve this problem by flattening the super, it would be necessary to go into reverse or minus superelevation which is not possible due to the sharp degree of curve (10°) and the drainage pattern. It appears that one solution would be by lowering the grade through this area. This brings up another problem which is the proposed box culvert that is very near the approach. However, it is possible to just squeeze by. Starting at station 1748, where another street connection must be matched, and using the high (left) side of the box culvert at about station 1750 for control, it is possible to lower the grade enough to make a decent approach to the A & W and connection at S. Imperial St. The existing grade would be matched again at station 1754+50. The street connection could be improved without lowering the grade; by just extending the ramp further down the street, although this may conflict with another approach to the A & W parking lot off this street. Doing something like this on the approach to the A & W at station 1750+50 is not feasible as it would further restrict parking under the canopy here that is presently somewhat cramped due to the ramp. By shortening this ramp with the additional roadway width and not lowering the grade, an extremely steep incline would be produced that would be difficult to negotiate and hazardous due to restricted sight distance.

Hines - Diamond Ave. (Burns)
Section
Central Oregon Highway
Harney County

The lowering of the grade and cutting out one foot +/- of existing surfacing throughout this area will amount to about 1900 additional cubic yards of excavation with approximately 1600 square yards of pavement involved. This will affect traffic and involve some stage construction. However, the box culvert will have to be constructed half at a time, so that would also be a good time to do this work, if necessary.

There is one other alternative, and that would be to get the property owner to abandon the approach. I have been unable to contact him as he is presently out of town. The City of Burns is considering extending W. Tyler St. so that it intersects the highway. This would give him full access to his business on two sides. However, the property owner is attempting to get the street vacated so that he can expand his business to the southwest. We also tried shifting his approach to a different location but this did not help the situation appreciably.

BNH/hc

cc: file

8640

Salem, Oregon
December 9, 1975

Frank E. Terpin
Final Design Engineer ORIGINAL SIGNED BY FRANK E. TERPIN
FINAL DESIGN ENGINEER

W. E. Schwartz
Region 5 Engineer

Hines-Diamond Ave. (Burns) Sec.
Central Oregon Highway
Harney County

In reviewing the typical section and platted cross sections it was noted that most of the sections are shallow fills of one or two feet. Only a small amount of the sections, perhaps 10 or 15 percent, have the walks or berms matching the ground line. This situation will not enhance the job's appearance nor be pleasing to the adjacent property owners. It will make the construction of driveways go deeper into the adjacent property to get down to the ground line from the back of walk elevation.

The outside travel lanes could be sloped greater than two-hundredths per foot, perhaps as much a five or six hundredths per foot, which would help somewhat but is probably not the better solution. If the existing pavement is not saved, the grade can be lowered and a better match made with the adjacent properties.

There is a question whether the grade can be lowered without changing the present drainage pattern. Some of the cross culverts shown on the cross sections are so shallow that if the grade were lowered they would have to be replaced with a storm sewer system.

We have roughly estimated the increased cost of lowering the grade a foot to be about $70,000. This covers surfacing materials and excavation.

Please give us your recommenation on whether to save the existing pavement, or not save it, and lower the grade.

Enclosed for your use is one copy each of the plan, profile, cross sections and typical section.

FE:jh

Versteeg ✓	RECEIVED	Requires Reply ☐
A. Olson		Requires Approval ☐
Terpin		Receiver Keep ☐
Scott	DEC - 91975	Do not File ☐
Swenson		Return To
R. Olson	ROAD DESIGN SECTION	Bring Up ___/___/___
Trout		Other

8641 Pacific Hwy.-McKenzie Hwy. 1977
(Springfield) Sec. of Eugene-
Springfield Hwy. (Guardrail & signing)

.86411

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	te
MONTHLY TRANSACTION NUMBER 3-133		Oregon
PROJECT REPORT NUMBER	MODIFICATION OF FEDERAL-AID PROJECT AGREEMENT	County Lane
MODIFICATION NUMBER 2	3/11/80	Project Number ROS-28(1)

The Project Agreement for the above-referenced project entered into between the undersigned parties and executed by the Division Administrator on January 10 ,19 78 , is hereby modified as follows:

	Former amount	Revised amount
Estimated total cost of project	$ 131,500.00	$ 131,000.00
Federal funds	$ 118,350.00	$ 117,899.66
Other revisions		

This modification is made for the following reasons: To release federal funds (app'n 144) to cover post final voucher overrun on project ROS-000S(3).

All other terms and conditions of the Project Agreement will remain in full force and effect. This modification is effective as of the 14th day of March ,19 80 .

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By _____

Asst. State Highway Engineer
(Title)

By For: H. S. Coulter

State Highway Engineer
(Title)

By _____

(Title)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Administrator)

For: G. L. Green

Form PR-2A
(Rev. 10-75)

Previous editions are obsolete

Gen. File

Oregon State Highway Division
Salem, Oregon March 10, 1980

Federal Aid Project
No. ROS-28(1)

Pacific Hwy.-McKenzie Hwy. (Springfield) Section
Eugene-Springfield Highway
Lane County

REVISED PROJECT AGREEMENT ESTIMATE

Type Code Y104

Roadway (Sta. 152+62.63 to Sta 470+16.85)

Subtotal of previous estimate of December 12, 1977		$118,176.00
	Subtotal	$118,176.00
	Engineering	12,824.00
	TOTAL	$131,000.00

Length of project - - - - - - - - - - 0.0 mile

Federal Funds - - - - - - - - - - - -	$117,899.66
State Funds - - - - - - - - - - - - -	13,100.34
TOTAL	$131,000.00

Group 1-100%
Contract No. 8641
Prefix No. 120-1002

864

STATE COPY 8

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	Form Approved; O M B No. 04-R2089
MONTHLY TRANSACTION NUMBER 5-153		State Oregon
PROJECT REPORT NUMBER	MODIFICATION OF FEDERAL-AID PROJECT AGREEMENT	County Lane
MODIFICATION NUMBER 1	5-21-79	Project Number ROS-28(1)

The Project Agreement for the above-referenced project entered into between the undersigned parties and executed by the Division Administrator on January 10, 19 78, is hereby modified as follows:

	Former amount	Revised amount
Estimated total cost of project	$ 127,707.00	$ 131,500.00
Federal funds	$ 114,936.00	$ 118,350.00
Other revisions		

This modification is made for the following reasons:

To include increase in construction costs.

All other terms and conditions of the Project Agreement will remain in full force and effect. This modification is effective as of the 21st day of May, 19 79.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E. J. Hunter

Asst. State Highway Engineer
(Title)

By For: H. S. Coulter

State Highway Engineer
(Title)

By _____

_____
(Title)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Administrator)

For: G. L. Green

Form PR-2A
(Rev. 10-75)

Previous editions are obsolete

GPO 927 494

Gen. File

Oregon State Highway Division
Salem, Oregon May 15, 1979

Federal Aid Project
No. ROS-28(1)

Pacific Hwy.-McKenzie Hwy. (Springfield) Section
Eugene Springfield Highway
Lane County

Revised Project Agreement Estimate

Type Code Y104
Roadway (Sta. 152+62.63 to Sta. 470+16.85)

Subtotal of previous estimate of December 12, 1977			$112,518.00
Previous Estimate			
Guard Rail-Type 2A	2,475 Lin. Ft.	6.00	$ 14,850.00
Revised Estimate			
Guard Rail-Type 2A	3,418 Lin. Ft.	6.00	$ 20,508.00
	Increase		$ 5,658.00
	Subtotal		$118,176.00
	Engineering		13,324.00
	Total		$131,500.00

Length of Project. . . . 0.0 mile

SUMMARY OF FUNDS

Federal Funds	$118,350.00
State Funds	13,150.00
Total	$131,500.00

Group 1 - 100%
Contract - 8641
Prefix No. 120-1002

8641

STATE COPY

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	Oregon
MONTHLY TRANSACTION NO. 1-60	FEDERAL-AID PROJECT AGREEMENT	County Lane
	1-10-78	Project No. ROS-28(1)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

SR 126, I-5 to McKenzie Hwy. (Springfield)

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	10-26-77	0.00
OTHER *(Specify)*		

ESTIMATED TOTAL COST OF PROJECT	FUNDS Pro rata 90% FEDERAL FUNDS
$ 127,707.00	$ 114,936.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E S Hunter

Technical Services Engineer
(Title)

By H S Coulter

State Highway Engineer
(Title)

By _____

_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By Tony Burrows
(Division Administrator)

For: G. L. Green

Date executed by
Division Administrator _____

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway. agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtednesss of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

file

Oregon State Highway Division
Salem, Oregon, December 12, 1977

Federal Aid Project
No. ROS-28(1)

Pacific Hwy.-McKenzie Hwy. (Springfield) Section
Eugene-Springfield Highway
Lane County

Project Agreement Estimate.

Type Code Y104
Roadway (Sta. 152+62.63 to Sta. 470+16.85)

Mobilization	All Required		$ 10,000.00
Temporary Protection and Direction of Traffic	All Required		5,000.00
Temporary Signs	250 Sq.Ft.	5.00	1,250.00
Temporary Barricades	3 Only	80.00	240.00
Flagmen	400 Hour	1.00	400.00
Removal of Structures and Obstructions	All Required		10,000.00
Embankment in Place	1,260 Cu.Yd.	4.00	5,040.00
Trench Excavation	30 Cu.Yd.	20.00	600.00
Furnishing and Placing Topsoil	80 Cu.Yd.	8.00	640.00
Watering	30 M-Gal.	10.00	300.00
1"-0 Aggregate Base	940 Ton	6.00	5,640.00
Class "B" or Class "C" Asphalt Concrete	400 Ton	18.00	7,200.00
12-inch Culvert Pipe	200 Lin.Ft.	20.00	4,000.00
Concrete Inlets, Type G-2MA	1 Only	800.00	800.00
Guard Rail, Type 2A	2,475 Lin.Ft.	6.00	14,850.00
Guard Rail, Type 3	200 Lin.Ft.	14.00	2,800.00
Metal Median Barrier	100 Lin.Ft.	20.00	2,000.00
Extra Guard Rail Blocks	38 Only	3.00	114.00
Extra Rail Elements	200 Lin.Ft.	3.00	600.00
Guard Rail Anchors, Type 1	16 Only	275.00	4,400.00
Guard Rail Anchors, Type 2	1 Only	275.00	275.00
Extra for Guard Rail Bridge Connections	8 Only	275.00	2,200.00
Rail End Pieces, Type A	3 Only	50.00	150.00
Rail End Pieces, Type C	19 Only	200.00	3,800.00
Loose Riprap, Class 700	120 Cu.Yd.	20.00	2,400.00
SIGNING			
Removal of Existing Sign Installations	All Required		3,200.00
Wood Sign Posts	All Required		5,700.00
Sign Support Footings	All Required		5,200.00

Breakaway Sign Supports	All Required		$ 2,700.00
Single Post Breakaway Sign Supports	All Required		800.00
Single Post Slip Base Sign Supports	All Required		850.00
Double Sign Supports	All Required		1,700.00
Type "A" Signs In Place	96 Sq.Ft.	14.00	1,344.00
Type "C" and "D" Signs In Place	107 Sq.Ft.	7.00	749.00
Type "H" Signs In Place	25 Sq.Ft.	8.00	200.00
Type "EE" Signs In Place	147 Sq.Ft.	8.00	1,176.00
Move, Modify and Reinstall Existing Signs	All Required		3,700.00
			$112,018.00
Anticipated Items			
Temporary Erosion Control	All Required		$ 500.00
	Subtotal		$112,518.00
	Engineering		15,189.00
	Total		$127,707.00

Length of Project . . . . . 0.0 Mile

Work Retained in Program Status
(Not included in amounts below)

Raise Existing Guardrail	All Required	$ 300.00

Federal Funds (90.0%)	$114,936.00
State Funds	12,771.00
Total	$127,707.00

Group 1 100%
Contract No. 8641
Prefix No. 120-1002

Pacific Hwy.-McKenzie Hwy. (Springfield) Section
Nonparticipating - State Work

State Responsibility for Damages	All Required	$ 1,000.00

8641

8

August 23, 1978

Corrocn & Black of Oregon
1600 S.W. 4th
Portland, OR 97201

Gentlemen:

On August 22, 1978, we wrote to you concerning release of final payment on Contract No. 8641 awarded to R. A. Hatch Co. for work on the Pacific Highway-McKenzie Highway (Springfield) Section of the Eugene-Springfield Highway in Lane County.

Final payment on this contract is $8,485.45 and the total contract amount is $118,703.54. No work was performed under force account.

Very truly yours,

C. W. Head
COMMISSION SERVICES

dda

cc R. A. Hatch Co.
P. O. Box 201
Bend, OR 97701

Employers Mutual Liability
Insurance Co. of Wisconsin
2000 Westwood Drive
Wausau, WI 54401

bc C. T. Keasey
Walt Hart
Alfred Shirley

8641

FORM E-1 (REV. 10-68)

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE DIVISIONS

REPORT NO. 17

SECTION: PACIFIC HIGHWAY-MCKENZIE HIGHWAY(SPRINGFIELD)		WEEK ENDING: 1 JULY 1978
		SECTION PREFIX: 120-1002
HIGHWAY: EUGENE-SPRINGFIELD		COUNTY: LANE
NAME OF JOB: PACIFIC HWY-MCKENZIE HWY	KIND OF WORK: GUARDRAIL AND SIGNING	
CONTRACTOR: R. A. HATCH	CONTRACT NUMBER: 8641	FEDERAL AID PROJECT NUMBER: RDS-28(1)
DATE OF CONTRACT: NOVEMBER 11, 1977	DATE WORK STARTED: MARCH 6,1978	ESTIMATED COMPLETION DATE:
AVERAGE FORCE ON PROJECT FOR THE WEEK: 0 MEN: 0 SUPERVISION: 0	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 150 CWD	CALENDAR DAYS USED 95
	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED 63.3%
PROJECT AUTHORIZATION: $ 129183.43	ENGINEERING AUTHORIZATION $ 10243.62	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST 100.0%
EXCLUSIVE OF ENGINEERING: $ 118939.81	ENGINEERING COST TO DATE $ 10044.12	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION 100.3%
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $ 119243.31	THIS WEEK 0.0	DATE PROJECT WAS COMPLETED: JUNE 2, 1978
ESTIMATED PERCENT: OVERRUN 0.3 %	PERCENT OF AUTHORIZATION 98.1 %	

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.	GUARDRAIL
	100.%	100.%	100.%	100.%		100.%

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT	6.01	6.01			6.01
MILES PARTIALLY COMPLETED					
MILES COMPLETED					
TOTAL ESTIMATED QUANTITIES (CONTRACT)	1260.0 CY	940.0 TON			400.0 TON
TOTAL QUANTITIES CORRECTED TO DATE	1008.3 CY	950.4 TON			387.7 TON
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE	1008.3 CY	950.4 TON			387.7 TON
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.	SIGNING	TOPSOIL						
PERCENT	100.%	100.%						

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY		0		
MONDAY	CLEAR	0		
TUESDAY	CLEAR	0		
WEDNESDAY	CLEAR	0		
THURSDAY	MOSTLY CLOUDY	0		
FRIDAY	MOSTLY CLOUDY	0		
SATURDAY		0		

RECEIVED
JUL 3 1978
CONSTRUCTION BRANCH

Kessey, Jackmond, Hopkins, Williams, Johnsen, Glenn, Richards, Berg, Inloes, Widmer, Gebauer, Church

READY

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY	Pacific Highway - McKenzie Highway (Springfield) - for week of June 25 - July 1, 197
MONDAY	No activity all week. Project work complete.
TUESDAY	
WEDNESDAY	
THURSDAY	
FRIDAY	
SATURDAY	

REMARKS

This Week: No activity. Project work complete.

Next Week: No activity.

NOTE: Project work complete. Semi-final data to be submitted by July 6, 1978.

SIGNED Ellis H. Jones LOCATION Eugene

Ellis H. Jones, Resident Engineer

PRIME RESIDENT SUBMIT 2 COPIES. WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES.

8641 227

Salem, Oregon
March 31, 1978

ORIGINAL SIGNED
DUANE O. CHRISTENSEN

Duane O. Christensen
Final Design Engineer

Ellis Jones
Resident Engineer

Sign Shop Drawings
Pacific Highway-McKenzie Highway
Eugene-Springfield Highway
Lane County
Contract No. 8641

Enclosed find three prints of approved shop drawings for revised Sign 23 on the above named project.

One print should be retained by you for field inspection purposes, one print forwarded to Don Wackerbarth's office for shop inspection of the sign and one print sent to Traffic Safety Supply Co. for sign fabrication.

MGB:ab
Attachment
cc: C. T. Keasey
Alfred Shirley, Jr.
W. G. Beard

227

Salem, Oregon
February 2, 1978

ORIGINAL SIGNED
DUANE O. CHRISTENSEN

Duane O. Christensen
Final Design Engineer

Ellis Jones
Resident Engineer

Sign Support Design Check
Pacific Highway-McKenzie Highway
Eugene-Springfield Highway
Lane County
Contract No. 8641

Reference your letter of January 30, 1978, requesting that we check the post designs based on verified post lengths included in your letter.

A check has been made and all post sizes and weights should remain as indicated on the plans, with the exception that the left post of Sign 50 could be changed to W6 12. In view of the paper work necessary to save approximately $95.00, we suggest that no changes from contract be made.

Vandeberg ✓
Christensen
George
Olson
Terpin
Sullivan
Scott
Savage

RECEIVED
FEB 0 8 1978
ENGINEERING SECTION

Trout
Do Not File ☐
Return To
Bring Up ___/___/___
Action

WGB:ab
cc: Alfred Shirley, Jr.
C. M. McHugh
W. G. Beard

FORM E-30

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Eugene, Oregon

REFERRED TO
BY FINAL DESIGN ENGINEER
Beard W&B — Dorn
Cole — Semple
Eriksen — Watson
Heger — Lau
Return — Discuss — Do — File Copy — Due

DATE January 30, 1978

TO Duane O. Christensen, Final Design Engineer
attn: W. G. Beard

FROM Ellis H. Jones, Resident Engineer

Versteeg — Treut
Christensen — DOC
Georgs
Olson
Terpin
Sullivan
Scott
Savage

RECEIVED
FEB 0 1 1978
ENGINEERING SECTION

Do Not File ☐
Return To
Bring Up ___/___/___
Action

SUBJECT Pacific Highway-McKenzie Highway Project
Contract: 8641
Prefix: 120-1002
Lane County
Post Length Verification

Following is a list of field verified post lengths for the subject project.

Please check post design of verified lengths and advise this office of your approval, with a copy to Charles McHugh, Structures section, Salem. We are holding the shop drawings for the stubs in this office pending your approval.

SIGN NO.	STATION		FIELD LENGTH	
1	155+15 Rt	19'-6"	19' - 0"	L ✓
		18'-9"	18' - 10"	R ✓
3	167+00 Lt	21'-6"	21' - 8"	L ✓
		22'-9"	23' - 5"	R ✓
6	178+50 Rt (Gore)	12'-6"	12' - 4"	C ✓
7	179+55 Lt	10'-9"	10' - 7"	C ✓
8	L2 180+65 Lt	11'-3"	12' - 2"	C ✓
14	199+10 Lt (Gore)	13'-0"	13' - 1"	C ✓
18	204+85 Lt	16'-6"	17' - 2"	L ✓
		20'-9"	22' - 1"	R ✓
21	224+85 Lt	20'-6"	20' - 4"	L ✓
		20'-6"	20' - 5"	R ✓

SIGN No.	STATION		FIELD LENGTH	
23	239+50 Rt	16'-6"	16' - 4"	L ✓
		17'-9"	17' - 11"	R ✓
50	288+50 Rt	22'-6"	17' - 1"	L ?
		24'-6"	21' - 6"	R ✓
53	313+85 Lt	20'-9"	20' - 1"	L ✓
		20'-9"	20' - 2"	C ✓
		21'-6"	20' - 2"	R ✓
57	322+25 Rt	20'-9"	20' - 8"	L ✓
		21'-9"	22' - 2"	R ✓
59	326+50 Rt (Gore)	12'-6"	12' - 7"	C ✓
77 & 78	421+60 Rt	10'-6"	9' - 8"	C ✓
79 & 80	422+35 Lt	11'-6"	11' - 0"	C ✓

BLP/fs
cc: Charles McHugh, Structures
Norman D. Krehbiel
File

227

ORIGINAL SIGNED
DUANE O. CHRISTENSEN

Salem, Oregon
January 20, 1978

Duane O. Christensen
Final Design Engineer

C. T. Keasey
Construction Engineer

Reinstallation of Stockpiled Sign
Pacific Hwy.-McKenzie Hwy. Section
Eugene-Springfield Highway
Lane County
Contract No. 8641

Per Ellis Jones' telephone conversation with Bill Beard of our office and subsequent submittal of requested field data, we have designed supports for the guide sign currently stored at our maintenance yard.

We have arbitrarily called this additional reinstallation sign 98. Additional quantities necessary for this sign are 2.0 cu. yds. of concrete, 855 pounds of structural steel and stainless steel clamps (to mount the route shield assembly, Sign 19, as you propose). The posts are: Left, 18'0" of W6 8.5; Center, 20'0" of W6 12 and Right, 22'9" of W6 12, all of which are subject to field vertfication.

We feel that furnishing and installation costs of the stainless steel straps is more than offset by deletion of the wood post called for Sign 19 on the plans. Probable adjustment will be necessary in the bid item for "Move, Modify and Reinstall Existing Signs", as well as "Sign Support Footings" and "Breakaway Sign Supports".

Being that the new location of Sign 98 is about 0.8 mile from the gore, changing the distance designation from "3/4" to "1" as was disucssed no longer seems practical.

Enclosed find two copies of our cross-section with sign location and post spacing indicated.

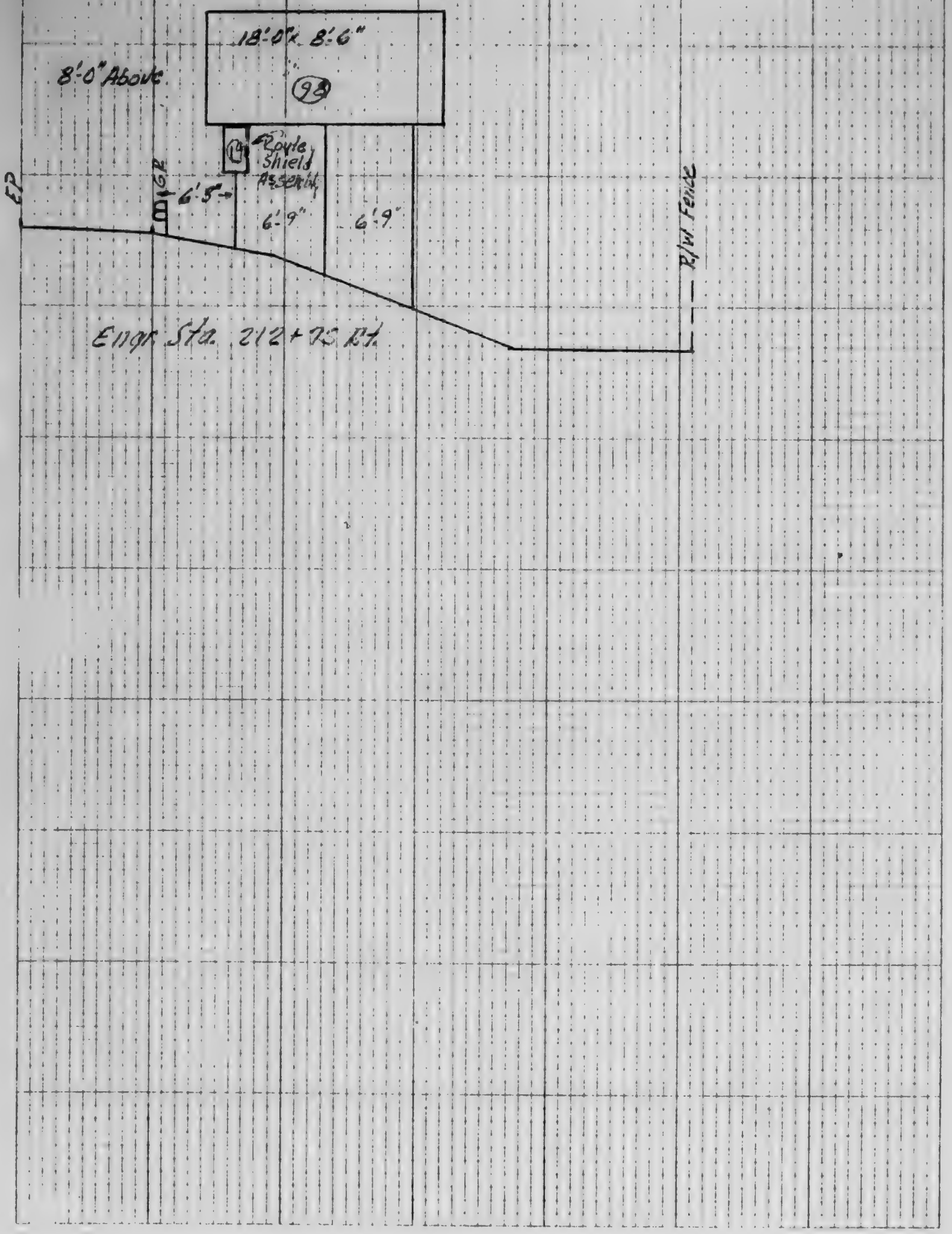
WGB:fw
Attach.
cc: Ellis Jones
Alfred Shirley Jr.
W. G. Beard

Vorstegg
Christensen
George
Olson
Terpin
Sullivan
Scott
Savage
Trout

RECEIVED
JAN 23 1978
ENGINEERING SECTION

Do Not File ☐
Return To
Bring Up ___/___/___
Action

Pacific Highway - McKenzie Highway . 'c. Supplemental



8641

227

ENVIRONMENTAL REVIEW CHECKLIST

11-17-77
~~8-25-77~~
~~7-28-77~~ Bid Letting _____ All Clear Deadline

ALL CLEAR 10/19/77
Harold L Rout

SECTION Pacific Hwy - McKenzie Hwy
Highway Eugene - Springfield
County Lane Region 3
Type of Work Remove Objects Funds ROS
State ✓ Consultant __ Plans Avail. __ Yes __ No

ROS-28(1)

	Not Required	Required	Mitigation Required	Mitigation/Plans	ALL CLEAR	
DOCUMENTS:						
EIS	X					
Negative Declaration	X					
Project Assessment		X			X	Statewide FHPM 7-7-2 para 10c.
Write-off Letter	X					
PERMITS:						
Division of State Lands	X					
D.O.G.M.I.	X					
Corps of Engineers	X					
Coast Guard	X					
Co. Conditional Use	X					
NPS Air Pollution	X					
NPS Water Pollution	X					
CULTURAL:						
Cultural Survey	X					
Cultural Salvage	X					
NOISE:						
Noise Study		X		X		

8641

227

Salem, Oregon
August 22, 1977

W. G. Beard
Sign Design Supervisor

Alfred Shirley, Jr.
Region 3 Engineer

This is a letter of appreciation for the excellent work done by D. W. Greene, Resident Engineer, and his crew in compiling the field data relative to permanent signing installations on the proposed Pacific Highway-McKenzie Highway Section of the Eugene-Springfield Highway.

The data seems to be very complete in scope and detail and will aid greatly in completing plans for the new project without undue errors or omissions. Needless to say it will also reduce engineering time expended on this end of the line.

WGB:az
cc: C. T. Keasey
D. W. Greene
J. H. Versteeg

J. Versteeg
Olson
Scott
Swenson
Savage
Trout

RECEIVED
AUG 22 1977
ROAD DESIGN SECTION

Requires Reply
Requires Approval
Receiver Keep
Do not File
Return To
Bring Up
Other

8642 Pacific Hwy. E. @ Irving Rd 1977
approx. 1 mi. north of Eugene
(Traffic signal installation)

C-a 6009 4-5-77

8642 10-29-79

*U.S. GOVERNMENT PRINTING OFFICE: 1974—732-620

cc; STATE (H S Coulter) STATE COPY

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

FINAL ACCEPTANCE REPORT

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	2	Lane	Oregon
DATE OF REPORT	**REPORT MADE BY**		**PROJECT NO.**
10/29/79	T. P. Lowe, Area Engineer — Original Signed by T. P. LOWE		TQF-3(1)
COMPLETION DATE	**ACCEPTANCE DATE BY CONTRACT AGENCY**	**TIME ELAPSED**	**CONTRACT TIME**
8/16/78	1/25/79	100 %	90%
APPROVED EXTENSIONS	**LOCATION**		
None	See below		

*The PR-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been submitted.

*A copy of the State's materials certificate is attached to the Division office copy of this report.
There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: *The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.*

PACIFIC HWY W. @ IRVING ROAD
PACIFIC HWY WEST
Traffic Signal

The project provided for an eight phase traffic signal and a pair of RR protective signals at the subject intersection.

The three minor items of work mentioned in 9/26/78 inspection report have been satisfactorily completed.

RECEIVED
STATE HWY ENGR
NOV 2 '79
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

11-7 cy Reasey

*NOTE: Not applicable for direct federal projects.

ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION	
SIGNATURE		SIGNATURE	
T. P. Lowe			
TITLE	DATE	TITLE	DATE
Area Engineer		Field Operations Engineer	

FORM FHWA 1446 B (12-72) FORMERLY PR 225 — Previous Editions of PR 225 Will Not Be Used

8642

8

May 7, 1979

Hamilton Electric, Inc.
Post Office Box 708
Eugene, OR 97440

Gentlemen:

Time Extension Request
Pacific Highway West @ Irving Road
Lane County
Contract No. 8642

We regret to inform you that we will not be able to consider your request for time extension for the above project. A review of our records shows that the request was submitted after all contract work was completed which is beyond the allowable time for adjustment of contract time.

Additional time could not have been granted for reasons stated in your request had the request been submitted timely. The added work did not contribute to delay of the project. Material acquisition appears to have been the reason for delay of project completion.

Sincerely,

ORIGINAL SIGNED BY H. S. COULTER

H. S. Coulter
State Highway Engineer

OBJ:DA:fr jh

bc: C. T. Keasey
Alfred Shirley
Ellis Jones

FORM 81-734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

May 1, 1979

FILE: CON 5 #8642

FROM: O. B. Jackmond
Contract Administration Engineer

TO: H. S. Coulter
State Highway Engineer

SUBJECT: Time Extension Request
Pacific Highway West @ Irving Rd.
Lane County
Contract No. 8642

The contractor, Hamilton Electric, Inc., has requested 10 additional calendar days in which to complete the above project. Late delivery of a signal bridge structure and extra work are reasons given for this request of additional time.

Pertinent time data are as follows:

Time expired	8- 6-78
Project completed	8-16-78
3rd Notification	10-25-78
Accepted for Commission	1-25-79
Additional time requested	4- 4-79

The contractor's request for additional time was submitted after all contract work was completed which is beyond the allowable time per our specifications for adjustment of any contract time. The resident engineer did not receive any correspondence prior to completion of the contract indicating a request would be submitted.

It appears no additional time could have been granted for the reasons stated in the contractor's request. Approximately four months passed before the State received shop drawings for the signal bridge, which is excessive. The drawings had to be corrected and resubmitted. There was no delay on the part of the State in reviewing these drawings. Materials remain the responsibility of the contractor.

Lowering of one footing was performed under Price Agreement 2 and additional conduit was installed under Price Agreement 1. These additional items were performed along with the regularily scheduled work. Work was idle on the project over a month after the extra work was completed waiting delivery of the signal bridge. There was no delay to the project due to the added work.

Attached is a rough draft letter to the contractor.

RECEIVED
STATE HWY ENGR
MAY 3 - '79
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

OBJ:DA:fr
Att.
cc: Alfred Shirley
Ellis Jones

B-300 (Rev. 3-77)

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon

Date April 4, 1979

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from 240 days to 250 days, within which to complete our Contract No. 8642, without the assessment of liquidated damages. The said contract is described as follows:

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows:

SEE ATTACHED

Respectfully submitted,

Hamilton Electric, Inc.
Contractor

By [signature]

CONSENT OF SURETY

Date April 4, 1979

We, GREAT AMERICAN INSURANCE COMPANY

, as

surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

[signature]
Attorney-in-fact
Ray D. Pollard (SEAL)

[signature]
Resident Agent

Smith & Crakes, Inc.

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request for Increase in Number of Workdays to Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8642 Contractor Hamilton Electric, Inc.

Highway Pacific Highway West

Section Pacific Highway West @ Irving Road

Kind of Work Traffic Signal Installation

It is recommended that the request for increase in the number of workdays within which to complete said contract be **DENIED** ~~or GRANTED~~. The reasons for such recommendation are as follows:

Recommended for Approval:

Regional Engineer

O. B. Jackmond
For Construction Engineer ~~or Bridge Engineer~~

H. L. Coulter
State Highway Engineer

Contract No.	8642
Project designation	Federal (State-Federal)
Date awarded	11-22-77
Work started	3-30-78
Per cent completed	100% 8-16-78 (Date)
No. of Workdays Allowed	240
No. of Workdays Used	250
No. of Added Workdays Requested	10

SP*67865-734

GREAT AMERICAN INSURANCE COMPANY

The number of persons authorized by this power of attorney is not more than ONE

No. O-10838

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below its true and lawful attorney-in-fact or attorneys-in-fact, for it and in its name, place and stead to execute in behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship: provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
RAY D. POLLARD	EUGENE, OREGON	UNLIMITED

This Power of Attorney revokes all previous powers issued in behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 2 day of February 1977.

Attest:

GREAT AMERICAN INSURANCE COMPANY

Vice President

STATE OF OHIO, COUNTY OF HAMILTON – ss:

On this 2 day of February, 1977 before me personally appeared ROBERT M. SCHUDER, to me known, being duly sworn, deposes and says that he resided in Cincinnati, Ohio, that he is the Vice President of the Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

MOLLY ANNE McCARTHY
Notary Public, Hamilton County, Ohio
My Commission Expires Nov. 10, 1981

Molly Anne McCarthy

This Power of Attorney is granted under and by authority of Article V of the By-Laws of the Company, extracts of which read as follows:

ARTICLE V.
Officers: Powers and Duties.

Section 4.... The President... shall also have power and authority, from time to time, to appoint and fix the compensation of one or more attorneys-in-fact, to prescribe their respective duties and the respective limits of their authority and to revoke any such appointment, at any time, in his discretion.

Section 5.... the several Vice Presidents... shall act, in the order of their appointment, in the place of the President exercising all his powers and performing his duties, during his absence or disability.

This Power of Attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of the Great American Insurance Company at the organization meeting duly called and held on the 1st day of October, 1976.

RESOLVED, that the Company seal and the signature of any officer authorized by the By-Laws may be affixed by facsimile to any power of attorney and revocation of any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal, when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, W. R. BILY, Secretary of the Great American Insurance Company, do hereby certify that the foregoing Power of Attorney, the above quoted abstracts of Sections 4 and 5 of Article V of the By-Laws, and the Resolution of the Board of Directors of October 1, 1976 have not been revoked and are now in full force and effect.

Signed and sealed this day of 19

S-1029E-11/76 PRINTED IN U.S.A.

ELECTRICAL CONTRACTING

O.S.H.D. Contract #8642
Pacific Highway West @ Irving Road

This project was delayed due to the late delivery of the sign bridge. The contract was awarded to us on November 22, 1977. The calendar day count beginning on December 10, 1977. Our purchase order was placed on December 6, 1977 (copy enclosed), which was on a timely basis. It called for material to be delivered to us by April 1, 1978. The quotation received from our supplier indicated this delivery date was acceptable to him (copy enclosed). The final approval drawings for the sign bridge were not received by us until April 11, 1978 and they were finally approved on May 3, 1978. We installed the sign bridge on a timely basis when it was received, but the 10 day delay was caused by the late delivery of the bridge, which was beyond our control.

In addition, the Oregon State Highway Department initiated Price Agreement #1 which was for installing conduit to a railroad controller. This involved the installation of 220 feet of conduit, including trench and pushing under roadway. We believe this extra work should entitle us to 3 extra calendar days on this project.

232 WEST 5th AVENUE 503/485-4455 POST OFFICE BOX 708 EUGENE, OREGON 97440

1977 | 1978

NOV. | DEC | JAN. | FEB. | MAR. | APRIL | MAY | JUNE | JULY | AUG.

22 CONTRACT AWARDED

10 CALENDAR DAYS CHARGED

240 DAYS AUTHORIZED

230 DAYS USED

SHOP DWGS.

- 12 RECEIVED SHOP DWGS.
- 6 RETURNED SHOP DWGS. (REJECTED)
- 3 RESUBMITTED CORR. DWGS.
- 4 RETURNED SHOP DWGS. (APPROVED)

- 0 BRIDGE ARRIVED FOR SITE

WORK BY PRIME AND SUB CONTRACTORS

- BUILT SIGNAL BRIDGE FOOTINGS — 30 — 7
- FLD. UNDERGROUND WORK — 15 — 27
- UNDERGROUND WORK & LOOPS — 4 — 11
- LOOPS — 16 — 18
- ERECT. BRIDGE — 0 — 3
- COMPLETED ELECTRICAL WORK ON BRIDGE AND ABOVE GROUND. — 13 — 16

FREDERICK POST COMPANY
3017G10 CROSS SECTION 10 X 10 PER INCH

HAMILTON ELECTRIC, INC.

232 West Fifth Ave.
P. O. Box 708
EUGENE, OREGON 97401 (BUYER)

PURCHASE ORDER

Show this Purchase Order Number on all correspondence, invoices, shipping papers and packages. No. 0107

TO Timpsett Lbr Mfg Co.
Route 1 Box 464
Madras Oregon 97741
(SELLER)

DATE OF ORDER: 12-6-77
REQ. NO. 77-44

SHIP TO JOBSITE
Pacific Hiway West Irving Rd
Lane County
Eugene, Ore

Please enter our order for the following, subject to the conditions and instructions herein contained. IMPORTANT—This order is not valid until the attached acknowledgment has been signed and returned. This order expressly limits acceptance to the terms stated herein, and any additional or different terms proposed by the seller are rejected unless expressly assented to in writing by buyer. CONDITIONS ARE ON REVERSE HEREOF. By accepting this order, seller agrees to be bound by the specifications, terms, agreements and conditions set forth in Contract No. 0110 8542 which by this reference is expressly incorporated herein and made a part hereof, including without limitation, the provisions for completion and liquidated damages. Approval drawings, certifications and guarantee of equipment are required.

MUST BE RECEIVED BY:	SHIP VIA:	F.O.B. POINT:	TERMS:
April 1 1978	Best Way	Jobsite	Net 30

	QTY. ORDERED	QTY. RECEIVED	STOCK NUMBER/DESCRIPTION	UNIT PRICE		TOTAL	
1	1		51 6x8 Bandoc Pwr Spcs	24735	c/c		
2			with Anchor Bolts				
3							
4							
5							
6			For: Pacific Highway West				
7			at Irving Road				
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							

INSTRUCTIONS

1. Execute acknowledgment copy hereof and return to Buyer. No other form of acceptance is binding on Buyer.
2. Excess unauthorized shipments are subject to rejection and return.
3. All changes of any type or nature must be agreed to in writing by us.
4. Render all invoices in duplicate.

Agreed and Accepted

L. Hazen (77-248) (SELLER)

Authorized By

ACKNOWLEDGMENT

ICK HOGAN
OWNER

Bus. (503) 475-3052
Res. (503) 475-3892

TOMPSETT-HOGAN MFG. CO.
STEEL FABRICATORS
SHEET METAL
MACHINE WORK

CUSTOM STEEL
FABRICATION
INT HARVESTING
AGR. EQUIPMENT

ROUTE 1, BOX 464
MADRAS, ORE. 97741

TT-HOGAN MFG. CO.

ADRAS, OREGON 97741 PHONE (503) 475-3052

roposal Form

Date November 30, 1977

Proposal No. 2072

Job No.

Phone: 1-345-8711

TO: Hamilton Electric, Inc.
232 W. 5th
Eugene, Oregon 97401

TOMPSETT-HOGAN MFG. CO., hereinafter called the Manufacturer, proposes to furnish the materials and work as listed below, according to the plans and specifications exhibited to us, and subject to all terms and conditions herein, for the sum of

Twenty Four Thousand Seven Hundred Thirty Five and No/100---------- DOLLARS ($ 24,735.00)

Terms: Net 30

ARTICLE 1.

Name of Job:

Location: Pacific Hiway West at Irving
Lane County, Oregon

Architect: Traffic Signal Installation

Sheet Numbers: Oregon State Hiway Plans TQF-3(1)

ARTICLE 2. SCOPE OF WORK:

Manufacturer will, subject to the latest Code of Standard Practice of the American Institute of Steel Construction or other applicable specification, perform the following:

One (1) Sign Bridge per Drawing No. 32941 (not erected) with anchor cages (loose) & templates for setting

Price: FOB Jobsite

Delivery: March or April 1978 (embedded sooner)

Customer to Furnish: Electric, Vehicle Signals, Signs with Hardware & Supports, Paint and Grout.

P.O #0107
12-6-77

OREGON STATE
HIGHWAY DIVISION

May 2, 1978
Eugene, Oregon

Hamilton Electric, Inc.
P. O. Box 708
Eugene, Oregon 97401

Re: Pacific Highway West @
Irving Road (Eugene)
Contract No. 8642
F. A. P. No. TQF-3(1)
Price Agreement No. 1

Enclosed for your approval, find Price Agreement No. 1 for the subject project. If acceptable, please sign and return to this office.

O.K.

Ellis H. Jones
Resident Engineer

EHJ/cj

cc: File
J. Gix

ELECTRICAL CONTRACTING

WORK SCHEDULE

TRAFFIC SIGNAL INSTALLATION
PACIFIC HWY. W - IRVING ROAD
O.S.H.D. CONTRACT #8642

	APPROX. WORK DAYS	COMPLETION DATE
INSTALL BASES	14	April 3-20
INSTALL UNDERGROUND CONDUIT	5	April 21-27
INSTALL SIGN BRIDGE	2	May 8-9
INSTALL POLES	1	May 15
PULL WIRE	4	May 16-19
INSTALL SIGNALS & SIGNS	4	May 22-25
INSTALL SERVICE & TERMINAL CABINETS	1	May 26
INSTALL CONTROLLER	1	May 29
INSTALL LOOPS	6	May 30-June 6

232 WEST 5th AVENUE 503/485-4455 POST OFFICE BOX 708 EUGENE, OREGON 97440

8642

8

January 31, 1979

Great American Insurance Company
Pacific NW Regional Office
2030 Ninth Avenue
Seattle, WA 98121

Gentlemen:

On January 26 we wrote to you concerning release of final payment on Contract No. 8642 awarded to Hamilton Electric, Inc., for traffic signal installation on the Pacific Highway West at Irving Road in Lane County.

Final payment on this contract is $4,704.90 and the total contract amount is $94,097.84. No work was performed under force account.

Very truly yours,

C. W. Head
COMMISSION SERVICES

dda

cc Hamilton Electric, Inc.
P. O. Box 708
232 W. 5th
Eugene, OR 97401

Smith & Crakes, Inc.
58 West 11th Avenue
Eugene, OR 97401

bc C. T. Keasey
Walt Hart
Alfred Shirley

8642

REPORT NO. 30

FORM 81-734-2001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

	SECTION: PACIFIC HWY WEST AT IRVING ROAD	WEEK ENDING: 21 OCTOBER 1978
		SECTION PREFIX: 20-1003
	HIGHWAY: PACIFIC HWY WEST	COUNTY: LANE
NAME OF JOB: PACIFIC HWY WEST @ IRVING RD	KIND OF WORK: TRAFFIC SIGNAL INSTALLATION	
CONTRACTOR: HAMILTON ELECTRIC, INC.	CONTRACT NUMBER: 8642	FEDERAL AID PROJECT NUMBER: TOF-3(1)
DATE OF CONTRACT: NOVEMBER 22, 1977	DATE WORK STARTED: MARCH 30, 1978	ESTIMATED COMPLETION DATE:
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 0 SUPERVISION: 0	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 240	CALENDAR DAYS USED 250
	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED 104.2%
PROJECT AUTHORIZATION: $ 111396.48	ENGINEERING AUTHORIZATION $ 9728.95	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST 97.3%
EXCLUSIVE OF ENGINEERING: $ 101667.53	ENGINEERING COST TO DATE $ 9595.11	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION 94.2%
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING $ 98507.75	THIS WEEK 0.00	DATE PROJECT WAS COMPLETED: 16 AUGUST 1978
Estimate includes Liquidated damages	PERCENT OF AUTHORIZATION 98.6 %	
ESTIMATED PERCENT: OVERRUN UNDERRUN 3.1 %		

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT					
MILES PARTIALLY COMPLETED					
MILES COMPLETED					
TOTAL ESTIMATED QUANTITIES (CONTRACT)					
TOTAL QUANTITIES CORRECTED TO DATE					
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE					
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

ESTIMATED PERCENT COMPLETE (STRUCTURES)

~~BRIDGE~~ NO.	TRAFFIC SIGNAL							
PERCENT	100.%							

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY		0		
MONDAY	CLEAR	0		
TUESDAY	CLEAR	0		
WEDNESDAY	CLEAR	0		
THURSDAY	CLEAR	0		
FRIDAY	MOSTLY CLOUDY	0		
SATURDAY		0		

RECEIVED
OCT 23 1978
CONSTRUCTION BRANCH

Keesey, Jackmond, Hopkins, Williams, Johnsen, Glenn, Richards, Berg, Inloes, Widmer, Gebauer, Church

READY

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY	Pacific Highway West @ Irving Road - for week of October 15 thru 21, 1978.
MONDAY	No activity all week.
TUESDAY	
WEDNESDAY	
THURSDAY	
FRIDAY	
SATURDAY	

REMARKS

This Week: No activity all week.

Next Week: Hamilton Electric - Complete replacement of defective epoxy.

SIGNED Ellis H. Jones LOCATION Eugene

Ellis H. Jones, Resident Engineer

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

8642 STATE COPY DIVISION FILE COPY 8

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	Form Approved; O M B No. 04-R2089
MONTHLY TRANSACTION NUMBER 12-50		State Oregon
PROJECT REPORT NUMBER	MODIFICATION OF FEDERAL-AID PROJECT AGREEMENT	County Lane
MODIFICATION NUMBER 1	12-12-77	Project Number TQF-3(1)

The Project Agreement for the above-referenced project entered into between the undersigned parties and executed by the Division Administrator on March 21 ,19 77 , is hereby modified as follows:

	Former amount	Revised amount
Estimated total cost of project	$ 2,900	$ 119,337
Federal funds	$ 2,610	$ 107,403
Other revisions		

This modification is made for the following reasons:

Project let to contract and increased PE costs.

All other terms and conditions of the Project Agreement will remain in full force and effect. This modification is effective as of the 12th day of December ,19 77 .

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E S Hunter

Technical Services Engineer
(Title)

By H S Coulter

State Highway Engineer
(Title)

By _____

_____
(Title)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Administrator)

For: G. L. Green

Form PR-2A
(Rev. 10-75)

Previous editions are obsolete

88717

file

Oregon State Highway Division
Salem, Oregon November 30, 1977

Federal Aid Project
No. TQF-3(1)

Pacific Highway West @ Irving Road Section
Pacific Highway West
Lane County

Project Agreement Estimate.

Type Code PE			
Preliminary Engineering			$ 9,200.00
Type Code Y031			
Traffic Signal (Pacific Hwy. West @ Irving Road)			
Temporary Protection and Direction of Traffic	All Required		$ 768.00
Temporary Signs	150 Sq. Ft.	3.77	565.50
Flagmen	40 Hours	25.35	1,014.00
Signal Bridge Footings (25 C.Y.)	All Required		7,259.00
Signal Bridge Structure (25,500 lbs.)	All Required		32,193.00
Traffic Signal Installation, Complete	All Required		50,940.00
			$ 92,739.50
Anticipated Items			
Railroad Protective Costs	All Required		$ 2,700.00
Permanent Pavement Striping (S.F.)	All Required		750.00
			$ 3,450.00
		Subtotal	$ 96,189.50
		Engineering	13,347.50
		Signal Controller Testing	600.00
			$110,137.00

Length of Project. . . . . .0.0 mile

Work Retained in Program Status (not included in totals below)		
Pre-Emption Circuit (E.W.)	All Required	$ 500.00

SUMMARY OF FUNDS (90%)

Description	Total Cost	Federal Funds	State Funds
Preliminary Engineering	$ 9,200	$ 8,280	$ 920
Traffic Signal	110,137	99,123	11,014
Totals	$119,337	$107,403	$11,934

Group 1 - 100%
Contract No. 8642
Prefix 20-1969 PE
20-1003

STATE COPY

Form Approved; O.M.B. No. 04-R2089

TO BE COMPLETED BY FHWA MONTHLY TRANSACTION NO. 3-138	U. S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION **FEDERAL-AID PROJECT AGREEMENT**	STATE Oregon COUNTY Lane PROJECT NO. HHS-3(1)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

SR 99W @ Irving Rd (1 mi. N. of Eugene NCL)

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING	9/21/76	0.0
RIGHTS-OF-WAY		
CONSTRUCTION		
OTHER *(Specify)*		

FUNDS Pro Rata 90%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 2,900	$ 2,610

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E. J. Hunter

Deputy State Highway Engineer
(Title)

By _____

_____
(Title)

By _____

_____
(Title)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Engineer)

for: G. L. Green

Date executed by Division Engineer MAR 7 77

Form PR-2 (Rev. 4-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation.

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtedness of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Engineer concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

Oregon State Highway Division
Salem, Oregon March 16, 1977

Federal Aid Project
No. HHS-3(1)

Pacific Hwy. West at Irving Rd. Section

Lane County

Project Agreement Estimate.

Type Code P.E.		
Preliminary Engineering	All Required	$2,900.00
	TOTAL	$2,900.00

Length of Project - - - - - - - - - - - - 0.0 mile

SUMMARY OF FUNDS

Description	Total Cost	Federal Funds	State Funds
P.E.	$ 2,900.00	$ 2,610.00	$ 290.00
Retain in Program			
Traffic Signals	55,000.00	49,500.00	5,500.00
TOTAL	$57,900.00	$52,110.00	$5,790.00

Group 1 - 100%

Prefix: 20-1969

8642

8

STATE OF OREGON

INTEROFFICE MEMO

GENERAL FILES

DATE: September 28, 1977

TO: H. S. Coulter
State Highway Engineer

FROM: L. E. George
Traffic Engineer Supervisor

NOTED
H. S. COULTER

SUBJECT: Pacific Highway West at Irving Road
Transition Quarter Fund Project

One of the projects on the Special Supplemental Preservation Program to be financed with Transition Quarter Funds that was approved by the Oregon Transportation Commission is a traffic signal installation at Pacific Highway West and Irving Road. The program estimate listed is $45,000.

In preparing the design for this intersection, we find that a signal will run considerably more than the $45,000 due primarily to the fact that necessary vertical clearances from overhead high voltage transmission lines require the use of a signal bridge structure rather than the normal span wire type of installation. The estimate is now $116,000.

I recommend that approval be given to go ahead with the revised plan and cost estimate.

L. E. George
Traffic Engineer Supervisor

LEG:ds

Approval recommended using either TQ funds or State Const. Funds. — HSC

9-28
Please proceed
MK

RECEIVED
DOT OPERATIONS
SEP 23 '77
REFER TO Hunter
FOR
Info | Inves | R/D | D/R | Sign | Act | File

RECEIVED
STATE HWY ENGR
SEP 22 '77
REFER TO F.B Klobee
FOR
Info | Inves | R/D | D/R | Sign | Act | File

RECEIVED
TECHNICAL SERVICES
SEP 28 '77
REFER TO
FOR
Info | Invel. | R/D | D/R | Sign | Act | File

NOTED
E. S. HUNTER
Bud Arneil
Ed.
9-29-77

81-125-1307

#8642 8-24-77 8

U. S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: See below

STATE PROJECT NO.: See below

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.:

ITEM NO.: Various

COUNTY NAME: Various

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
STATE HWY ENGR
AUG 30 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	8-24-77	---	---

GENERAL LOCATION:

Various

GENERAL DESCRIPTION OF WORK:

Program change

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☒ OTHER (Specify) Program changes

☐ ACQUISITION OF RIGHT-OF-WAY
CONSTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Swan's letter of 8-23-77, I approve the program changes as follows:

	Now Programmed		Change	
Item	Project	Appn Code	Project	Appn Code
87	HHS-3(1)	142	TQF-3(1)	124 - #8642
70552	HHS-81(1)	145	TQF-81(1)	124
70553	HHS-81(1)	145	TQF-81(1)	124 #8680
70555	HHS-81(1)	145	TQF-81(1)	124
73504	HHS-1049(1)	145	TQM-1049(1)	124 - #8689
71557	HHS-9064(1)	145	TQM-9064(1)	124

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
8-24-77	G. K. Hansen	For DivisionAdministrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 8-68) WILL BE USED

☆ U. S. GOVERNMENT PRINTING OFFICE: 1978—831-858

8642

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

August 23, 1977

Salem, OR 97310

FILE:

FROM: Gary A. Potter, Manager
Environmental Section

ORIGINAL SIGNED BY GARY A. POTTER

SUBJECT: Statewide Assessment
Pacific Hwy. West @ Irving
and Clear Lake Roads
Lane County

TO: D. H. Moehring
Program Management Engineer

A signal is planned for the intersection of Pacific Highway West (ORE 99) with Irving and Clear Lake Roads. A 5 phase, traffic-actuated signal is proposed at an estimated cost of $58,000 under Title II, Section 209 funding.

This signal would meet warrants 1 and 3: Accident Experience and Interruption of Continuous Traffic. It has a weighted value of 45 ranking it fairly high on the Statewide Traffic Signal Priority List. ADT at this location is approximately 12,200.

Pacific Highway West is wide and straight, not only over the project section, but well beyond. It has a typical section of 4 traffic lanes, a continuous two-way left-turn refuge, right-turn channelization in both directions and paved shoulders. Irving Road has 2 traffic lanes and Clear Lake Road 2 traffic lanes with a right-turn lane.

Abutting land use is industrial in 3 quadrants with 2 lumber mills and a building supply yard. The remaining guadrant consists of unused former agricultural land.

The subject project has been assessed and evaluated for its potential impact on the quality of the human environment. It has been determined that no new right-of-way will be required, and that this project is of a type for which the Statewide Assessment on Safety Projects is applicable. The Statewide Assessment classifies this project as Non-Major.

The primary purpose of this project is safety. Traffic noise will not be noticeably affected by this project. Mitigation is not feasible because of access and safety considerations. This constitutes the project noise study report as per FHPM 7-7-3.

GAP:cjh
Attachment
cc: E. S. Hunter
Alfred Shirley w/attach
Eb Engelmann w/attach
L. E. George w/attach

RECEIVED
TECHNICAL SERVICES
AUG 23'77
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

Project
Vicinity
EUGENE
Population 93,600
FAS A451 SPUR
FAS A454
FAS A451
FAS A458
FAS A460
FAP 25
FAU 1330
FAU 1300
FAU 1320
FAU 1070
FAU 1080
FAU 1090
FAU 1100
FAU 1105
FAU 1125
FAU 1135
FAU 1150
FAU 1160
FAU 1170
FAU 1180
FAU 1190
WILLAMETTE
RIVER

8642

April 5, 1977

Board of County Commissioners
Lane County
Courthouse
Eugene, OR 97401

Attention: Don Penfold
County Clerk

MISC. CONTRACTS and AGREEMENTS No. 6009

Gentlemen:

Attached for your records is a fully executed copy of an agreement for installation of a traffic control signal at the intersection of the Pacific Highway West with Irving Road north of Eugene.

We have retained a fully executed copy of this agreement for the Transportation Commission's files.

Very truly yours,

C. W. Head
COMMISSION SERVICES

fhm

Att.

cc Don Harwell (agree. att.)

8642

8

Form FHWA 121 (Rev. 6-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: October 7, 1976

In reply refer to: 1041EC.1

SUBJECT: Project Assessments
(Listed Below)

FROM : G. L. Green, Division Administrator

TO : Mr. H. Scott Coulter, State Highway Engineer
Salem, Oregon

Oregon Project RS-133(-)
Walluski River Bridge

Oregon Project I-405-8(-)303
W.Fremont Interchange Ramps and Connections

Oregon Project HH-9361(-)
Barbur Blvd. @ SW. 19th Ave.
Pacific Highway West

Oregon Project U-183(-)
Hillsboro-Beaverton Bus Turnouts, Tualatin

Oregon Project RS-304(4)
Richmond Jct.-Melvina Cr.
Service Cr.-Mitchell Hwy.

Oregon Project M-9713(-)
Prescott-Flavel (Portland) 82nd Avenue
Cascade Hwy.

Oregon Project HHS-9(-)
Pacific Hwy West @ Erving Rd.

Oregon Project M-0315(1)
10th St. @ Main St., Oregon City

Oregon Project HHS-0670(1)
SE. Division @ SE 112th Ave.

Oregon Project HHS-132(14)
Pacific Highway East @ 10th St. Oregon City.

RECEIVED
STATE HWY ENGR
OCT 11 '76
REFER TO
FOR
Info | Inves | R/D | D/R | Sen | Act | File

The above listed project assessments submitted with Mr. Rulien's August 23 letter have been reviewed. We concur with your finding that the proposed projects constitute non-major actions.

The proposed standards, design, and other specific details contained in the assessments will be subject to future reviews at the appropriate stage during the project development.

William H. Kappus
for G. L. Green

cc:
OSHD (Potter)
OSHD (Laux)

8642 9-21-76 8

LETTER OF APPROVAL AND/OR AUTHORIZATION

STATE PROJECT NO.: See Below

FROM: G. L. Green, Division Administrator, Salem, Oregon

PROGRAM NO.:

ITEM NO.: HHS-87

COUNTY NAME: Lane

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
STATE HWY ENGR
SEP 27 '76
REFER TO
Rullen
FOR

Adm	Inves	R/D	D/R	Design	Act	Fis

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	9-21-76	Primary 3	Primary 1W

GENERAL LOCATION:
"Pacific Hwy. West at Irving Rd. Sect."
(1Mile North of Eugene NCL)

GENERAL DESCRIPTION OF WORK:
PE & Traffic Signals (Code Y031 Miles 0.0)

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
☒ PREPARATION TEC $2,900 - F.F. $2,610

☒ OTHER (Specify) Program Approval
(TEC $57,900 FF $52,110)

☐ ACQUISITION OF RIGHT-OF-WAY
CONSTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS
As requested in Mr. Rullen;s 8-31-76 letter I approve this project for inclusion in the Federal-aid program and concur that timesaving procedures enumerated in FHPM 6-8-2.2 are applicable and also concur that it is a non major action as set for in FHPM 7-7-2.

Also as requested in Mr. Rullen's 8-31-76 letter you are authorized to proceed with the necessary work as shown above.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
9-21-76	H. S. Coulter	Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 8-68) WILL BE USED

☆ U. S. GOVERNMENT PRINTING OFFICE: 1970-431-905

8642

8

PRO-6-E

August 31, 1976

TO G. L. Green, Division Administrator
Federal Highway Administration

FROM L. W. Rufien
Program Management Engineer

SUBJECT Program Data Submission
Project No. HHS-9-1(1)
Lane County

We are submitting program data for one project, Item No. 87, Project No. HHS-9-1(1), "Pacific Highway West at Irving Road Section".

Attached are Investigation of Hazardous Intersection, sketch map, Traffic Signal Warrent Comparison, Collision Diegram & other traffic data.

We request the following:

(1) Concurrence that the project qualifies for the time saving procedures enumerated in FHPM 6-8-2-1.

(2) Concurrence that the project falls in the classification of nonmajor action as set forth in FHPM 7-7-2, paragraph 10e, based on the "Statewide Environmental Assessment for Highway Safety Improvement Projects" concurred in by Federal Highway Administration Office on February 25, 1975.

(3) Approval of the program for inclusion in the Federal-aid High-Hazard Location Program under Section 209 of Title II as established by the Federal-aid Highway Act of 1973.

(4) Authorization to proceed with all phases of preliminary engineering necessary to obtain P.S. & E. approval at an estimated total cost of $2,900 with obligation of Federal funds of $2,610.

This project is Item No. 73501 on the annual program.

DRH:re

Attachments

MONTHLY TRANSACTION NO.

DATE SUBMITTED TO W.O.

FORM PR-1 (REV. 4-61)

FEDERAL-AID PROGRAM DATA

8-31-76

CARD 2	REPORT NUMBER: 1 (18)(20)	PROJECT LOCATION (45 typewriter spaces): SR 99W @ Irving Rd(1 mi. N of Eugene NCL) 21 66	ADT	PRESENT: 15,100*	FUTURE: 24,200* (66)	YEAR: 96 (70)(71)(72)	REGION: 10	STATE NAME: Oregon				
CARD 3	CHARACTER OF PROPOSED WORK (35 typewriter spaces): PE & Traffic Signals 28 62	NATL. FOREST (63)(65)	FH ROUTE NO. (66)(68)	SUPV AGCY (69)	DA CLASSIF. (70)	DA AREA (71)	EMERG. YR. (72)(73)	PL. AUTH YR (74)(75)	PROJECT NUMBER PREFIX LETTER(S): HHS 14 23	NUMBER: 9-1 7		
CARD 4	CLASS OF FEDERAL FUNDS: (Section 209) High Hazard Location 1	COUNTY NAME: Lane (14)	CODE: 039									
	NAME OF URBAN AREA: Eugene 17-31	ROUTE NO. P	FEDERAL-AID: 9 (22)	STATE: 1W (30)(37)	U.S.: --							

CARD 5	LINE NO.	CHANGE CODE	PROJECT CODE	WORK CLASS	WORK TYPE	STEP	TERMINI (Full description)	MILES	ESTIMATED PROJECT COST BY PHASES: TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS
1	(14-15)	(18	41	42	43 46	53		(54) (58)	(59) (66)	(67) (76)		
5					PE			0.0	2,900	2,610	290	
5					ROW							
5					CONST (CODE) Y031		"Pacific Hwy. West at Irving Rd. Section"	0.0	55,000	49,500	5,500	
								0.0	57,900	52,110	5,790	

CARD 1	CODE 1	PREPARED BY: DRH	PROJECT TOTALS
1	14	PROGRAM APPROVAL DATES	(10) (23)(24) (33) REMARKS

*Entering Volume

FORM PR-1
(REV. 4-61)

FEDERAL-AID PROGRAM DATA

8-31-76

LOCATION (45 typewriter spaces)		PRESENT	FUTURE	YEAR	REGION	STATE NAME	STATE CODE	APPN CODE	ITEM NO.
@ Irving Rd(1 mi. N of Eugene NCL)	ADT	15,100*	24,200*	96	10	Oregon	41	142	87

K (35 typewriter	NATL. FOREST	FH ROUTE NO.	SUPV AGCY	DA CLASIF.	DA AREA	EMERG. YR.	PL. AUTH YR	PROJECT NUMBER PREFIX LETTER(S)	NUMBER	SEQ. NO.	T. Projects Only POST MI.	DESIG.
nals								HHS	9-1	(1)		

1

(Section 209) High Hazard Location

Eugene

COUNTY NAME: Lane — CODE: 039

ROUTE NO. p — FEDERAL-AID: 9 — STATE: 1W — U.S.: --

PROGRAM STAGE: [ ] 1 OR [XX] 2

RK YPE	STEP	TERMINI (Full description)	MILES	TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS	CHARACTER OF PROPOSED WORK (Full description)
			0.0	2,900	2,610	290		
W								
NST		"Pacific Hwy. West at Irving Rd. Section"	0.0	55,000	49,500	5,500		
		PROJECT TOTALS	0.0	57,900	52,110	5,790		

DRH

AL DATES

REMARKS

*Entering Volume

-OVER-

PACIFIC HIGHWAY WEST AT IRVING ROAD
PROJECT NO. HHS-9-1(1)

Existing Facility:

Pacific Hwy. West (FAP 9) - - - Bituminous surfaced four lane roadway with median.

Irving Road (FAU 1350) - - - Bituminous surfaced two lane roadway.

Project Data: The proposed project consists of the following:

1. All phases of preliminary engineering including Utility preparatory work.

2. Install multi-phase traffic signal with interconnect to Burlington Northern railroad crossing (3E-137.20) signals and gates located on Irving Road adjacent to intersection.

Right-of-Way: No additional required.

System Action, Railroad, Airports, Water Developments, Historical and Recreational Areas: None involved.

IM 50-1-70 Requirements: Exempt from State Clearinghouse and District 5 Clearinghouse A-95 review under working agreement.

FHPM 4-4-2 Requirements: Urban transportation Planning not applicable as the project will not result in an alternation of land use or traffic flow patterns that would require a significant change in planning completed or underway.

FHPM 7-7-2 Requirements: Nonmajor action project concurred in by FHWA on February 25, 1975.

FHPM 7-7-5 Requirements: Not applicable under "Timesavings Procedures as set forth in FHPM 6-8-2-1.

Note: (1) This project is in Congressional District No. 4.
(2) RR signals and gates on Irving Rd. adjacent to intersection is being installed under Project RRP-1350(1).

8643 Rome-Burns Jct. Sec. of I.O.N. Hwy. southwesterly of Jordan Valley (Paving) 1977

#8643 1-3-80

GOVERNMENT PRINTING OFFICE: 1974 — 732-628

cc: State (H. S. Coulter)

STATE COPY

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

FINAL ACCEPTANCE REPORT

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	4	Malheur	Oregon

DATE OF REPORT	REPORT MADE BY	PROJECT NO.
1-3-80	David B. Carter, Area Engineer	F-87(2)

COMPLETION DATE	ACCEPTANCE DATE BY CONTRACT AGENCY	TIME ELAPSED	CONTRACT TIME
8-1-78	12-1-78	$\frac{149}{150}$ = 99.3 %	150 calendar workdays

APPROVED EXTENSIONS	LOCATION
None	Approximately 33 miles southwesterly of Jordan Valley in Malheur County

*The PR-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been submitted.
*A copy of the State's materials certificate is attached to the Division office copy of this report.
There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: ***The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.***

ROME-BURNS SECTION
ION HIGHWAY
MALHEUR COUNTY
Overlay

This project provided for an overlay of the existing highway between Burns Junction and Rome, Oregon, a distance of 11.56 miles. Also included was guardrail installations at selected locations.

The final cost of the original contract items was $545,055.58. The original contract amount was $575,960.00. The final cost of the project, including engineering and all changes, was $642,899.88.

The project has been striped. The guardrail work which remained to be completed at the time of the final inspection has been completed.

A final inspection of the project was made on July 19, 1978.

All participating work has been completed.

1-8 cy

RECEIVED
STATE HWY ENGR
JAN 8 '80
REFER TO
Keasey
FOR
Info | Inves | R/D | D/R | Sign | Act | File

*NOTE: Not applicable for direct federal projects.

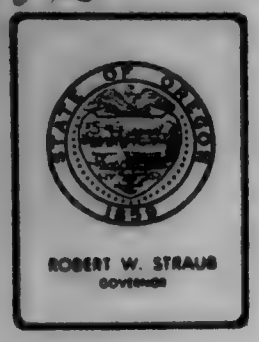
ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION	
SIGNATURE: David B. Carter		SIGNATURE: G. K. Hossner	
TITLE: Area Engineer	DATE: 1-4-80	TITLE: Field Operations Engineer	DATE:

FORM FHWA-1446 B (12-73) FORMERLY PR-33E

Previous Editions of PR-33E Will Not Be Used.

8643

D



Department of Transportation

HIGHWAY DIVISION

TRANSPORTATION BUILDING, SALEM, OREGON 97310

December 22, 1978

U.S. National Bank
McMinnville Branch
P.O. Box 600
McMinnville, OR 97128

Attention: Peggy J. Mathews
Gen. Loan Officer

Re: J.C. Compton Company
Contract 8643

This project has been finalled. The $30,000.00 deposit in lieu of retainage may be released or transferred to another project.

Please notify this office as to the disposition of the excess deposit.

Vernon E. Skoog
Controller

by _____
James J. Kinns
Contract Accounting Supervisor

JJK:cw

cc: J.C. Compton Company

bc: C.W. Head
R. Church
C.W. Barrett, Jr.

Form 734-3122 (Rev. 7-77)

8643

8

December 7, 1978

Seaboard Surety Company
Seattle First National Bank Bldg.
1001 4th Avenue
Seattle, WA 98154

Gentlemen:

On December 5, 1978, we wrote to you concerning release of final payment on Contract No. 8643 awarded to J. C. Compton Co. for paving on the Rome-Burns Junction Section of the I.O.N. Highway in Malheur County.

Final payment on this contract is $962.57 and the total contract amount is $583,471.34. No work was performed under force account.

Very truly yours,

C. W. Head
COMMISSION SERVICES

dda

cc J. C. Compton Co.
P. O. Box 86
McMinnville, OR 97128

bc C. T. Keasey
Walt Hart
Wendell Schwartz

8643

FORM 81-734-3001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Rome – Burns Jct.		WEEK ENDING: September 2, 1978
		SECTION PREFIX: 123-1056
HIGHWAY: I.O.N.		COUNTY: Malheur
NAME OF JOB: Rome – Burns Jct.	KIND OF WORK: Paving	
CONTRACTOR: J. C. Compton	CONTRACT NUMBER: 8643	FEDERAL AID PROJECT NUMBER: F-87(2)
DATE OF CONTRACT: November 12, 1977	DATE WORK STARTED: February 7, 1978	ESTIMATED COMPLETION DATE:
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 0 SUPERVISION: 0	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 150 CWD	CALENDAR DAYS USED 149 CWD
	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED: 99
PROJECT AUTHORIZATION: $668,702.60		PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 100
EXCLUSIVE OF ENGINEERING: $611,974.00	ENGINEERING AUTHORIZATION $52,628.40	
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $585,872.00	This week 1,210.59 ENGINEERING COST TO DATE $40,845.80	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 93
ESTIMATED PERCENT: OVERRUN / UNDERRUN 4%	PERCENT OF AUTHORIZATION 78 %	DATE PROJECT WAS COMPLETED: August 1, 1978

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE 100	OIL AND/OR PAVE. 100	MAT'L. PROD. 100		
			GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT				11.56			11.56
MILES PARTIALLY COMPLETED							
MILES COMPLETED				11.56			11.56
TOTAL ESTIMATED QUANTITIES (CONTRACT)				3,500 ton			29,500 ton
TOTAL QUANTITIES CORRECTED TO DATE				6,905 ton			29,459 ton
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE				6,905 ton			29,459 ton
AVERAGE DAILY QUANTITIES							
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME							
NUMBER OF SHIFTS PER DAY							
HOURS PER SHIFT							

EQUIPMENT USED DURING THE WEEK:

None

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.								
PERCENT								

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY 27	Fair all week	0		
MONDAY 28		0		
TUESDAY 29		0		
WEDNESDAY 30		0		
THURSDAY 31		0		
FRIDAY 1		0		
SATURDAY 2		0		

Kessey
Jackmond
Hopkins
Williams
Johnson
Glenn

RECEIVED
SEP 5 1978
CONSTRUCTION BRANCH

Richards
Berg
Inloes
Widmer
Gebauer
Church

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY 27	No activity all week
MONDAY 28	
TUESDAY 29	
WEDNESDAY 30	
THURSDAY 31	
FRIDAY 1	
SATURDAY 2	

REMARKS

Semi-final work to submitted this week
Final weekly report.

SIGNED P. F. Burnett LOCATION Ontario

P. F. Burnett, Resident Engineer

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES.

SP-F216

8643

STATE COPY

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	Oregon
MONTHLY TRANSACTION NO. 1-30	FEDERAL-AID PROJECT AGREEMENT 1-10-78	County Malheur Project No. F-87(2)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

US 95, Rome-Burns Jct.

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	10-26-77	11.56
OTHER *(Specify)*		

FUNDS Pro rata 85.8%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 661,432.00	$ 567,508.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E J Schuster

Technical Services Engineer
(Title)

By H C Coulter

State Highway Engineer
(Title)

By _____

_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By Tony Burns
(Division Administrator)

For: G. L. Green

Date executed by Division Administrator JAN 10 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway. agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtednesss of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

8643

FORM 81-704-3001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Rome – Burns Jct.		WEEK ENDING: September 2, 1978
		SECTION PREFIX: 123-1056
HIGHWAY: I.O.N.		COUNTY: Malheur
NAME OF JOB: Rome – Burns Jct.	KIND OF WORK: Paving	
CONTRACTOR: J. C. Compton	CONTRACT NUMBER: 8643	FEDERAL AID PROJECT NUMBER: F-87(2)
DATE OF CONTRACT: November 12, 1977	DATE WORK STARTED: February 7, 1978	ESTIMATED COMPLETION DATE:
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 0 SUPERVISION: 0	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 150 CWD	CALENDAR DAYS USED 149 CWD
PROJECT AUTHORIZATION: $668,702.60	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED: 99
EXCLUSIVE OF ENGINEERING: $611,974.00	ENGINEERING AUTHORIZATION $52,628.40	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 100
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $585,872.00	This week 1,210.59 ENGINEERING COST TO DATE $40,845.80	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 93
ESTIMATED PERCENT: OVERRUN / UNDERRUN 4 %	PERCENT OF AUTHORIZATION 78 %	DATE PROJECT WAS COMPLETED: August 1, 1978

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		
			100	100	100		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT		11.56			11.56
MILES PARTIALLY COMPLETED					
MILES COMPLETED		11.56			11.56
TOTAL ESTIMATED QUANTITIES (CONTRACT)		3,500 ton			29,500 ton
TOTAL QUANTITIES CORRECTED TO DATE		6,905 ton			29,459 ton
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE		6,905 ton			29,459 ton
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

None

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.								
PERCENT								

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY 27	Fair all week	0		
MONDAY 28		0		
TUESDAY 29		0		
WEDNESDAY 30		0		
THURSDAY 31		0		
FRIDAY 1		0		
SATURDAY 2		0		

Kessey K
Jackmond
Hopkins
Williams
Johnson
Glenn

RECEIVED
SEP 5 1978
CONSTRUCTION BRANCH

Richards
Bero
Inloes
Widmer
Gebauer
Church

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY 27	No activity all week
MONDAY 28	
TUESDAY 29	
WEDNESDAY 30	
THURSDAY 31	
FRIDAY 1	
SATURDAY 2	

REMARKS

Semi-final work to submitted this week
Final weekly report.

SIGNED P. F. Burnett LOCATION Ontario

P. F. Burnett, Resident Engineer

PRIME RESIDENT SUBMIT 2 COPIES. WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES.

SP-F216

File

Oregon State Highway Division
Salem, Oregon, December 12, 1977

Federal Aid Project
No. F-87(2)

Rome-Burns Jct. Section
I.O.N. Hwy. in Malheur County

Project Agreement Estimate.

Type Code 6201
Pavement Overlay (M.P. 53.00 to M.P. 64.56)

Mobilization	All Required		$ 56,500.00
Temporary Protection and Direction of Traffic	All Required		5,000.00
Temporary Signs	472 Sq.Ft.	5.00	2,360.00
Temporary Plastic Safety Markers	6 Only	60.00	360.00
Flagmen	1,200 Hour	1.00	1,200.00
Pilot Car	300 Hour	1.00	300.00
Removal of Structures and Obstructions	All Required		500.00
Aggregate Shoulders	3,500 Ton	4.50	15,750.00
Class "C" Asphalt Concrete Mixture in Leveling	11,800 Ton	7.10	83,780.00
Class "E" Asphalt Concrete Mixture	17,700 Ton	7.10	125,670.00
Asphalt Cement in Mixture	2,000 Ton	105.00	210,000.00
Portland Cement or Lime Additive in Class "E" Mixture	180 Ton	75.00	13,500.00
Asphalt in Tack Coat	55 Ton	140.00	7,700.00
Aggregate in Seal Coat	330 Ton	10.00	3,300.00
Asphalt in Seal Coat	225 Ton	135.00	30,375.00
Guard Rail, Type 2A	850 Lin.Ft.	7.00	5,950.00
Guard Rail, Type 3	200 Lin.Ft.	11.00	2,200.00
Guard Rail Anchors, Type 1	7 Only	350.00	2,450.00
Extra for Guard Rail Bridge Connections	4 Only	300.00	1,200.00
Rail End Pieces, Type C	7 Only	200.00	1,400.00
Extra for Asphalt Approaches	9 Only	150.00	1,350.00
Delineators	310 Only	16.50	5,115.00
			$575,960.00

Anticipated Items

Permanent Striping (S.F.)	All Required	$ 6,000.00
On-the-job Trainees (1 @ $800)	All Required	800.00
		$ 6,800.00
	Subtotal	$582,760.00
	Engineering	78,672.00
	Total	$661,432.00

Length of Project - - - - - - - - - - - -	11.56 Miles	
Cost of Roadway Per Mile- - - - - - - -	$57,217.30	
Federal Funds (85.8%) -		$567,508.00
State Funds -		93,924.00
	Total	$661,432.00

Group 1	100%
Prefix No.	123-1056
Contract No.	8643

November 2, 1977

H.S. Coulter
State Highway Engineer

Footpaths and Bicycle Trail
November 17, 1977 Bid Letti

F I L E

This is an informational report to document the Highway Division's action taken with regard to establishing footpaths and bicycle trails on projects as set forth in ORS 366.514. Bids will be opened November 17 on the following:

1. Wolf Creek Inn, Josephine County

   Building Restoration

   Footpaths or bicycle trails are not incorporated in this project as no new highway construction, reconstruction or relocation is involved.

2. Pacific Highway East at SE River Road (Milwaukie)
   Pacific Highway East (SE McLoughlin Boulevard)
   Clackamas County

   Traffic Signals

   Same as No. 1.

3. Sandy West City Limits-Alder Creek
   Mt. Hood Highway, Clackamas County

   Paving
   Overlay project--4-foot to 10-foot shoulders provided

   Same as No. 1.

4. Warrenton/Astoria Highway Junction
   Oregon Coast Highway, Clatsop County

   Grading, Paving, Signals
   Left turn refuge with 6- to 10-foot shoulders available for bicycle traffic.

   Bike lane striping in this area contemplated at later date.

5. Oregon Coast Highway at Cemetery Road (Millington)
Oregon Coast Highway, Coos County

Grade, Paving. Primarily frontage road improvement.

Footpaths and bicycle trails will not be established under this project as per ORS Chapter 366, Section 2, subsection 2(b) wich states "Footpaths and trails are not required to be established...if the cost of establishing such paths and trails would be excessively disproportionate to the need or probable use.

6. South Umpqua River (Winston) Overflow Channel
Coos Bay-Roseburg Highway, Coos County

Channel Improvement

Same as No. 1.

7. Rhea Road Relocation
Rhea County Road, Gilliam County

Grading, Base
Four-foot shoulders provided

Same as No. 5.

8. Hines-Diamond Avenue (Burns)
Central Oregon Highway, Harney County

Grading, Paving

An 8-foot Class II bikeway will be constructed in conjunction with this project.

9. Pacific Highway-McKenzie Highway (Springfield)
Eugene-Springfield Highway, Lane County

Guard Rail, Signing

Same as No. 1.

10. Pacific Highway East at Irving Road
Pacific Highway East, Lane County

Traffic Signals

Same as No. 1.

11. Rome-Burns Junction
I.O.N. Highway, Malheur County

Paving
Overlay project. Four-foot shoulders provided.

Same as No. 1.

12. Snake River (Adrian) Bridge
Succor Creek Highway (Parma Spur), Malheur County

Bridge Repairs

Same as No. 1.

13. Tunnel Creek-Whitewater Road
North Santiam Highway, Marion County

Grading, Paving
Cutbank Stabilization and Overlay

Same as No. 1.

14. Kings Valley Highway at Main Street (Dallas)
Kings Valley Highway, Polk County

Traffic Signals

Same as No. 1.

15. Newbury and Vermont Streets Viaducts (Portland)
Pacific Highway West, Multnomah County

Structure Repairs

Same as No. 1.

16. NW Kittridge Avenue-NW 26th Avenue (Portland)
FAU 9300 (NW Front Avenue), Multnomah County

Grading, Paving, Signals

Five-foot and 7.5-foot sidewalks will be provided on this project.

17. Murray Boulevard at Butner Road
FAU 9067, Washington County

Traffic Signals

Same as No. 1.

18. Tualatin River-Six Corner
Pacific Highway West, Washington County

Overlay Project
Four-foot to 10-foot shoulders provided

Same as No. 1.

DES:jp

cc Robert Burco
F.B. Klaboe
E.S. Hunter
D.G. Talbot
L.E. George
F.E. Terpin
George Bell
Don Harwell

8643

456

ENVIRONMENTAL REVIEW CHECKLIST

ALL CLEAR/0 1/19/77
Donald L Rust

All Clear Deadline

11-17-22 Bid Letting

SECTION ROME-BURNS JCT.
Highway ION
County Malheur Region 5
Type of Work Overlay Funds FA
State __ Consultant __ Plans Avail. __ Yes __ No

F-87(2)

	Not Required	Required	Mitigation Required	Mitigation/Plans	ALL CLEAR	
DOCUMENTS:						
EIS	X					
Negative Declaration	X					
Project Assessment		X			X	Statewide - No problems
Write-off Letter	X					
PERMITS:						
Division of State Lands		X			X	Have an active permit
D.O.G.M.I.	X					
Corps of Engineers	X					
Coast Guard	X					
Co. Conditional Use	X					
NPS Air Pollution	X					
NPS Water Pollution	X					
CULTURAL:						
Cultural Survey		X			X	
Cultural Salvage	X					
NOISE:						
Noise Study		X			X	

8643

Form E-480 (Rev. 9-70)
SP*72841-734

OREGON STATE HIGHWAY DIVISION

Interdepartment Teletype Message

LG
LAG

LRW

To Station LaGrande from Station Salem No. 39 Date 10-18-77 Time

Dale Allen
Region 5

Rome-Burns Junction Section

Will add $2,000 as anticipated item for clean up of material source.

Too late to add additional asphalt leveling. Plans are printed and on the shelf and specifications are being printed for Noevember 17 letting.

Reply Requested ( )

Signed D. O. Christensen

6,000
× 7.75 Mix
46,500
39,000 (Asph.)
$85,500
× 13½%
$97,043

6558

LRW LAG 44 10-14-77 4.20 PM

VERSTEEG
ENGINEERNG

RE - ROME - BURNS JCT. SECTION DEVELOPMENT PLANS

CAN YOU SET UP $2,000 AS ANTICIPATED ITEM TO CLEAN UP MATERIAL SOURCE FROM PREVIOUS CONTRACTS. IF SO, ADD IT. — OK

ALSO, THE CLASS C LEVELING NEEDS TO BE INCREASED BY 6J,//// 6,000 TONS. OUR EXPERIENCE THIS YEAR ON THE ROADS THAT ARE SO BADLY OUT OF SHAPE IS YOU CANNOT LAY A ONE INCH LEVELING COURSE.

A ONE AND HALF INCH IS THEE ABSOLUTE MINIMUM TO GET AT LEAST ONE HALF INCH OVER THE OUTSIDE WHEEL TRACK.

DALE ALLEN

DLM34.

Funding?

1 Versteeg
2 Christensen
Georgs
Olson
Terpin
3 Sullivan
Scott
Savage

RECEIVED
OCT 14 1977
ENGINEERING SECTION

Trout
Do Not File
Return To
Bring Up / /
Action

Printed
Plans + Spec's all done
being printed

8643

456

Salem, Oregon
September 28, 1977

J. H. Veatbeg
Head of Engineering

J. B. Boyd
Right of Way Engineer
BUILDING

49903 - Gazik
Rome Section
U.S.H. Highway
Malheur County

Attached is a description and an authorization for a material source near Rome, as requested by Mr. R. D. Hector.

Also attached is your correspondence which indicates approval of the acquisition by Mr. H. S. Coulter.

The preparation of the description was delayed pending a determination of the boundaries of the taking.

BY: f

Floyd O. Scott
Right of Way Description Engineer

FOS:mg

Attach.

8643

456

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION FILE:

INTER-OFFICE CORRESPONDENCE

La Grande, Oregon

July 15, 1977

FROM: Dale D. Allen
Region Construction Engineer

TO: Frank Terpin
Location Engineer

S A L E M

SUBJECT: Rome-Burns Jct. Section
I.O.N. Highway
Prefix 123-1463-901
Malheur County

In accordance with your request, we have prepared the following location data for the above project:

1 copy Narrative Report
1 copy Summary of Quantities & Estimate of Cost
1 copy Tabulation of Road Approaches
1 copy Typical Section

The engineering estimate for this overlay is $795,389. The planning estimate is $983,000. This is a simple 32-foot overlay over the existing pavement with a minor amount of aggregate shoulder material, 550 feet of guardrail replacement, and guide posts. Because of the extensive amount of deterioration to the pavement and wheel rutting, we have requested 2-inches of Class "C" base course and 1-1/2 inches of Class "C" modified mix. Also, only those approaches that are presently paved will be repaved under this contract.

7-19-77

DDA:sh
Attachments

cc P. F. Burnett

RECEIVED
JUL 18 1977
LOCATION
SECTION

NOTED
G. C. WILLS

8643

8

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
WASHINGTON, D.C. 20590

MAR 10 1977

IN REPLY REFER TO:

HNG-21

Honorable Al Ullman
House of Representatives
Washington, D.C. 20515

Dear Mr. Ullman:

This is in reply to your letter of January 10, 1977, to the Office of Congressional Relations, Department of Transportation, enclosing a letter from Mr. and Mrs. John L. Stoddart of Jordan Valley, Oregon, regarding the need for a fence along U.S. 95. We acknowledged your inquiry on January 27, 1977.

In Oregon U.S. 95 is about 121 miles long, of which about 38 miles between Rome and Basque is unfenced except for some short areas. State Highway 78 between Burns and Burns Junction is 91 miles long, of which about 30 miles from Burns Junction westerly is largely unfenced. Therefore, the total mileage of unfenced road on these two highways is about 68 miles. About 38 miles is bordered, at least on one side, by unfenced Bureau of Land Management land.

The reported vehicle accident rate involving cattle is extremely low; however, it is recognized that animal kills are often unreported. The Oregon State Highway District Maintenance Engineer reported that there are about 25 road kills per year, which substantially exceed the reported accidents. There is not specific information on how many of these road kills were in fenced areas, but some do occur on currently fenced highway sections.

The cost of fencing can vary from $2,200 per mile for a four-wire fence (unsuitable for sheep) to $5,400 per mile for a fence consisting of a 30" x 4" wire mesh with two barbed wires. Therefore, the cost of fencing both sides of these highways could vary from $300,000 to $750,000. In addition, the ultimate cost of fencing may be considerably more in some areas because additional watering facilities would have to be developed where existing watering facilities are on just one side of the road. These conditions would have to be examined carefully in any fencing plan.

3-17-77 cy Edwards

RECEIVED STATE HWY ENGR
MAR 17 '77
REFER TO
FOR
Info
Inves
R/D
D/R
Sign
Act

The cost may vary somewhat from these figures because the actual length of fencing needed is just an estimate based on information from State highway and Bureau of Land Management personnel.

Although no Federal highway funds are available specifically for fencing under the normal Federal-aid programs, there is no specific prohibition to constructing fences if proposed by the State. In instances where a specific hazard could be identified as a priority need, Federal-aid safety program funds could be used.

Because of other safety and general highway needs being given priority by the State and the accident experience in these unfenced areas, we do not foresee the State initiating a fencing project at this time.

If we can be of further service in this matter, please let us know.

Sincerely yours,

W. J. Wilkes

W. J. Wilkes
Director, Office of Engineering

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

8643

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: February 8, 1977

SUBJECT: Congressional Inquiry - J. & R. Stoddart, Jordan Valley, to Congressman Ullman, 12-28-76

In reply refer to: 1041A/INQ-704

RECEIVED
STATE HWY ENGR
FEB 11 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

2-11-77 cy Schwartz

FROM : G. L. Green, Division Administrator

TO : Mr. L. E. Lybecker, Regional Administrator
Portland, Oregon 10ED

The endorsement to Mr. Wilkes' interim reply to Congressman Ullman on January 27 requested that your office furnish information. The following is submitted for your consideration:

The letter from Mr. and Mrs. John L. Stoddart of Jordan Valley, Oregon to Congressman Ullman concerned the need for fencing on Highways 95 and 78 in southeast Oregon.

US 95 in Oregon is about 121 miles long, of which about 38 miles between Rome and Basque is unfenced except for some short areas. State Highway 78 between Burns and Burns Junction is 91 miles long, of which about 30 miles from Burns Junction westerly is largely unfenced. Therefore, the total mileage of unfenced road on these two highways is about 68 miles. About 38 miles is bordered, at least on one side by unfenced Bureau of Land Management land.

The cost of fencing can vary from $2200 per mile for a 4-wire fence (unsuitable for sheep) to $5400 per mile for a fence consisting of a 30" x 4" wire mesh with two barbed wires. Therefore, the cost of fencing both sides of these highways could vary from $300,000 to $750,000. In addition, the ultimate cost of fencing may be considerably more in some areas because additional watering facilities would have to be developed where existing watering facilities are on just one side of the road. These conditions would have to be examined carefully in any fencing plan.

The cost may vary somewhat from these figures because the actual length of fencing needed is just an estimate based on memories of both the State Highway and Bureau of Land Management personnel.

The reported vehicle accident rate involving cattle is extremely low. However, it is recognized that animal kills are often unreported. The Oregon State Highway District Maintenance Engineer reported that there are about 25 road kills per year, which substantially exceeds the reported accidents. There is not specific information on how many of these road kills were in fenced areas, but some do occur on currently fenced highway sections.

We know of no specific Federal highway funds that would be available for fencing in this area. Under the normal Federal-aid program funding, there is no specific prohibition to constructing fences if proposed by the State. In instances where a specific hazard could be identified as a priority need, Federal-aid Safety Program funds could be used.

Considering other priority safety and general highway needs in this State and the accident experience in these unfenced areas, we do not foresee the State initiating a fencing project.

By copies of this correspondence, the Oregon State Highway Division is being advised of the concerns expressed in Mr. and Mrs. Stoddart's letter.

Original Signed By
G. L. Green
Division Administrator

G. L. Green

cc:
OSHD (H S Coulter)

8643

Form 81.734.2630

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

February 8, 1977

Salem, OR 97310

FILE:

RECEIVED
STATE HWY ENGR
FEB 11 '77
REFER TO
FOR
Info | Imp. | R/D | D/R | Sign | Act | File

FROM: Gary A. Potter, Manager
Environmental Section
ORIGINAL SIGNED BY
GARY A. POTTER

SUBJECT: Statewide Assessment
FAS, Region 5 Projects

TO: L. W. Rulien
Program Management Engineer

NOTED
E. S. HUNTER

The FAS projects considered in this memorandum have been assessed and evaluated for their potential impact on the quality of the human environment.

The proposed projects (projects 1, 2 and 3) are located in an area of farming, ranching, timber production and recreation. Despite relatively low average daily traffic counts, highway pavement is badly worn. This can be attributed to climactic conditions, heavy use by industrial traffic and, more important, a lack of construction funds to correct the deficiencies. The existing highway has a number of safety hazards. In addition to deteriorated pavement, some sections of highway are less than 32 feet wide and lack paved shoulders. The proposed projects would correct these safety hazards by widening the highway as necessary; overlaying the highway with asphalt concrete or overlaying existing pavement with a plant-mix seal. Material sources include State-controlled or commercial sites.

1. Stewarts Bridge-Flat Creek, M.P. 134.5-138.0

   This section of Highway 5 is located in a narrow agricultural strip paralleling the John Day River. The oil mat surface is fractured; highway width is less than the 32-foot standard. The proposed project consists of widening, as necessary, and overlaying travel lanes and shoulders with asphalt concrete.

2. Bridge Creek-Wetmore Forest Camp, M.P. 185.5-203.0

   This section is located within the Malheur National Forest at elevations exceeding 5,000 feet msl. The highway is characterized by numerous curves and fractured pavement. The proposed project consists of overlaying existing pavement with a plant-seal mix.

3. Ironside-Brogan, M.P. 231.1-246.9

   The Ironside-Brogan Section is situated in a high and arid environment at elevations exceeding 3,000 feet. Surrounding land is primarily used for grazing. The highway in this section is narrow and lacks paved shoulders. The proposed project consists of widening the highway to a standard width of 32 feet and overlaying with asphalt concrete.

The three proposed projects 4, 5, and 6 are located within agricultural sections of Umatilla County. Each involves upgrading deteriorated pavement with an asphalt concrete overlay or plant-mix seal. The necessity of repairing these sections is underscored by their present condition, continuous use by heavy industrial vehicles and projected traffic volumes. Highway safety is a decided factor.

4. Oregon-Washington Highway (8)
Athena-Dry Creek Section (M.P. 16.1-21.8)

This 5.7-mile project is located among rolling wheat land on the Blue Mountain slope. The highway provides access to granaries, food processing plants and forest industries. It is also the principal link between the cities of Pendleton and Walla Walla. The pavement within the Athena-Dry Creek section appears to degenerate daily. It is badly cracked and spalling. These conditions can be corrected with an asphalt concrete overlay. Suitable State-controlled and commercial materials sources are located near-by.

5. Pendleton-John Day Highway (28)
Pine Road-Pilot Rock Section (M.P. 6.7-16.0)

This 9.3-mile section of highway is situated along McKay Creek among rolling wheat fields. The highway carries considerable farm and forest products traffic. There is also a significant amount of commuter traffic between Pendleton (M.P. 0.0) and Pilot Rock (M.P. 16.0). Near-by McKay Creek reservoir attracts sportsmen and recreationists throughout northeastern Oregon.

The proposed project consists of applying a plant-mix seal over badly cracked pavement. This would increase the longevity of the highway and substantially improve the margin of safety. Commercial and State-controlled material sources are near-by.

6. Hermiston Highway (333)
I-80N-Hermiston Section (M.P. 8.3-12.4)

This 4.1-mile section of highway is located in one of the State's most rapidly developing areas. Growth is directly tied to agri-business enterprises. Climactic conditions coupled with irrigation have transformed sagebrush-covered land into productive farmland. Irrigated farmland and a lesser amount of undeveloped sage-covered land border the highway between I-80 North and Hermiston.

This section of Highway 333 warrants special attention. The rapidly deteriorating pavement already supports considerable industrial and commuter traffic (A.D.T.-4,900). Increasing traffic volumes will hasten destruction of the pavement. Safety can be enhanced by patching as needed and overlaying the existing pavement with asphalt concrete.

Projects 7, 8, and 9, are intended to upgrade highway safety by repairing badly deteriorated pavement and widening as necessary. Patching would precede the application of plant-mix seal or asphalt concrete overlay. Commercial or State-owned material sources would be utilized.

7. Buchanan-Drinkingwater Section, M.P. 153.2-155.7 & M.P. 165.7-176.2

   The pavement within this section is badly cracked or otherwise deteriorated. In addition, it is one of the few sections lacking paved shoulders. The proposed project entails widening, as necessary, to maintain two 12-foot travel lanes and two 4-foot paved shoulders. The section between M.P. 153.2 and 155.7 would be overlaid with a plant-mix seal. That section between M.P. 165.7 and 176.2 would require widening and an asphalt concrete overlay.

8. Black Canyon Creek-Harper Junction Section, M.P. 203.3-223.2

   The proposed project is located along the Malheur River in a sparsely populated area of farming and ranching. The project consists of applying a plant-mix seal to the existing pavement. Additional widening is not anticipated.

9. Cairo Junction-State Line Section, M.P. 258.2-266.7

   This is the most heavily traveled section of the Central Oregon Highway. Average daily traffic exceeds 5,800 vehicles. Trucks and farm machinery make up a substantial portion of the traffic mix. The proposed project consists of applying a plant-mix seal over the existing pavement. Additional widening is not anticipated.

Highway safety is considerably jeopardized by badly worn or broken pavement within the limits of projects 10, 11, and 12 on Highway 456. Unsafe conditions would be mitigated by an asphalt-concrete overlay or a plant-mix seal. State-controlled and BLM materials sources are located in the proximity.

10. Jordan Creek-Rock Creek Road Section (M.P. 25.2-M.P. 39.5)

    This 14.3 mile section abuts unimproved sage-covered rangeland and where conditions permit, small parcels of pasture or grain land. Most highway traffic is probably farm-to-market; however, the highway also serves as a commuter link between Idaho, Nevada, and western Oregon communities. Pavement along this section is badly cracked and otherwise worn. The associated safety hazard can be mitigated with the application of a plant-mix seal over existing pavement.

11. Burns Junction-Rome Section (M.P. 55.0-M.P. 66.2)

    Most of this 11.2 mile section is located within a considerable expanse of unimproved grazing land. Vegetation is restricted to xeric species, principally big leaf sage. The pavement within the section is subjected to stress from heavily loaded trucks and severe climatic conditions.

The margin of highway safety can be considerably improved with a plant-mix seal overlay.

12. Jackson Crek-McDermitt (M.P. 104.3-M.P. 121.4)

This 17.1 mile section is also located amid unimproved, arid rangeland. Pavement degradation is more advanced than that of the other two sections. The proposed project consists of patching chuckholes as necessary and overlaying the entire section with asphalt-concrete cement.

It has been determined that no new right-of-way will be required for the above projects, and that they are of a type for which the Statewide Assessment for Safety Projects is applicable. The Statewide Assessment classifies these projects as Non-Major.

GAP:GR:ss

cc: E. S. Hunter
Wendell Schwartz
Jim Kennedy

8643

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
WASHINGTON, D.C. 20590

NOTED
H. S. COULTER

JAN 27 1977

IN REPLY REFER TO:

HNG-21

Honorable Al Ullman
House of Representatives
Washington, D.C. 20515

Dear Mr. Ullman:

This will acknowledge receipt of your letter of January 10, 1977, to the Office of Congressional Relations, Department of Transportation, enclosing a letter from Mr. and Mrs. John L. Stoddart of Jordan Valley, Oregon, regarding the need for a fence along U.S. 95.

We do not have sufficient information in the Washington Headquarters to respond to your inquiry. We are requesting our Division Office in Salem, Oregon, to send us a report on this matter. When we receive the report, we will be able to fully respond to your inquiry.

Sincerely yours,

W. J. Wilkes

W. J. Wilkes
Director, Office of Engineering

Enclosure:
Transmitted Correspondence

Send copy of ext & Govs recent correspondence about auxiliary fencing — 2-8-77 ltr
cy sent FHWA

2-1-77
cy Schwartz

RECEIVED
STATE HWY ENGR
FEB 1 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act

Hon

Dear Mr Allman -

Enclosed please find a copy of a letter we have sent to Senator Pasewood.

It concerns a matter we feel of a serious nature - and hope to have your attention called to our needs.

Sincerely
John Roberts Shoddart

Box 200-Burns Junction
c/o Crooked Creek Ranch
Jordan Valley, Oregon 97910
December 28, 1976

Senator Robert Packwood
U.S. Senator - Oregon
6327 New Senate Office Building
Washington, D.C. 20501

Dear Senator Packwood;

I am part owner in a family cattle ranching operation in southern Malheur County, Oregon. We run about 550 cows.

The problem I am concerned with at this time is our loss of cattle on U.S. 95 and State Highway 78. Each year we have cattle that are struck and killed by vehicles on these highways. In the past few years our death loss has increased due to the increase of traffic. To date this year we have lost 9 head. The reason I am writing you this letter now is that we can no longer get insurance to cover our losses.

I should also like to point out that this problem is not only ours. There are several stretches of Oregon highways that run through open range land and wherever cattle are grazing there is a risk of loss to the livestock owner and property damage and/or death to the vehicle operator. I am sure if you took the time you could document several thousands of dollars of property damage and several deaths due to livestock on highways that run through open rangeland. I personally know of two deaths this year on highway 95.

The solution to the problem as I see it is to have the State Highway Commission and/or the B.L.M. fence the highway that run through the open rangeland;

I would like to see you urge the Administration to grant $288,000 (as you did for making improvements to the Eugene Bikeway) for fencing Oregon highways through open rangeland - starting with highways 95 and 78, of course. I am sure that if you polled stockmen such as myself and people who drive a lot on these unfenced highways at night you would find that most of themagree; the highways need to be fenced.

Thank you for your time on this matter.

Very truly yours,

John L. Stoddart

cc: Representative Al Ullman-2nd. Dist., Oregon
Senator Mark O. Hatfield
Governor Bob Straub

8644 Snake River (Adrian) Bridge 1977
on Succor Cr. Hwy. (Parma Spur)
(Expansion bearing repair)

8644

September 13, 1978

U. S. Fidelity & Guaranty Co.
P. O. Box 3459
Portland, OR 97208

Gentlemen:

On September 7, 1978, we wrote to you concerning release of final payment on Contract No. 8644 awarded to Waconda West Construction for work on the Snake River (Adrian) Bridge Section of the Succor Cr. (Parma Spur) Highway in Malheur County.

Final payment on this contract is $2,577.93 and the total contract amount is $55,981.48 including $4,422.98 for work performed under force account.

Very truly yours,

C. W. Head
COMMISSION SERVICES

kkr

cc: Waconda West Construction
P. O. Box 9126
Brooks, OR 97305

bc: C. T. Keasey
Walt Hart
W. E. Schwartz

8644

FORM 81-734-2001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Snake River (Adrian) Bridge		WEEK ENDING: August 12, 1978
		SECTION PREFIX: 123-1126
HIGHWAY: Succor Cr. (Parma Spur)		COUNTY: Malheur
NAME OF JOB: Snake River (Adrian) Bridge	KIND OF WORK: Expansion Bearing Repair	
CONTRACTOR: Waconda West Construction	CONTRACT NUMBER: 8644	FEDERAL AID PROJECT NUMBER: State
DATE OF CONTRACT: November 22, 1977	DATE WORK STARTED: January 2, 1978	ESTIMATED COMPLETION DATE:
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 0 SUPERVISION 0	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 180 CWD	CALENDAR DAYS USED 197 CWD
	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED: 109
PROJECT AUTHORIZATION: $70,835.43		PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 100
EXCLUSIVE OF ENGINEERING: $64,649.00	ENGINEERING AUTHORIZATION $6,244.50	
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $64,649.00	ENGINEERING COST TO DATE $7,522.53	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 89
ESTIMATED PERCENT: OVERRUN / UNDERRUN 0 %	PERCENT OF AUTHORIZATION 122	DATE PROJECT WAS COMPLETED: June 24, 1978

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT					
MILES PARTIALLY COMPLETED					
MILES COMPLETED					
TOTAL ESTIMATED QUANTITIES (CONTRACT)					
TOTAL QUANTITIES CORRECTED TO DATE					
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE					
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.	4412 B							
PERCENT	100							

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY 6	Fair all week			
MONDAY 7				
TUESDAY 8				
WEDNESDAY 9				
THURSDAY 10				
FRIDAY 11				
SATURDAY 12				

K

Kessler — Richards
Jackmond — Parr
Hopkins — Inloes
Williams — Widmer
Davidson — Gebauer
Glenn — Church

RECEIVED
AUG 14 1978
CONSTRUCTION BRANCH

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY 6	No activity all week
MONDAY 7	
TUESDAY 8	
WEDNESDAY 9	
THURSDAY 10	
FRIDAY 11	
SATURDAY 12	

REMARKS

Semi-final submitted on Tuesday of this week.

SIGNED Michael J Gardner
Asst Res Engr
P. F. Burnett, Res. Engr.
LOCATION Ontario

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

SP-F216

8644

8

August 3, 1978

Kaconda West Construction
Post Office Box 9126
Brooks, OR 97305

Gentlemen:

We have carefully reviewed your time extension request for Contract No. 8644, Snake River (Adrian) Bridge.

A 17-day time extension is hereby granted for unforeseen difficulties which were beyond your control. This will eliminate all liquidated damages on this project.

Sincerely,

H. S. Coulter
State Highway Engineer

OBJ:fr ia

bc C. T. Keasey
W. E. Schwartz
P. F. Burnett
Robert Church
Richard Hacek

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

August 1, 1978

FILE: CON 5 #8644

FROM: O. B. Jackmond
Contract Administration Engineer

TO: H. S. Coulter
State Highway Engineer

SUBJECT: Time Extension Request
Snake River (Adrian) Br.
Malheur County
Contract No. 8644

Waconda West Construction, contractor on the subject project, requests a 17-day time extension based on unforeseen difficulties which were beyond the control of the contractor. Pertinent dates are:

Date of award	November 22, 1977
Begin work	January 2, 1978
Time expired	June 7, 1978
2nd Notification	June 24, 1978

The contractor encountered extreme difficulty in attempting to install a new joint seal in the existing joint. On two separate occasions the contractor failed in his attempt to install the material. The contractor, along with State personnel, were under the opinion the material was not the proper size. All other contract work was completed by May 19, 1978, 19 days prior to desired completion. Investigation of possible solutions delayed completion of the project. It was finally determined that the condition of the existing joint was causing the problem. With special tools supplied by the manufacturer, the joint seal was able to be installed.

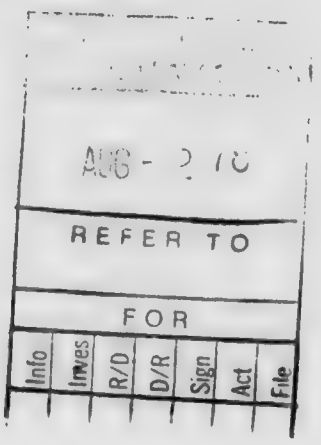
The public had full use of the facilities prior to the desired completion. Existing conditions of the joint were beyond the control of the contractor and are considered a "bona fide cause" for adjustment of contract time (Sec. 108.09). The contractor should be granted the additional 17 days. This will eliminate all liquidated damages.

A rough draft letter to the contractor is attached.

OBJ:fr

Att.

cc: W. E. Schwartz
P. F. Burnett
Robert Church



CERTIFIED COPY

GENERAL POWER OF ATTORNEY

No. 88564

Know all Men by these Presents:

That UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation organized and existing under the laws of the State of Maryland, and having its principal office at the City of Baltimore, in the State of Maryland, does hereby constitute and appoint

Kathleen M. Sadowski

of the City of Salem, State of Oregon
its true and lawful attorney in and for the States of Oregon, Arizona, California, Idaho and Washington

for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said UNITED STATES FIDELITY AND GUARANTY COMPANY, through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said

Kathleen M. Sadowski

may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said UNITED STATES FIDELITY AND GUARANTY COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its Vice-President and Assistant Secretary, this 7th day of April, A. D. 1978

UNITED STATES FIDELITY AND GUARANTY COMPANY.

(Signed) By Bertram W. Sealy, Jr.
Vice-President.

(SEAL)

(Signed) A. Louisa Rush
Assistant Secretary.

STATE OF MARYLAND, BALTIMORE CITY, } ss:

On this 7th day of April, A. D. 1978, before me personally came Bertram W. Sealy, Jr., Vice-President of the UNITED STATES FIDELITY AND GUARANTY COMPANY and A. Louisa Rush, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said that they, the said Bertram W. Sealy, Jr. and A. Louisa Rush were respectively the Vice-President and the Assistant Secretary of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so fixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as Vice-President and Assistant Secretary, respectively, of the Company.

My commission expires the first day in July, A. D. 19...78...

(SEAL)

(Signed) Margaret M. Hurst
Notary Public.

STATE OF MARYLAND BALTIMORE CITY, } Set.

I, Robert H. Bouse, Clerk of the Superior Court of Baltimore City, which Court is a Court of Record, and has a seal, do hereby certify that Margaret M. Hurst, Esquire, before whom the annexed affidavits were made, and who has thereto subscribed his name, was at the time of so doing a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn and authorized by law to administer oaths and take acknowledgments, or proof of deeds to be recorded therein. I further certify that I am acquainted with the handwriting of the said Notary, and verily believe the signature to be his genuine signature.

In Testimony Whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, the same being a Court of Record, this 7th day of April, A. D. 1978

(SEAL)

(Signed) Robert H. Bouse
Clerk of the Superior Court of Baltimore City.

FS 3 (6-77)

COPY OF RESOLUTION

That Whereas, it is necessary for the effectual transaction of business that this Company appoint agents and attorneys with power and authority to act for it and in its name in States other than Maryland, and in the Territories of the United States and in the Provinces of the Dominion of Canada and in the Colony of Newfoundland.

Therefore, be it Resolved, that this Company do, and it hereby does, authorize and empower its President or either of its Vice-Presidents in conjunction with its Secretary or one of its Assistant Secretaries, under its corporate seal, to appoint any person or persons as attorney or attorneys-in-fact, or agent or agents of said Company, in its name and as its act, to execute and deliver any and all contracts guaranteeing the fidelity of persons holding positions of public or private trust, guaranteeing the performances of contracts other than insurance policies and executing or guaranteeing bonds and undertakings, required or permitted in all actions or proceedings, or by law allowed, and

Also, in its name and as its attorney or attorneys-in-fact, or agent or agents to execute and guarantee the conditions of any and all bonds, recognizances, obligations, stipulations, undertakings or anything in the nature of either of the same, which are or may by law, municipal or otherwise, or by any Statute of the United States or of any State or Territory of the United States or of the Provinces of the Dominion of Canada or of the Colony of Newfoundland, or by the rules, regulations, orders, customs, practice or discretion of any board, body, organization, office or officer, local, municipal or otherwise, be allowed, required or permitted to be executed, made, taken, given, tendered, accepted, filed or recorded for the security or protection of, by or for any person or persons, corporation, body, office, interest, municipality or other association or organization whatsoever, in any and all capacities whatsoever, conditioned for the doing or not doing of anything or any conditions which may be provided for in any such bond, recognizance, obligation, stipulation, or undertaking, or anything in the nature of either of the same.

I, J. A. Witzen, an Assistant Secretary of the UNITED STATES FIDELITY AND GUARANTY COMPANY, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney given by said Company to

Kathleen M. Sadowski

of Salem, Oregon, authorizing and empowering her to sign bonds as therein set forth, which power of attorney has never been revoked and is still in full force and effect.

And I do further certify that said Power of Attorney was given in pursuance of a resolution adopted at a regular meeting of the Board of Directors of said Company, duly called and held at the office of the Company in the City of Baltimore, on the 11th day of July, 1910; at which meeting a quorum of the Board of Directors was present, and that the foregoing is a true and correct copy of said resolution, and the whole thereof as recorded in the minutes of said meeting.

In Testimony Whereof, I have hereunto set my hand and the seal of the UNITED STATES FIDELITY AND GUARANTY COMPANY on (Date) 6/30/78

J. A. Witzen

Assistant Secretary.

WACONDA WEST CONSTRUCTION
P. O. BOX 9126
BROOKS, OREGON 97305

Exhibit "A"

RE: Snake River (Adrian) Bridge
Contract No. 8644

The specifications called for the existing strip seal joint sealer to be removed and replaced by a new Wabo-Maurer S-500 Strip Seal as manufactured by Watson Bowman Associated Inc. of Buffalo, New York.

Prior to April 27, 1978 the Waconda West Construction crew had removed the old strip seal, cleaned the steel extrusion and attempted unsucessfully to install the new specified S-500 strip seal. On April 27, 1978 I personally took a small sample of the specified strip seal and tried it in the steel extrusion on the down stream side of the bridge near the end where one could see in the end of the steel extrusion from a position on a ladder. The steel extrusion was thoroughly clean in this area and I was able to get the piece of strip seal into the steel extrusion but it apparently was too large to expand out properly against the back wall of the steel extrusion and accordingly had a tendency to push inself out of the steel extrusion rather than grip inside it as it should have done. This demonstration was witnessed by Mr. Frank Burnett, Resident Engineer, Mr. Michael Gardner, Assistant Resident Engineer, Mr. William Jacobson, Inspector and myself and I believe I speak correctly when I state that all present were of the opinion that the S-500 strip seal specified was too large for the existing steel extrusion and something was wrong somewhere. As we left the area Mr. Burnett said " I hope you can come up with the solution".

I went to work on it immediately; calling Watson Bowman Associates Inc. in Buffalo, New York. The S-500 specified supposedly should fit but apparently didn't. Many phone calls were made and much time was consumed in shipping small samples of strip seal, steel extrusion, patterns, etc. to various people in an attempt to resolve the problem.

Finally, on June 23, 1978, I received two special tools from the Watson Bowman Company and talked by phone at great length with their field representative in California. I also notified Mr. Burnett's office that I would again attempt to install the specified strip seal the following day as all our research had indicated that it should fit the existing steel extrusion.

On June 24, 1978 I attempted to put the strip seal in again and discovered that although the steel extrusion was completely free of all the old rubber strip seal there still remained a very thin film of glue in some places, particularly up in the very top of the extrusion where it was very difficult to remove. We worked at cleaning the extrusion with paint remover, a variety of scrapers, and a wire disc in a power drill motor.

Continued on Page 2

WACONDA WEST CONSTRUCTION

P. O. BOX 9126
BROOKS, OREGON 97305

The extrusion was polished almost shiny on the inside and with the use of the special tools and the bondlastic adhesive which acted as a lubricant, we were able to get the strip seal into the extrusion without too much difficulty until we got to about the last six feet on the down stream side of the bridge. This is the area where the attempt had been made on April 27th with the conclusion that the S-500 strip seal would not fit. On this last six feet the strip seemed to pop out each time we tucked it into the extrusion as it had done on April 27th. We abandoned the point six feet out and started at the other end and finally with much difficulty was able to force the strip seal into the last six feet of the extrusion completing the installation.

Apparently it was a combination of several factors including a possible deformed steel extrusion for about six feet which prevented a sucessful installation on previous attempts.

We diligently pursued the solution to this problem through to a sucessful installation. All other work on this project was completed on May 20, 1978 and the bridge was totally in service. It is our belief at this time that the State of Oregon did not sustain any damage as a result of this delay and since as defined in Section 108.10 of the specifications, the assessment of damages is to be not as a penalty to the contractor but as liquidated damages (where damages were actually sustained). We respectfully request that our contract time be extended from 180 calendar days to 197 calendar days without the assessment of liquidated damages.

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request

for

Increase in Number of Workdays

to

Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8644 Contractor Waconda West Construction

Highway Succor Cr. (Parma Spur)

Section Snake River (Adrian) Bridge

Kind of Work Expansion Bearing Repairs

It is recommended that the request for increase in the number of workdays within which to complete said contract be ~~DENIED~~ or GRANTED. The reasons for such recommendation are as follows:

Granted.
See attached letter.

A 17-day time extension is granted for unforeseen difficulties which were beyond the control of the contractor.

Recommended for Approval:

Region 5 Construction ~~XXXXX~~ Division Engineer

O. B. Jackman
For Construction Engineer or Bridge Engineer

R. L. Schwabe
for State Highway Engineer

Contract No.	8644
Project designation	State (State-Federal)
Date awarded	November 22, 1977
Work started	January 2, 1978
Per cent completed	100, 6/24/78 (Date)
No. of ~~Workdays~~ Calendar days Allowed	180
No. of ~~Workdays Used~~ Calendar days	197
No. of Added Workdays Requested	17

SP*0806-734

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

Date JUNE 30, 1978

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from 180 days to 197 days, within which to complete our Contract No. 8644, without the assessment of liquidated damages. The said contract is described as follows:

Snake River (Adrian) Bridge

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows:

SEE EXHIBIT A ATTACHED.

Respectfully submitted,

WACONDA WEST CONSTRUCTION
Contractor

By D W Scott

CONSENT OF SURETY

Date JUNE 30, 1978

We, UNITED STATES FIDELITY AND GUARANTY COMPANY

P. O. BOX 3459, PORTLAND, OREGON 97208, as

surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

Kathleen M. Sadowski
KATHLEEN M. SADOWSKI
Attorney-in-fact

(SEAL)

Resident Agent

8644

9

DATE: September 12, 1977

TO: Oregon Transportation Commission

FROM:
H. S. Coulter
State Highway Engineer

SUBJECT: Finance Approval
Snake River (Adrian) Bridge Repairs
Bridge No. 4412A

The Snake River Bridge at Adrian was completed and opened to traffic in 1973. A post-construction problem has developed at three of the supporting piers that requires repair.

Plans have been prepared to repair the structure without significant interruption to traffic. The estimated cost of repair is $60,000.

I recommend that this project be financed from State Construction Funds and request your authority to proceed with the work in anticipation of an early letting.

This matter will be on the Consent Calendar for your consideration at the September meeting.

WJH:dh ia

bc R. A. Burco
C. W. Head
E. S. Hunter
W. J. Hart
D. H. Moehring
L. W. Rulien
W. E. Schwartz
George Bell
V. E. Skoog

8644

Form FHWA-121 (rev. 8-73)

8

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem, Oregon 97308

DATE: Sept. 7, 1977

In reply refer to: HEC.3/710.15

SUBJECT: Snake River (Adrian) Br. Section
Malheur County

FROM : G. L. Green, Division Administrator

TO : Mr. H. S. Coulter, State Highway Engineer
Salem, Oregon

As requested in Mr. Swan's Sept. 6 letter, I am returning the program documents for the proposed project.

G. L. Green

Encl.

cc:
D.E. Swan

RECEIVED
STATE HWY ENGR
SEP 8 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

8644

8

ROBERT W STRAUB
GOVERNOR

Department of Transportation

TRANSPORTATION BUILDING, SALEM, OREGON 97310

September 6, 1977

TO G. L. Green, Division Administrator
Federal Highway Administration

NOTED
E. S. HUNTER

Original Signed By
D. E. Swan

FROM D. E. Swan
Federal Aid Engineer

SUBJECT Project RS-173(1)
Item No. 70210
Snake River (Adrian) Bridge Section
Malheur County

We withdraw our request for the subject project and ask that you return the program documents.

The project will be financed with State funds.

JLG:dmc
cc: L. W. Rulien
E. S. Hunter
Walter Hart, please draft request for OTC approval
F. E. Terpin
W. E. Schwartz, (Region 5)

RECEIVED
TECHNICAL SERVICES
SEP 6 '77
REFER TO
FOR
Info | Issue | R/D | D/R | Sign | Set | File

8644

8

FORM 61.734.5030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

August 22, 1977

FILE:

FROM: Walter J. Hart
Structural Engineer

TO: Mr. E. S. Hunter
Technical Services Engineer

SUBJECT:
Snake River (Adrian) Bridge
Prestress Beam and Pier Cap Repairs
Bridge 4412A

Your approval is requested to instigate a survey authorization and programming with the FHWA for the subject work.

Attached is a print of the bridge layout showing the location of the required repairs. Also attached are two photographs which illustrate typical damage.

The prestressed beams of this structure have developed more long-term shortening than was considered in the design when the bridge was built in 1971. Expansion details, as designed and installed at Pier 4, consist of a four-inch thick elastomeric pad and a 3" x 1 1/2" x 2'-8" steel pin at each beam bearing. The elastomeric pads were to accommodate expansion and the steel bars to resist longitudinal earthquake forces.

Pier 4 beams have pulled about four inches away from each other causing the 3" x 1 1/2" bearing pins to break out both the ends of the prestressed beams and the side of the Pier 4 cap. At Piers 1 and 7 the only visual damage is to the prestressed beams.

Our proposed repairs would be similar at the three expansion locations and be as follows:

1. Jack the prestressed beams up and remove the elastomeric pads and steel pins.

2. Repair the ends of the prestressed beams and the pier caps.

3. Set new expansion assemblies consisting of laterally fixed bearing shoes consisting of thinner elastomeric pad, together with bonded sliding surfaces. Assemblies will be fabricated to the thickness of the original bearing pads.

4. Remove the jacks.

5. Add new earthquake restraining devices in place of the original steel pins. The new devices consist of tie rods engaging the end blocks of prestressed beams of adjacent spans at Pier 4 and the end block of beams with the backwall at Piers 1 and 7.

APPROVED
DEPUTY STATE HIGHWAY ENGINEER
Date 8-23-77

cc Melvin
Chris

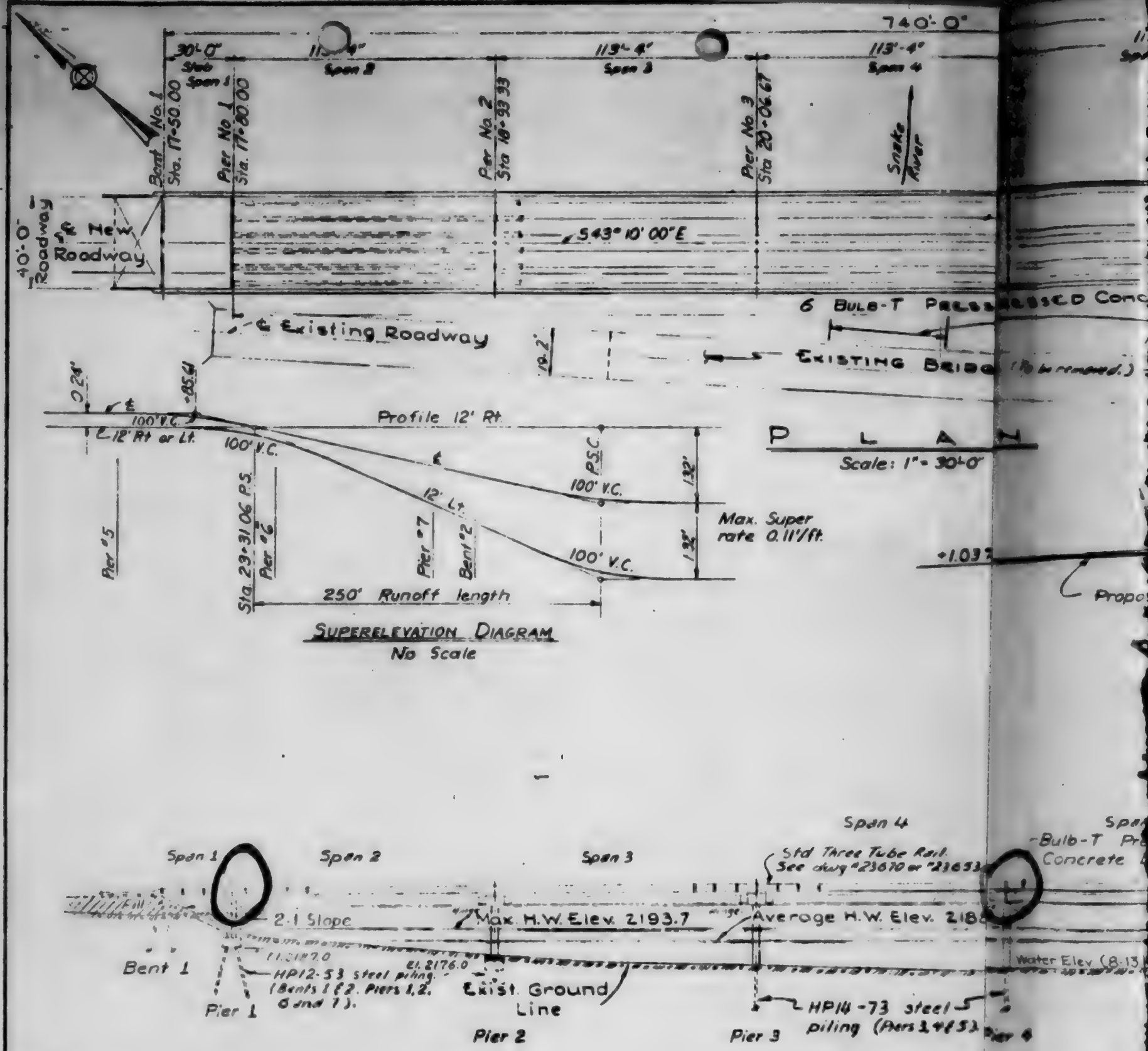
Preliminary consideration by the Federal Highway Administration indicates that the repairs are eligible for federal-aid funds. See attached letter dated June 7, 1977. Our most current estimated cost of the project is $50,000.

LLW:dh
Attachment

RECEIVED
TECHNICAL SERVICES
AUG 23 '77
REFER TO
FOR
Info | Invest | R/D | R/R | Plan | Act | File

Damage to Pier 4 Cap

End



O Indicates areas where repairs are required.

NOTE
THE SCALE OF THIS PRINT IS ½ THAT OF THE ORIGINAL DRWG
FOR EXAMPLE
INDICATED SCALE 1/2"=1'-0"
SHOULD BE READ 1"=1'-0"
INDICATED SCALE 1"=10'-0"
SHOULD BE READ 1"=20'-0"

740'-0"

119'-4" Span 4

Pier No. 3 Sta 20-02.67

Snake River

113'-4" Span 5

Pier No. 5 Sta 22-39.39

113'-1" Span 6

Sta 23-31.06 PS

Pier No. 6 Sta 23-42.67

250' Spiral Left
S-12° 30' 00"
a' 4.0

Pier No. 7 Sta 24-80.00

Span 8

Bent No. 2 Sta 25-90.00

Reinforced con... panel at brid... ends. See Dr... #2070.

1½" Telephon... Conduit.

6 Bulb-T Prestressed Concrete Beam Spans (Continuous for live load)

50' min. horizontal clearance during construction. Work clearance same as finished structure.

Existing Bridge (To be removed.)

P L A N

Scale: 1" = 30'-0"

Sta. 21-50 PI
El 2211.25

Finish grade 12' Rt.

-0.96%

+1.03%

800' vertical curve

Proposed structure

GRADE LINE
No Scale

Max. Super rate 0.11'/ft.

Span 4

Std Three Tube Rail. See dwg #23610 or #23653

Span 5
Bulb-T Prestressed Concrete Beams

Span 6

Span 7

Span 8

Hinge

Hinge

Pay Item A (Typ.)

2:1 Slope

El 2187.0

Average H.W. Elev. 2188

Water Elev (8-13-71) 2187.0

El. 21770

Class 100 riprap backfill (Arts 2.6).

Exist. Ground Line

HP14-73 steel piling (Piers 3, 4 & 5)

Pier 3

Pier 4

Pier 5

Pier 6

Pier 7

Bent 2

E L E V A T I O N

SCALE 1" = 30'-0"

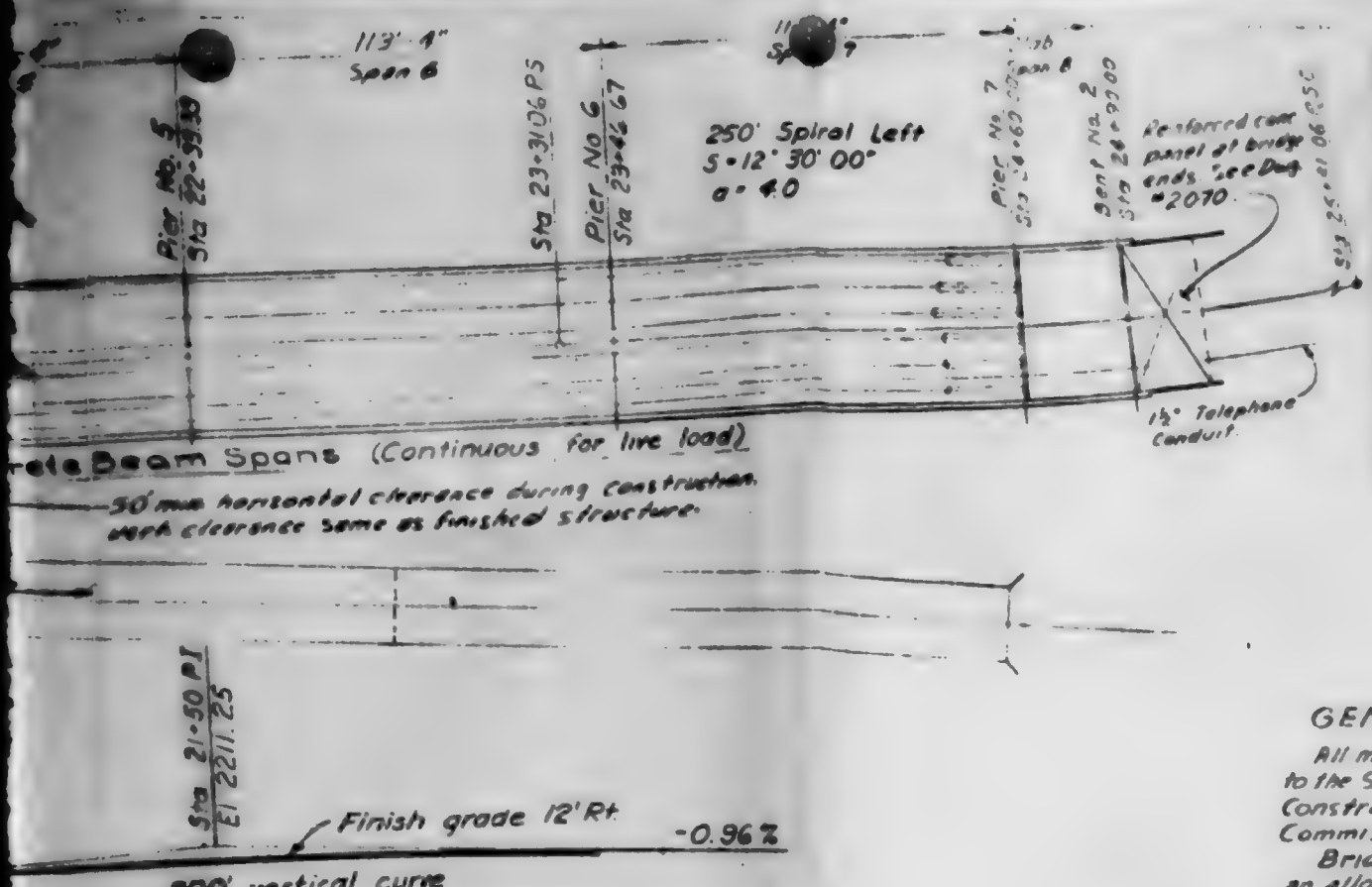
HYDRAULIC DATA		
	DESIGN FLOOD	Max. Flood Yr. (1918)
Discharge - c.f.s.	43,000	47,300
Frequency - yrs.	50	——
H.W. Elevation Natural Channel	2193.7	21942

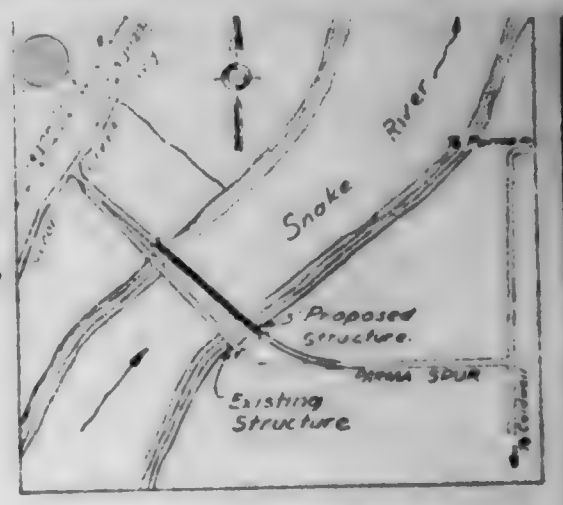
APPROVED

Walt. J. Hart
BRIDGE ENGINEER

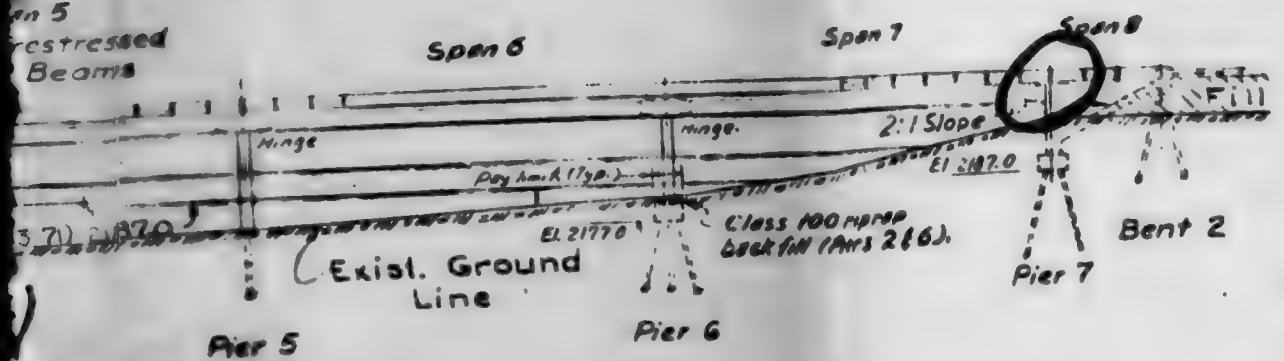
A. G. Johnson
ASST. STATE HIGHWAY ENGINEER

DESIGNED AHB
DRAWN RLM
CHECKED DEA
QUAN. BOOK 130





VICINITY MAP
No Scale



GENERAL NOTES:

All material and workmanship shall conform to the Standard Specifications for Highway Construction of the Oregon State Highways Commission.

Bridge designed for HS 20-44 loading with an allowance of 15 psf for future wearing surface.

Prestressing steel shall be in accordance with detail plans.

Reinforcing steel bars #3 thru #11 inclusive shall be lapped 24 diameters or a minimum of 1'-0" at all splices unless noted or shown otherwise. All bars shall be placed 2" clear of nearest face of concrete unless noted or shown otherwise. (f_s = 20 000 p.s.i.).

The top bent #3 of stirrup reinforcing, extending from beam stems into the top slab. may be shop or field bent unless noted or shown otherwise.

Concrete in prestressed-precast units shall be Class "AA" with a design strength of 5000 p.s.i. in 28 days, see detail plans.

Concrete in deck shall be Class "A" with a design strength of 4000 p.s.i. in 28 days (f_c = 1320 p.s.i.).

All other concrete shall be Class "A" with a design strength of 3300 p.s.i. in 28 days. (f_c = 1320 p.s.i.).

Rail post spacing shown on plans assumes use of rectangular tubing rail, dwg. #23610. If alternate oblong tubing rail, dwg. #23653, is used, rail post spacing shall be adjusted accordingly.

Footing elevations are subject to change depending upon foundation material encountered. Reinforcing steel for piers shall not be fabricated until final footing elevations have been determined in the field.

All piling shall be HP14x73 & HP12x53 steel piles driven to minimum bearing of 90 tons per pile and 70 tons per pile respectively.

HYDRAULIC DATA		
	DESIGN FLOOD	Max. Flood Yr. (1918)
Discharge - c.f.s.	45,000	47,300
Frequency - yrs.	50	——
H.W Elevation Natural Channel	2193.7	21942

APPROVED
Walter J. Hart
BRIDGE ENGINEER
ASST. STATE HIGHWAY ENGINEER

DESIGNED AHB DRAWN RLM CHECKED DEA CALC. BOOK 1302

OREGON STATE HIGHWAY DEPARTMENT
BRIDGE DIVISION

SNAKE RIVER (ADRIAN) BRIDGE
PARNA SPUR - SUCCOR CREEK HIGHWAY
MALHEUR COUNTY

PLAN AND ELEVATION

DATE Nov 1971 BRIDGE NO 4412A SHEET 1 OF 13
ACCOMPANIED BY DWGS. 27875 thru 27883, 23783, 23653, 23610, 23783, 27946
DRAWING NO. 27874

8644

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: June 7, 1977

In reply refer to: HBR-OR

SUBJECT: Oregon Project BR-S-23-015
Snake River (Adrian) Bridge

FROM : G. L. Green, Division Administrator

NOTED
E. S. HUNTER

TO : Mr. H. S. Coulter, State Highway Engineer

We have received Mr. Wallace's letter of April 25, 1977 requesting participation in correcting an expansion and earthquake tie design deficiency of the above structure. We have reviewed the pictures and the information submitted and feel that the prestress beam repair and earthquake tie installations are eligible Federal-aid costs.

for G. L. Green

cc:
OSHD (W J Hart)

RECEIVED
STATE HWY ENGR
JUN 10 '77
REFER TO
Hunter
FOR
Info | Inves | R/D | D/R | Sign | Act | File

6-10-77
cy Hart

8644

Br. 4412A

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

ROBERT W. STRAUB
GOVERNOR

RECEIVED
STATE HWY ENGR
APR 26 '77
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

April 25, 1977

Mr. Glen Green
Division Administrator
Federal Hwy. Administration
P. O. Box 300
Salem, OR 97308

NOTED
E. S. HUNTER

Attention Mr. Herb Schell

Snake R. (Adrian) Br.
Parma Spur-Succor Cr. Hwy.
Malheur Co.

We would like to request participation in prestressed beam bearing repair and earthquake anchorages for the Snake River (Adrian) Bridge. This is an eight-span, two-lane bridge across the Snake River on the Parma Spur of the Succor Creek Highway. This bridge consists of six 113'-4" Bulb-T prestressed beam spans with a 30' slab approach span at each end. The span arrangement with points of fixity at Piers 2 and 6, places the expansion for two 2-span series at Pier 4. Expansion bearings as designed and installed at Pier 4 consisted of four-inch thick elastomeric bearing pads and a 3"x1 1/2"x2'-8" steel bar at each beam bearing to transfer lateral earthquake forces. A similar detail with 1 1/2" thick bearing pads takes one span of expansion at Pier 1 and Pier 7.

The prestressed beams of this structure have developed more long-term shortening than was considered in the design when the bridge was built in 1971. Pier 4 beams have pulled about four inches away from each other, causing the bearing bars to break out the ends of the beams and sides of the cross beam as shown in the attached photographs.

Our proposal is to replace the existing bearing pads and pins with laterally fixed bearing shoes consisting of thinner elastomeric pads together with bonded sliding surfaces. Assemblies will be fabricated to the thickness of the original bearing pads and will require simultaneous jacking at

all six beams at each of the three expansion bents for installation. We also propose the installation of tie rods, to replace the steel bars, engaging the end blocks of beams of adjacent spans at Pier 4. Rods would also be provided between beams and backwalls at Piers 1 and 7. These rods would provide resistance to longitudinal displacement in the event of earthquake.

Estimated cost of the project is $14,000.

W. J. Hart
Bridge Engineer

ORIGINAL SIGNED
L. L. WALLACE
L. L. Wallace
Bridge Design Engineer

Attachment

cc ~~E.~~ S. Hunter
W. E. Schwartz
John Wood

8645 Tunnel Cr.-Whitewater Rd. 1977
Sec. of N. Santiam Hwy. east of
Salem (Grading & paving)

#8645

☆U.S. GOVERNMENT PRINTING OFFICE: 1974 — 732 - 828

STATE COPY 6-22-79

cc: State (H. S. Coulter)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

FINAL ACCEPTANCE REPORT

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	2	Marion	Oregon

DATE OF REPORT	REPORT MADE BY	PROJECT NO.
6-22-79	W. H. Kappus, Area Engineer	F-47(4)

COMPLETION DATE	ACCEPTANCE DATE BY CONTRACT AGENCY	TIME ELAPSED	CONTRACT TIME
8-1-78	11-27-78	$\frac{154}{140}$ = 110 %	140 CWD

APPROVED EXTENSIONS	LOCATION
14 CWD	See below

*The PR-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been submitted.
*A copy of the State's materials certificate is attached to the Division office copy of this report.
There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: *The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.*

TUNNEL CREEK-WHITE WATER ROAD SECTION
NORTH SANTIAM HIGHWAY
Grading & Paving

This project is located on the North Santiam Highway approximately five miles east of Idanha, Oregon. The contracted work consisted of grading to form a cutslope bench, scaling slopes of hazardous loose rock and overlaying the existing asphaltic concrete pavement.

The final project cost was $122,323.25 which was 6.5% greater than the original estimate of $114,716.80. This overrun was the result of increased engineering costs, flagman time and trench excavation.

A final inspection of the completed project was made on August 7, 1978.

All appropriate documents have been received and acceptance is recommended.

RECEIVED
STATE HWY ENGR
JUL 2 - '79
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

*NOTE: Not applicable for direct federal projects.

ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION	
SIGNATURE: Original Signed By WILLIAM H. KAPPUS W. H. Kappus Area Engineer		SIGNATURE: Original Signed By G. K. HOSSNER G. K. Hossner Field Operations Engineer	
TITLE: Area Engineer	DATE: 6-27-79	TITLE: Field Operations Engineer	DATE: 6-29-79

FORM FHWA-1446 B (12-73) FORMERLY PR-33E

Previous Editions of PR-33E Will Not Be Used.

8645

8

DATE: January 31, 1979

TO: Oregon Transportation Commission

FROM:
H. S. Coulter
State Highway Engineer

SUBJECT: Request for Increased Project Authorization
Tunnel Creek-Whitewater Road
North Santiam Highway
Contract No. 8645

This safety project has recently been completed. The project corrected a rock fall condition and provided for a short section of grading and paving. An overrun of $9,556.45, or 8.3 percent, is evident. The three major items causing the overrun are flagmen, general excavation, and engineering.

The flagmen item exceeded the amount previously estimated by $2,674, an increase of approximately 12 percent. The roadway slopes were scaled to remove loose rocks, and the resultant hazard to the traveling public from falling rocks necessitated more flagmen time than previously anticipated.

General excavation exceeded the estimated quantity by less than 6 percent, resulting in an increased cost of $2,255. Considering the rough terrain involved, this is a small error in estimating the quantity required.

The engineering is expected to exceed that previously estimated by $6,750, an increase of approximately 31 percent. This is partially due to the remoteness of the project which required 2½ hours of travel time. The project required substantial staking in rough terrain. More inspection time than is usual for this size project was utilized due to the need to insure that adequate traffic protection was being provided.

Your approval of a $9,556.45 increase in project authorization to a new total authorization of $124,273.25 is requested. This is a federal-aid project and the increased amount will be federal participating with the exception of approximately $5,200 of the engineering. This item will be on the consent calendar for your February 8 meeting.

OBJ:WR:mk is

bc F. B. Klaboe
C. W. Head
C. T. Keasey
C. O. Fredrickson
V. E. Skoog
George Bell

8645

Form E-372 (Rev. 12-70)

OREGON STATE HIGHWAY DIVISION

Expected Overrun of Project Authorization

Project Tunnel Creek - Whitewater Road Date 1-4-79

Highway North Santiam Contract No. 8645

County Marion Kind of Work Grade & Pave Contractor Garrett & Thomas Con.

	Authorized Original	Authorized Revised	Estimated
Contract Amount	86,010.00	100,144.80	98,664.02
Anticipated Items	1,300.00	572.00	222.36
Contingency (4½%)	3,928.95	----------	4,636.87
Engineering	8,731.00	14,000.10	20,750.00
Credits	-----	------	-----
PROJECT COST	99,969.95	114,716.80	124,273.25

NET INCREASE $9,556.45 OR 8.3 %

MAJOR OVERRUNS AND UNDERRUNS (Describe Briefly)

(Indicate whether contract (C), anticipated (A), or unanticipated (U). (List all unanticipated items)

			Expected Amount	Net Change
B.I. 5	Flagmen	(C)	24,524.25	(+) 2,674.25
B.I. 7	General Excavation	(C)	42,855.61	(+) 2,255.61
B.I. 8	Trench Excavation	(C)	1,469.90	(+) 869.90
B.I. 9	Aggregate Shoulder	(C)	1,102.00	(-) 3,198.00
B.I. 14	Seed & Mulch	(C)	1,040.00	(+) 240.00
B.I. 15	Seed & Tach Mulch	(C)	1,100.00	(-) 900.00
Engineering			14,000.00	(+) 6,750.00

Principal reasons for overruns (Continue on reverse side):

INSTRUCTIONS: A report on this form is to be submitted if and when it becomes evident that the project cost will exceed the original project authorization by more than five per cent and again if and when it becomes evident that the project cost will exceed by more than five per cent a subsequently approved increased project authorization. Submit five copies to Salem. After having been noted by the Deputy or Assistant State Highway Engineer, one copy will be sent to the Regional Engineer and one copy to the Resident Engineer.

Submitted by _____ Resident Engineer

Confirmed by _____ Regional Engineer

Noted by E. B. Jackmond For Construction ~~or Bridge~~ Engineer

Noted by _____ ~~Deputy~~ or State Highway Engineer

FORM 81.734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, OR

January 16, 1979

FROM: O. B. Jackmond
Contract Admin. Engineer

TO: H. S. Coulter
State Highway Engineer

SUBJECT: Request for Increased Authorization
Tunnel Cr.-Whitewater Rd.
Contract No. 8645

The above project is complete and was accepted by you on November 27, 1978. The project authorization was previously increased by $14,746.85 on July 18, 1978. The major causes for the anticipated overrun at that time were flagmen ($12,730) and engineering ($5,269). The amount of overrun of these items was underestimated as the major causes for this second increase are:

ITEM	OVERRUN AMOUNT	OVERRUN %
Flagmen	$2,674	12%
General Excavation	2,255	6%
Engineering	6,750	31%

The grading portion of this work consisted of the construction of a slope bench and the scaling of rock slopes adjacent to the highway. The hazard presented to the traveling public from the scaling operations necessitated the use of more flagmen than had been anticipated. The general excavation exceeded the estimated quantity by less than 6% (5.6%) which is close considering the rough terrain involved.

Engineering overran because of several reasons. The rugged terrain required substantial staking and the project was located 60 miles from the resident engineer's office (2-1/2 hrs. travel time per day). Due to the extreme hazard to the public of falling rocks, an inspector was on the project virtually all the time to police the traffic control.

Shoulder aggregate underran the estimated quantity so that the net overrun is $9,556.45. An increase of that amount is recommended to provide a new total project authorization of $124,273.25.

A rough draft letter to the Transportation Commission is attached.

OBJ:WR:mk

Attach.

NOTED
H.S.COULTER

8645

D

B

December 6, 1978

United Pacific Insurance Company
Fidelity & Surety Department
P. O. Box 1216
Tacoma, WA 98401

Gentlemen:

On November 30, 1978, we wrote to you concerning release of final payment on Contract No. 8645 awarded to Garrett & Thomas Const. for work on the Tunnel Creek-Whitewater Road Section of the North Santiam Highway in Marion County.

Final payment on this contract is $5,084.40 and the total contract amount is $102,500.89. No work was performed under force account.

Very truly yours,

C. W. Head
COMMISSION SERVICES

dda

cc Garrett & Thomas Const.
14365 Orchard Knob Road
Dallas, OR 97338

bc C. T. Keasey
Walt Hart
C. O. Fredrickson

8615

STATE COPY

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	Form Approved; O M B No. 04-R2089
MONTHLY TRANSACTION NUMBER 9-300		State Oregon
PROJECT REPORT NUMBER	MODIFICATION OF FEDERAL-AID PROJECT AGREEMENT	County Marion
MODIFICATION NUMBER 1	9-27-78	Project Number TQF-47 (4)

The Project Agreement for the above-referenced project entered into between the undersigned parties and executed by the Division Administrator on January 10, 19 78, is hereby modified as follows:

	Former amount	Revised amount
Estimated total cost of project	$ 99,969.00	$ 120,810.00
Federal funds	$ 85,773.00	$ 103,618.00
Other revisions		

This modification is made for the following reasons:

To include increase in cost of contract bid items, and increase in construction engineering.

All other terms and conditions of the Project Agreement will remain in full force and effect. This modification is effective as of the 27th day of September, 19 78.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By H S Coulter

Technical Services Engineer
(Title)

By For: H. S. Coulter

State Highway Engineer
(Title)

By _____

_____
(Title)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Administrator)

For: G. L. Green

Form PR-2A
(Rev. 10-75)

Previous editions are obsolete

GPO 895-313

File

Oregon State Highway Division
Salem, Oregon September 22, 1978

Federal Aid Project
No. TQF-47(4)

Tunnel Creek-White Water Road Section
North Santiam Highway
Marion County

Revised Project Agreement Estimate.

Type Code Y005
Roadway (Sta. 537+50 to Sta. 546+50)

Subtotal of Previous Estimate December 14, 1977 $ 86,010.00

Previous Estimate

Flagman	480 hrs.	19.00	$ 9,120.00
General Excavation	11,600 cu. yd.	3.50	40,600.00
Trench Excavation	60 cu. yd.	10.00	600.00
Permanent Pavement Striping		All Required	300.00
Temporary Erosion Control		All Required	1,000.00
			$ 51,620.00

Revised Estimate

Flagman	1,285.75 hrs.	19.00	$ 24,239.25
General Excavation	12,150 cu. yd.	3.50	42,525.00
Trench Excavation	153 cu. yd.	10.00	1,530.00
Permanent Pavement Striping (S.F.)		All Required	572.00
Temporary Erosion Control (E.W.)		All Required	1,000.00
Raising Existing Guard Rail (S.F.)		All Required	800.00
			$ 70,666.25
		Increase	19,046.25
		Subtotal	$105,056.25
		Engineering	15,753.75
		TOTAL	$120,810.00

Length of Project ---------- 0.0 mile

SUMMARY OF FUNDS (85.8)

Description	Total Cost	Federal Funds	State Funds
Roadway	$120,810.00	$103,618.00	$17,192.00

Group 1 - 100%
Contract No. 8645
Prefix: 124-1024

8645

last copy

TO BE COMPLETED BY FHWA MONTHLY TRANSACTION NO. 1-40	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION **FEDERAL-AID PROJECT AGREEMENT** 1-10-78	State OREGON County Marion Project No. TOF-47(4)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

SR 22, Tunnel Cr.-Whitewater Road

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	8-3-77	0.00
OTHER *(Specify)*		

FUNDS Pro rata 85.8%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 99,969.00	$ 85,773.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E S Hunter

Technical Services Engineer
(Title)

By H S Oulton

State Highway Engineer
(Title)

By _____

_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By C. Perry Swanson
(Division Administrator)

For: G. L. Green

Date executed by Division Administrator JAN 10 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway. agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtednesss of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

file

OREGON STATE HIGHWAY DIVISION
SALEM, OREGON, December 14, 1977

FEDERAL AID PROJECT
No. TQF-47(4)

TUNNEL CREEK-WHITE WATER ROAD SECTION
NORTH SANTIAM HIGHWAY
MARION COUNTY

Rroject Agreement Estimate

Type Code Y005
Roadway (Sta. 537+50 to Sta. 546+50)

Mobilization	All Required		$ 4,000.00
Temporary Protection and Direction of Traffic	All Required		2,000.00
Temporary Signs	156 sq. ft.	5.00	780.00
Temporary Plastic Safety Markers	7 each	50.00	350.00
Flagmen	480 hour	19.00	9,120.00
Clearing and Grubbing	All Required		5,000.00
General Excavation	11,600 cu. yd.	3.50	40,600.00
Trench Excavation	60 cu. yd.	10.00	600.00
Aggregate Shoulders	215 cu. yd.	20.00	4,300.00
Class "C" Asphalt Concrete	350 ton	34.00	11,900.00
Concrete Inlets, Type G-2	1 only	600.00	600.00
18-inch Drain Pipe	540 lin. ft.	4.00	2,160.00
Fiber Filter	6,000 cu. yd.	0.30	1,800.00
Roadside Seeding and Mulching	1 acre	800.00	800.00
Roadside Seeding and Mulching (Tack Mulch)	2 acre	1,000.00	2,000.00
			$86,010.00

Anticipated Items

Permanent Pavement Striping (S.F.)	All Required	$ 300.00
Temporary Erosion Control (E.W)	All Required	1,000.00
		$ 1,300.00
	Subtotal	$87,310.00
	Engineering	12,659.00
	TOTAL	$99,969.00

Length of Project . . . . . 0.00 mile

Summary of Funds (85.8%)

Description	Total Cost	Federal Funds	State Funds
Roadway	$99,969	$85,773	$14,196

Group 1 - 100%
Contract No. 8645
Prefix 124-1024

8645

August 24, 1978

Garrett & Thomas Construction
14365 Orchard Knob Road
Dallas, OR 97338

Gentlemen:

We have carefully reviewed your request for time extension on Contract No. 8645, Tunnel Cr.-Whitewater Road.

A 14-day time extension is hereby granted for delays due to utility relocation work. This will eliminate all liquidated damages.

Sincerely,

H. S. Coulter
State Highway Engineer

OBJ:fr ia

bc FHWA
C. T. Keasey
C. O. Fredrickson
Robert Church
Ken Wolfe
Richard Hacak

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION
INTER-OFFICE CORRESPONDENCE

FILE: CON 5 #8645

Salem, Oregon
August 23, 1978

Warren Hallock
for

FROM: O. B. Jackmond
Contract Administration Engineer

SUBJECT: Time Extension Request
Tunnel Cr.-Whitewater Rd.
Marion County
Contract No. 8645

TO: H. S. Coulter
State Highway Engineer

Garrett and Thomas Construction Company, contractor on the subject project, has requested a 14-day time extension based on lost time due to utility relocation work.

Contract work began shortly after award. Work progressed to the point where the proposed power cable relocation work could be performed. At this time, contract work ceased. Utility relocation was necessary due to conflicts with new construction. The power cable relocation could not be done prior to construction and had to be staged and done after excavation was completed. It was necessary to complete the relocation before the contractor could resume work. The contractor was delayed from May 11 until June 16. Special provisions did not specify utility work included as a part of contract time allowance.

A 14-day time extension is hereby recommended due to lost time as a result of the utility relocation. This will eliminate all liquidated damages.

FHWA approval will not be required. A rough draft letter to the contractor is attached.

OBJ:fr

Att.

cc: C. O. Fredrickson
K. Wolfe
Robert Church

RECEIVED
STATE HWY ENGR
AUG 24 '78
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

B-130 (Rev.)—SM—9-64

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

Date July 20, 1978

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from 140 days to 185 days, within which to complete our Contract No. 8645, without the assessment of liquidated damages. The said contract is described as follows:

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows: we were prevented from working from June 3, 1978 to June, 27, 1978 by Power line Const. by Consumer Power Contractor/

RECEIVED
JUL 3 1 1978
RESIDENT ENGINEER

Respectfully submitted,

GARRETT & THOMAS CONSTRUCTION
Contractor

By James E. Garrett (Partner)

CONSENT OF SURETY

Date July 26, 1978

We, UNITED PACIFIC INSURANCE COMPANY, as

surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

Gladys I. Grigg
Attorney-in-fact

(SEAL)

Resident Agent

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request

for

Increase in Number of Workdays

to

Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8645 Contractor Garrett and Thomas Construction Co.

Highway North Santiam

Section Tunnel Creek - Whitewater Road

Kind of Work Grade and Pave

It is recommended that the request for increase in the number of workdays within which to complete said contract be ~~DENIED~~ or GRANTED. The reasons for such recommendation are as follows:

A 14-day time extension is granted for delays due to utility relocation work.

Recommended for Approval:
Resident Engineer's records can support 36 additional days.

Asst. Division Engineer

For Construction Engineer ~~Bridge Engineer~~

State Highway Engineer

Contract No.	8645
Project designation	Federal (State-Federal)
Date awarded	November 22, 1977
Work started	March 6, 1978
Per cent completed	100% 8/1/78 (Date)
No. of Workdays Allowed	140
No. of Workdays Used	154
No. of Added Workdays Requested	14

SP*8296-734

8645

FORM 81-734-3001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Tunnel Cr-Whitewater Road		WEEK ENDING: August 5, 1978
		SECTION PREFIX: 124-1024
HIGHWAY: North Santiam		COUNTY: Marion
NAME OF JOB: Tunnel Creek - Whitewater Road	KIND OF WORK: Grade and Pave	
CONTRACTOR: Garrett and Thomas Construction Co.	CONTRACT NUMBER: 8645	FEDERAL AID PROJECT NUMBER: TQF-47(4)
DATE OF CONTRACT: November 22, 1977	DATE WORK STARTED: March 6, 1978	ESTIMATED COMPLETION DATE: August 1, 1978
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 4 SUPERVISION: 1	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 140	CALENDAR DAYS USED 154
PROJECT AUTHORIZATION: $ 99,969.95	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED: 110%
EXCLUSIVE OF ENGINEERING: $ 91,238.95	ENGINEERING AUTHORIZATION $ 8,731.00	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 99%
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $ 100,720.00	ENGINEERING COST TO DATE $ 16,155.68	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 101%
ESTIMATED PERCENT: OVERRUN 11 %	PERCENT OF AUTHORIZATION 185 %	DATE PROJECT WAS COMPLETED: August 1, 1978

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		
100%	100%	100%	100 %	100%			

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT	0.17	0.17			0.17
MILES PARTIALLY COMPLETED					
MILES COMPLETED	0.17	0.17			0.17
TOTAL ESTIMATED QUANTITIES (CONTRACT)	11,600 CY	215 CY			350 Ton
TOTAL QUANTITIES CORRECTED TO DATE	12,244 CY	51 CY			343 Ton
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE	12,244 CY	51 CY			343 Ton
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY		1			
HOURS PER SHIFT		4			

EQUIPMENT USED DURING THE WEEK:
1-Blade, 2-Trucks.

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.								
PERCENT								

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	
July SUNDAY 30	Clear, Warm	152		
MONDAY	" "	153		
August 1 TUESDAY	" "	154		Day Cout Stopped, Work completed.
WEDNESDAY	" "	0		
THURSDAY	" "	0		
FRIDAY	Ptly Cldy	0		
SATURDAY	Clear, Warm	0		

Keasey ___ Richards
Jackmond ___ Berg
Hopkins ___ Inloes
Williams ___ Widmer
Johnsen ___ Gebauer
Glenn ___ Church

RECEIVED
AUG 9 1978
CONSTRUCTION BRANCH

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY	No activity
MONDAY	No activity
TUESDAY	Sub-contractor placed Shld. Aggr., cleaned-up project. Construction Work completed.
WEDNESDAY	No activity
THURSDAY	Same
FRIDAY	Same
SATURDAY	Same.

REMARKS

Final Inspection to be held Monday August 7, 1978.

THIS IS THE LAST REPORT TO BE SUBMITTED.

SIGNED K. D. Wolfe LOCATION Salem

DISTRIBUTION: Construction (3), Region, file.

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

SP*F216

8645

DATE: July 5, 1978

TO: Oregon Transportation Commission

FROM: H. S. Coulter
State Highway Engineer

Agenda
July 18, 1978
I.-2

SUBJECT: Request for Increased Project Authorization
Tunnel Creek-Whitewater Road
North Santiam Highway
Contract No. 8645

This is a safety project to correct a rock fall condition and is a short grading and paving project. The work is approximately 80 percent complete and an overrun of $14,746.85, or 14.8 percent is anticipated. The two major items causing the overrun are flagmen and engineering.

The flagmen item is expected to overrun by $14,730, or 240 percent. Roadway slopes were scaled to remove loose rocks and the resultant hazard to the traveling public from falling rock necessitated more flagmen time than anticipated in the contract.

The engineering is expected to overrun by $5,269, or 160 percent. This overrun is due partly to the type of work which required substantial staking in rough terrain, and partly to the 60 miles travel each direction required from the engineer's office to the project.

Your approval of a $14,746.85 increase in project authorization to a new total authorization of $114,716.80 is requested. This is a federal-aid project and the increased amount will be federal participating.

This item will be on the Consent Calendar for your July meeting.

OBJ:fr ia

bc R. A. Burco
C. W. Head
F. B. Klaboe
C. T. Keasey
V. E. Skoog
C. O. Fredrickson
George Bell

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

June 30, 1978

FILE: CON 5 #8645

FROM: O. B. Jackmond
Contract Administration Engineer

TO: H. S. Coulter
State Highway Engineer

SUBJECT: Request for Increased Project Authorization
Tunnel Creek-Whitewater Road
Contract No. 8645

The above project is approximately 80 percent complete and an overrun of $14,746.85, or 14.8 percent is now anticipated. Major items contributing to the overrun are as follows:

Item	Overrun Amount	Overrun %
Flagmen	$12,730.00	240%
Engineering	5,269.00	160%

The grading portion of this work consisted of the construction of a slope bench and the scaling of rock slopes adjacent to the highway. The hazard presented to the traveling public from the scaling operations necessitated the use of more flagmen than had been anticipated.

The engineering overrun was due to a combination of several aspects of the job. This was a small project of just under $100,000, thus providing limited engineering monies in the first instance. The project required a substantial amount of staking and cross-sectioning in rugged terrain in order to lay out the required slope bench construction. Also contributing to the engineering overrun was the proximity of the project from the engineer's office, a distance of some 60 miles each direction and involving some three hours of travel time for the engineering crew each day.

An increase of $14,746.85 is recommended to a new total project authorization of $114,716.80.

A rough draft letter to the Transportation Commission is attached.

OBJ:fr

Att.

cc: C. O. Fredrickson
K. D. Wolfe
Robert Church

RECEIVED
STATE HWY ENGR
JUL 3 '78
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

8642

2

May 18, 1978

Mr. Jack Stone
7470 Jordan Street, S.E.
Salem, OR 97302

Dear Mr. Stone:

You raised several questions regarding the Tunnel Creek to Whitewater Road project on the North Santiam Highway. Hopefully, this letter will answer those questions.

As you know, this project is located about 60 miles east of Salem midway between Idanha and Marion Forks. It involves excavating loose rocks, boulders and other materials from the adjacent steep slopes. This construction is designed to eliminate rocks and boulders from falling on the travel lanes; thereby making the road safer for the traveling public and also reducing maintenance operations.

This project is federally financed, thus wages paid by the primary contractor and all subcontractors must comply with the Davis-Bacon Act. A copy of this act is attached (Attachment A). Wage rates for employees working on highway projects not federally financed are covered by Oregon Revised Statutes 279.348 through 279.356.

Essentially, all highway construction craftsmen and laborers, except flagmen, are covered under the Davis-Bacon Act. Flagmen are, however, covered under the state wage rate laws (ORS 279.348 - 279.365). Contractors and subcontractors are required by these laws to pay the prevailing wage rate or union scale plus fringe benefits in the area wherein the project is located.

As covered under ORS 279.348 - 279.356, the minimum hourly wages for flagmen range from $8.39 to $9.89 depending on the project distance from the city hall of the largest city in the county (Attachment B).

In addition, the contractor must pay the following benefits either into an established benefit fund or to the employee:

Health & Welfare	$ .90/hour
Pension	1.00
Vacation	.65
Training	.10
Industry Fund	.05
	$2.70/hour

Also attached for your information are copies of the plans and specifications for this project.

Sincerely,

F. B. Klaboe, Assistant
Director for Operations

Attachments

bc: C. W. Head
E. S. Hunter
H. S. Coulter
J. H. Versteeg

JS:jh:fw srb

APPENDIX A-3

The Davis-Bacon Act, as amended

40 U.S.C.A.

§ 276a. Rate of wages for laborers and mechanics

(a) The advertised specifications for every contract in excess of $2,000, to which the United States or the District of Columbia is a party, for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works of the United States or the District of Columbia within the geographical limits of the States of the Union, or the District of Columbia, and which requires or involves the employment of mechanics and/or laborers shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village, or other civil subdivision of the State, in which the work is to be performed, or in the District of Columbia if the work is to be performed there; and every contract based upon these specifications shall contain a stipulation that the contractor or his subcontractor shall pay all mechanics and laborers employed directly upon the site of the work, unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment, computed at wage rates not less than those stated in the advertised specifications, regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and such laborers and mechanics, and that the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work; and the further stipulation that there may be withheld from the contractor so much of accrued payments as may be considered necessary by the contracting officer to pay to laborers and mechanics employed by the contractor or any subcontractor on the work the difference between the rates of wages required by the contract to be paid laborers and mechanics on the work and the rates of wages received by such laborers and mechanics and not refunded to the contractor, subcontractors, or their agents.

ATTACHMENT A

APPENDIX A-3
(Continued)

(b) As used in sections 276a to 276a—5 of this title the term "wages", "scale of wages", "wage rates", "minimum wages", and "prevailing wages" shall include—

(1) the basic hourly rate of pay; and

(2) the amount of—

(A) the rate of contribution irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan, or program; and

(B) the rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing benefits to laborers and mechanics pursuant to an enforcible commitment to carry out a financially responsible plan or program which was communicated in writing to the laborers and mechanics affected,

for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness insurance, or accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other Federal, State, or local law to provide any of such benefits:

Provided, That the obligation of a contractor or subcontractor to make payment in accordance with the prevailing wage determinations of the Secretary of Labor, insofar as sections 276a to 276a—5 of this title and other Acts incorporating sections 276a to 276a—5 of this title by reference are concerned may be discharged by the making of payments in cash, by the making of contributions of a type referred to in paragraph (2) (A), or by the assumption of an enforcible commitment to bear the costs of a plan or program of a type referred to in paragraph (2) (B), or any combination thereof, where the aggregate of any such payments, contributions, and costs is not less than the rate of pay described in paragraph (1) plus the amount referred to in paragraph (2).

In determining the overtime pay to which the laborer or mechanic is entitled under any Federal law, his regular or basic hourly rate of pay (or other alternative rate upon which premium rate of overtime compensation is computed) shall be deemed to be the rate computed under paragraph (1), except that where the amount of payments, contributions, or costs incurred with respect to him exceeds the prevailing wage applicable to him under sections 276a to 276a—5 of this title, such regular or basic hourly rate of pay (or such other alternative rate) shall be arrived at by deducting from the amount of payments, contributions, or costs actually incurred with respect to him, the amount of contributions or costs of the types described in paragraph (2) actually incurred with respect to him, or the amount determined under paragraph (2) but not actually paid, whichever amount is the greater.

Mar. 3, 1931, c. 411, § 1, 46 Stat. 1494; Aug. 30, 1935, c. 825, 49 Stat. 1011; June 15, 1940, c. 373, § 1, 54 Stat. 399; July 12, 1960, Pub.L. 86–624, § 26, 74 Stat. 418; July 2, 1964, Pub.L. 88–349, § 1, 78 Stat. 238.

§ 276a—1. Termination of work on failure to pay agreed wages; completion of work by Government

Every contract within the scope of sections 276a to 276a—5 of this title shall contain the further provision that in the event it is found by the contracting officer that any laborer or mechanic employed by the contractor or any subcontractor directly on the site of the work covered by the contract has been or is being paid a rate of wages less than the rate of wages required by the contract to be paid as aforesaid, the Government may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been a failure to pay said required wages and to prosecute the work to completion by contract or otherwise, and the contractor and his sureties shall be liable to the Government for any excess costs occasioned the Government thereby.

Mar. 3, 1931, c. 411, § 2, as added Aug. 30, 1935, c. 825, 49 Stat. 1011.

§ 276a—2. Payment of wages by Comptroller General from withheld payments; listing contractors violating contracts

(a) The Comptroller General of the United States is authorized and directed to pay directly to laborers and mechanics from any accrued payments withheld under the terms of the contract any wages found to be due laborers and mechanics pursuant to sections 276a to 276a—5 of this title; and the Comptroller General of the United States is further authorized and is directed to distribute a list to all departments of the Government giving the names of persons or firms whom he has found to have disregarded their obligations to employees and subcontractors. No contract shall be awarded to the persons or firms appearing on this list or to any firm, corporation, partnership, or association in which such persons or firms have an interest until three years have elapsed from the date of publication of the list containing the names of such persons or firms.

(b) If the accrued payments withheld under the terms of the contract, as aforesaid, are insufficient to reimburse all the laborers and mechanics, with respect to whom there has been a failure to pay the wages required pursuant to sections 276a to 276a—5 of this title, such laborers and mechanics shall have the right of action and/or of intervention against the contractor and his sureties conferred by law upon persons furnishing labor or materials, and in such proceedings it shall be no defense that such laborers and mechanics accepted or agreed to accept less than the required rate of wages or voluntarily made refunds.

Mar. 3, 1931, c. 411, § 3, as added Aug. 30, 1935, c. 825, 49 Stat. 1011.

APPENDIX A-3
(Continued)

§ 276a—3. Effect on other Federal laws

Sections 276a to 276a—5 of this title shall not be construed to supersede or impair any authority otherwise granted by Federal law to provide for the establishment of specific wage rates.

Mar. 3, 1931, c. 411, § 4, as added Aug. 30, 1935, c. 825, 49 Stat. 1011.

§ 276a—4. Effective date of sections 276a to 276a—5

Sections 276a to 276a—5 of this title shall take effect thirty days after August 30, 1935, but shall not affect any contract then existing or any contract that may thereafter be entered into pursuant to invitations for bids that are outstanding on August 30, 1935.

Mar. 3, 1931, c. 411, § 5, as added Aug. 30, 1935, c. 825, 49 Stat. 1011.

§ 276a—5. Suspension of sections 276a to 276a—5 during emergency

In the event of a national emergency the President is authorized to suspend the provisions of sections 276a to 276a—5 of this title.

Mar. 3, 1931, c. 411, § 6, as added Aug. 30, 1935, c. 825, 49 Stat. 1011.

~~Dayville Section~~

107.04 Minimum Wage Rates on Public Works - The contractor shall comply fully with ORS 279.348 through 279.356, which provide in part that "the hourly rate of wage to be paid by any contractor or subcontractor to workers upon all public works shall be not less than the prevailing rate of wage for an hour's work in the same trade or occupation in the locality where such labor is performed. When a contractor or subcontractor is a party to a statewide collective bargaining agreement in effect with any labor organization, the rate of wages as provided for in the agreement shall be considered to be the prevailing rate of wage to be paid to the workers of that contractor or subcontractor in the locality and employed upon a public work. The hourly wages and overtime, including all fringe benefits, shall be paid by the contractor or subcontractor to the workers employed on public works unless a valid collective bargaining agreement in effect with the labor organization representing those workers requires payment of all or part of the wages, overtime or fringe benefits to third persons. The Commissioner of Oregon Bureau of Labor is responsible for the determination of prevailing rates of wages and minimum hourly rates of wages."

The minimum hourly rate of wage, not less than the prevailing rate of wage, which may be paid to workers in each trade or occupation employed in the performance of the contract either by the contractor or subcontractor or by other person doing or contracting to do the whole or part of the work contemplated by the contract shall be as set forth in the Schedule of Minimum Hourly Wage Rates bound with these special provisions.

The term "prevailing rate of wage" shall mean the rate of hourly wage and overtime including fringe benefits as determined by the Commissioner of the Bureau of Labor.

Once before the first payment and once before final payment is made of any sum due under the contract, the contractor or his surety and every subcontractor or his surety shall submit to the engineer a statement in writing in a form prescribed by the State Labor Commissioner certifying under oath the hourly rate of wage paid each classification of workers employed upon the work under the contract, and further certifying that no worker employed by him upon said work has been paid less than the prevailing rate of wage or less than the minimum hourly rate of wage specified in the contract. These statements are to be submitted to the engineer in the manner and at the times designated by him. A supply of the form to be used may be obtained from the engineer.

ATTACHMENT B

UNDERWATER EQUIP. 19 Underwater Equipment Operator, remote or otherwise, when used in construction work

IRON WORKERS — $11.85 RATE
Effective January 15,1978

GROUP CLASSIFICATIONS

Structural Ironworkers
Ornamental Ironworkers
Machinery Mover, Machinery Erector
Riggers
Signal Men
Welders & Burners
Fence Erectors
Sheeters
Reinforcing Ironworkers

Foreman - 3 men or less - not less than .40 over Journeyman rate
4 men or more - not less than 1.00 over Journeyman rate
Overtime - Double time
Apprentice - 1st 6 mo. 60% - of Journeyman Ironworker rate
2nd 6 mo. 80 % " " " "
2nd year - 90% " " " "
3rd year - 95% " " " "

FRINGE

H & W .93
PENSION 1.20
VACATION
APPRENTICESHIP .10

ZONES
From City Hall of largest city in County

0 to 10 miles - Free
10 to 25 miles - $ 2.50 ea. day
25 to 35 miles - 6.00 "
35 to 45 miles - 7.50 "
45 to 60 miles - 10.50 "
Beyond 60 miles - $17.00 ea.day plus 18¢ a mile

LABORERS — RATE
Heavy, Highway, Utility and Building Construction Work — Effective January 1, 1978

Group No.	Zone A	Zone B	Zone C	Zone D	Zone E	Zone F
1	$ 8.39	$ 8.79	$ 9.14	$ 9.39	$ 9.64	$ 9.89
2	8.74	9.14	9.49	9.74	9.99	10.24
3	9.04	9.44	9.79	10.04	10.29	10.54
4	9.29	9.69	10.04	10.29	10.54	10.79

Foreman 50¢ per hour above journeyman rate.

ZONES
From City Hall of largest city in county

Zone A - Up to 10 miles - Free

Zone B - 10 to 25 miles (i) Salem and Eugene free to 20 miles, Portland free to 25 miles.

REPAIRMEN, H.D.	1	Parts Man (Tool Room)
	2	H. D. Repairman Helper
	2	Welders Helper
	8	Diesel-Electric Engineer (Plant or Floating)
	9	Bolt Threading Machine Operator
	9	Drill Doctor (Bit Grinder)
	9	H. D. Mechanic
	9	H. D. Welder
	9	Machine Tool Operator
	10	Combination H. D. Mechanic-Welder, when dispatched and/or when required to do both
	10	Welder-Certified, when dispatched and/or required
RUBBER-TIRED SCRAPERS	12	Rubber-tired Scraper Operator, single engine, single scraper
	12	Self-loading, paddle wheel, Auger type under 15 cu. yds.
	12	Rubber-tired Scraper Operator, twin engine
	12	Rubber-tired Scraper Operator, with Push-Pull attachments
	14	Rubber-tired Scraper Operator, with tandem scrapers
	16	Rubber-tired Scraper Operator, with tandem scrapers, multi-engine
	12	Self-loading, paddle wheel, Auger type 15 cu. yds., and over single engine
	14	Self-loading, paddle wheel, Auger type, finish and/or 2 or more units
SHOVEL, DRAGLINE, CLAMSHELL, BACKHOE, SKOOPER, Etc., OPERATOR	1	Oiler
	2	Grade Oiler (required to check grade)
	2	Grade Checker
	2	Fireman
	8	Diesel-Electric Engineer
	9	Stationary Drag Scraper Operator
	11	Shove, Dragline, Clamshell, Hoe, etc. Operator, under 1 cu. yd. (Assistant to Engineer required.
	11	Shovel, etc., 1 cu. yd. and less than 3 cu. yds. (Assistant to Engineer required)
	11	Grade-all Operator, under 1 cu. yd. (Assistant to Engineer required)
	16	Shovel, etc., 3 cu. yds., but less than 5 cu. yds. (Assistant to Engineer required)
	13	Grade-all, 1 cu. yd. and over (Assistant to Engineer required)
	17	Shovel, etc., 5 cu. yds. and over (Assistant to Engineer required)
SIGNALMAN	3	Bell Boy, phones, etc. Operator
	2	Helicopter Radioman (ground)
SURFACING (Base) MATERIAL	2	Roller Operator, grading of base rock (not asphalt)
	4	Roller Operator, Oiling, C. T. B.
	3	Tamping Machine Operator, mechanical self-propelled
	3	Hydrographic Seeder Machine Operator, straw, pulp or seed
	6	Rock Spreaders, self-propelled
	5	Pulva-mixer or similar types
	12	Blade Mounted Spreaders, Ulrich and similar types
	5	Chip Spreading Machine Operator
	5	Lime Spreading Operator, construction job site
SWEEPERS	3	Broom Operator, self-propelled, construction job site
	5	Sweeper Operator (Wayne Type) self-propelled, construction job site
TRACTOR-RUBBER-TIRED	5	Tractor Operator, rubber-tired 50 H.P. Flywheel and under
	9	Tractor Operator, with boom attachment
	9	Tractor Operator, rubber-tired over 50 H.P. Flywheel
	10	Rubber-tired Dozers and Pushers (Michigan, Cat, Hough type)
TRENCHING MACHINES	1	Oiler
	2	Grade Oiler (required to check grade)
	5	Trenching Machine Operator, maximum digging capacity 3 ft. depth any assistance in the operation shall be performed by an Assistant to Engineer
	9	Trench Machine Operator, maxumum digging capacity over 3 ft. depth (Grade Oiler required)
	13	Back Filling Machine Operator (Assistant to Engineer required)
	16	Wheel Excavator, under 750 cu. yds. per hour (Grade Oiler required)
	17	Canal Trimmer (Grade Oiler required)
	18	Wheel Excavator, over 750 cu. yds. per hour (Two Operators and at least one Grade Oiler required)
	18	Band Wagons (in conjunction with wheel excavator)
TUNNEL	11	Mucking Machine Operator
	3	Conveyor Operator (any type)
	12	Shield Operator
	3	Air Filtration Equipment Operator
WELDING MACHINES	3	Welding Machine Operator

Zone C - 25 to 35 miles

Zone D - 35 to 45 miles

Zone E - 45 to 75 miles

Zone F - more than 75 miles

GROUP CLASSIFICATION

GROUP I

Asphalt Plant Laborers
Asphalt Spreaders
Batch Weighmen
Broomers
Brush Burners and Cutters
Car and Truck Loaders
Carpenter Tender
Change-House Man or Dry Shack Man
Choke Setters
Clean Up Laborers
Concrete Laborers
Crusher Feeders
Culvert, Hand Labor
Curing, Concrete
Demolition, Wrecking, and Moving Laborers
Driller Helpers
Dumpers, road oiling crew
Dumpmen (for grading crew)
Elevator Feeders
Fence Builder (Including Guard Rail, Median Rail, Reference Post, Guide Post, Right-of-Way Marker)
Fine Graders
→ Flagmen, traffic
Form Strippers (not swinging stages)
General Laborers
Landscaping or planting Laborers
Leverman on Aggregate Spreader (Flaharty and similar types)
Loading Spotters
Material Yard Man (including electrical)
Powderman Helper
Pittsburgh Chipper Operator or similar types
Railroad Track Laborers
Ribbon Setters (including steel forms)
Riprap Man (hand placed)
Road Pump Tender
Sewer Labor
Signalman
Skipmen
Slopers
Spraymen
Stake Chaser,- Stake Setter - Grade Checker
Stockpiler
Timber Faller and Bucker (hand labor)
Toolroom Man (at job site)
Tunnel Bull Gang (above ground)
Weight Man - Crusher Aggregate (when used)

GROUP II

Applicator (Including Pot Tender for same), applying protective material by hand or nozzle on utility lines or storage tanks on project.
Burners
Choker Splicer
Clary Power Spreader and similar types
Clean Up Nozzlemen - Greencutter (concrete rock, etc.)
Concrete Power Buggyman
Demolition and Wrecking Charred Materials
Gunite Nozzleman Tender
Gunite or Sand Blasting Pot Tender
Handlers or Mixers of an irritating nature (including cement and lime)
Power Tool Operators, includes but not limited to:
Jackhammer
Chipping
Paving Breakers
Vibrators (less than 4" in diameter)
Post Hole Digger, Air, Gas or Electric
Vibrating Screed
Tampers
Ribbon Setter, head

Riprap Man (head, hand placed)
Sand Blasting (wet)
Sewer Timberman
Timber Buckers and Fallers, Brush Cutters (power saw)
Tunnel-Muckers, Brakemen, Concrete Crew, Bull Gang (underground)
Manhole Builder

GROUP III
Asphalt Rakers
Bit Grinder
Drill Doctor
Drill Operators, Air Tracks, Cat Drills, Wagon Drills
Rubber-Mounted Drills, and other similar types
Concrete Saw Operator
Gunite Nozzleman
High Scalers, Strippers and Drillers (cover work in swinging stages, chairs or belts under extreme conditions unusual to normal drilling, blasting, barring-down, or sloping and stripping)
Laser Beam (Pipe Laying), applicable when employee assigned to move, set up and align Laser Beam
Pumpcrete Nozzleman
Sand Blasting (dry)
Sewer Pipe Layers
Track Liners, Anchor Machines, Ballast Regulators
Multiple Tampers, Power Jacks
Tugger Operator
Tunnel--Check Tenders, Nippers, and Timbermen
Vibrators (4" and larger)
Water Blasters
Welder

GROUP IV
Tunnel Miners
Tunnel Powderman
Laser Beam (Tunnel), applicable when employee assigned to move, set up and align Laser Beam

	H & W	Pension	Vacation	Training	Industry Fund
FRINGE	$ .90	1.00	.65	.10	.05

TEAMSTERS
Building and Highway and Heavy Construction

RATES & GROUP CLASSIFICATIONS
Effective January 1, 1978

A-Frame or Hydra-Life Truck w/load bearing surface	$ 9.86
Battery Rebuilding	9.81
Bus or Man-Haul Driver	9.81
Concrete Buggies (power operated)	9.81
Drivers and Helpers handling sacked cement - add .15 per hour	9.81
Dump Trucks, Side, End and Bottom Dumps, including Semi-trucks and trains or combinations thereof:	
6 cu. yds. and under	9.81
Over 6 cu. yds. and incl. 10 cu. yds.	9.91
Over 10 cu. yds. and incl. 20 cu. yds.	10.11
Over 20 cu. yds. and incl. 30 cu. yds.	10.21
Over 30 cu. yds. and incl. 40 cu. yds.	10.31
Over 40 cu. yds. and incl. 50 cu. yds.	10.41
Over 50 cu. yds. and incl. 60 cu. yds.	10.58
Over 60 cu. yds. and incl. 70 cu. yds.	10.68
Over 70 cu. yds. and incl. 80 cu. yds.	10.78
Over 80 cu. yds. and incl. 90 cu. yds.	10.88
Over 90 cu. yds. and incl. 100 cu. yds.	10.98
Dumpsters or similar equipment - all sizes	10.01
Flaherty Spreader driver or Leverman	9.96
Lift Jitneys, Fork Lifts - all sizes - used in loading, unloading, and transporting material on job site	9.81
Loader and/or Leverman on Concrete Dry batch plant, manually operated	9.81
Low Bed Equipment, Flat Bed Simi-Trailer, Truck and Trailer, or doubles transporting equipment or wet or dry materials	9.96
Lubrication Man, Fuel Truck Driver, Tireman, Wash Rack Steam Cleaner or Combination	9.86

8645

162

FORM 61-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
October 7, 1977

FROM: Carl B. Barner
Junior Designer

SUBJECT: Tunnel Creek-Whitewater Rd.
North Santiam Highway
Marion County

TO: MEMO TO THE FILES

Ken Wolfe, Resident Engineer; George Sanford, Cost Analyst; and, myself conducted a field trip over the subject project this date. Main purpose of the trip was to examine the springs at Stas. 540+20 and 543± to determine the best method of solving the shoulder erosion problem and to determine the correct location of the prospective disposal area.

It was decided to construct a Type "G-1" inlet below the spring that flows out of the bank at Sta. 540+20.

It was also agreed upon to line the drain pipe trench with non-woven fiber filter cloth, backfill with aggregate shoulder material rather than special filter material in drains and eliminate the selected impervious material. This is as recommended by Steve Macnab of Hydraulics.

A trip meter reading indicated that the access road to the prospective disposal area is at MP 61.90 and not MP 61.55 as shown in the plans.

Clearing and Grubbing was looked at along with the haul to the disposal area and it was agreed that the original estimate is substantially below the actual cost involved.

We also discussed the flagging time set up for this project and agreed that 300 hours was not enough. We should have at least 480 hours.

Other concerns of Ken's were damage to the existing guardrail which will be handled by Specifications and the amount of time required for the utility companies to move their underground lines. Since the calendar days have been increased from 40 to 140 days, the utilities should no longer be a problem.

Damage to the existing guardrail and the two existing springs were mentioned in Ken Wolfe's letter of June 20, 1977, (copy attached). At that time, it was thought that a straight run of drain pipe would handle the springs and the Standard Specifications would take care of the guardrail. A review of the springs on the ground indicated the necessity for the changes mentioned previously in this memo and Roy Stein, Specifications Writer, is adding a statement to the Special Provisions directing the contractor's attention to the guardrail.

CBB:az
Attachment
cc: Ken Wolfe George Sanford Roy Stein

FORM 81-734-3030

REGION 2 ENGINEER
RECEIVED
JUN 23 1977
FILE:
TLE | TEO | RSO | ROC | RTE | ROE | RFE

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

June 20, 1977

FROM: K.D. Wolfe
RESIDENT ENGINEER

TO: John Sheldrake
REGIONAL ENGINEER

SUBJECT: Tunnel Cr.-Whitewater Rd.
North Santiam Highway
Marion County

REFERRED TO
Read
Sample
Cole
Wattenb
Wolfe
Versteeg
Olson
Scott
3
Saylor
Dist. Engr.
Division Engr.
File Copy
FINAL DESIGN ENGR.

RECEIVED
JUN 24 1977
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up ___/___/___
Other

Preliminary plans for the Tunnel Creek-Whitewater Road grading and rock scaling project have been reviewed with the following comments or suggestions;

1) I would anticipate that existing guardrail could be heavily damaged or destroyed during grading and/or rock scaling operations. Will the contractor be required to somehow protect the rail or will there be money authorized for EWO or PA repair or replacement?
2) Heavy equipment working on the existing shoulder and A.C. will require extensive patching and repair. There should be as much A.C. set up for patching as there will be for final wearing course.
3) The highway centerline profile should be shown on the bench profile, or vice-versa.
4) Is disposal area mandatory?
5) Is there a developement plan, approved by the Forest Service, for the disposal area (such as segregation of materials for future use, covering entire area with dirt, seeding, planting, original clearing and burning restrictions, etc.)?
6) Is contractor shut down on Friday at noon and all holidays?
7) Are provisions made for protecting telephone underground cable - both ends of job and from falling rock in high cut areas?
8) Short length of project with reversing curves lends itself to mandatory use of walkie-talkies to control ~~flagmen~~ Traffic. Moving flagman in work area must be in contact with flagman at each end. Heavy traffic will also require walking flagman to keep up with stack-up of traffic.
9) A high volume spring, at grade level, left of 540+20 requires either a cross-pipe with a collection basin, a pipe parallel to highway on the left from 538± to 540+20± including a collection basin or a widened and extended ditch through these stations. The ditch should be widened and extended, irregardless, as the shoulder water will continually cause problems with the outer quarter panel of the pavement and shoulder. Putting the ditch slope and the bench slope on a 1:1 with the ditch bottom at 20' would create an additional 1800 cubic yards± of general excavation.
10) A spring of lesser volume exists left of 543±. This should be picked up with a run of perf. pipe back to 540+20 or to 538 depending on action taken on item no. 9. This spring also is presently causing pavement and shoulder break-up in the area.
11) Minor ditch line widening and ditch back-slope excavation left of 345-347 would provide more continuity in ditch line location on the north end and would allow a little more fall-out area for future sloughing.

cc: Bill Cole, Wattenbarger, Engr. 6-23-77

8645

8

ROBERT W. STRAUB

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

Fran

August 30, 1977

9-1

TO G. L. Green, Division Administrator
Federal Highway Administration

FROM H. S. Coulter
State Highway Engineer

SUBJECT Tunnel Creek-Whitewater Road Section
North Santiam Highway
Project No. TQF-47(4)

Your concurrence is requested in rejecting the bids received on August 25, 1977 for the subject project. The low bid was submitted in the amount of $88,329.00 which is $13,064.00 or 17.3% over our Engineer's estimate of $75,265.00.

The unit bids on all items except one were in line with the engineers estimate. Bid item 6, clearing and grubbing was bid as a lump sum for $19,000, or $17,500 above the engineers estimate. The clearing work includes ¾ acre of 4" to 5" trees and heavy brush which can be deposited in the excavation waste site less than one mile away.

The bid appears to be excessive on this item - which may be the cumulative effect of the short, 40 calendar workday completion time allowance. A more favorable bid with greater competition is anticipated if the project were rebid next season.

Federal Highway Administration Endorsement

Date _____
I concur in rejecting the bid.

G. L. Green
Division Administrator

DAR:dmc
bc E. S. Hunter
C. W. Head

9-1-77 FHA approved rejection for Bid plans Mgt.

8645

167

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Detroit Ranger District
Star Route Box 320
Mill City, Oregon 97360
Phone 854-3366

2730
August 23, 1977

Mr. J. B. Boyd
Right-of-Way Engineer
State Department of Transportation Building
Salem, Oregon 97310

Dear Mr. Boyd:

We have reviewed your slope scale project on the North Santiam Highway, entitled Tunnel-Creek-Whitewater Road Section. You have our consent to continue with this project. Please have the waste area cleared of woody material and slope the material in the waste area to fit the contours of the surrounding area.

Sincerely,

DALTON D. DU LAC
District Ranger

Copy Versteeg, Christensen, Georgs, Olson, Terpin, Sullivan, Scott, Savage

RECEIVED
OCT 14 1977
ENGINEERING SECTION

Copy Trout

File - Not File
Return To
Bring Up ___/___/___
Action

RIGHT OF WAY SECTION
RECEIVED
AUG 25 1977

RESIDENT ENGINEER

Send copy to Royer

6200-11 (1/69)

8645

Salem, Oregon
August 15, 1977

Journal Cr.
Whitewater Rd

H.S. Coulter
State Highway Engineer

Footpaths and Bicycle Trails
August 25 Bid Letting

FILE

This is to document Highway Division action establishing footpaths and bicycle trails in accordance with ORS 366.514. Bids will be opened August 25 on the following projects:

1. Auburn Ave-Baker/Unity Hwy (Baker)
   FAU 4841 (West Side Truck Route), Baker County
   Pave
   12-foot travel lanes with 4-foot gravel shoulders

   Footpaths and bicycle trails will not be established under this project as per ORS Chapter 366, Section 2, subsection 2(b), which states "Footpaths and trails are not required to be established...if the cost of establishing such paths and trails would be excessively disproportionate to the need or probable use."

2. Clackamas Highway at Fred Meyer Access
   Clackamas County
   Traffic Signal Installation

   Footpaths or bicycle trails are not incorporated in this project as no new highway construction, reconstruction or relocation is involved.

3. Roseburg Pavement Marking
   Roseburg City Streets, Douglas County

   Same as No. 2.

4. Warm Springs Agency
   Warm Springs Highway, Jefferson County
   Grade and Pave
   Left and right turn refuges with 4-foot shoulders

   Same as No. 1.

5. Albany-Junction City Hwy at SW 34th Avenue (Albany)
   Linn County
   Traffic Signal Installation

   Same as No. 2.

6. Chemawa Road-Hayesville Intchge
   Pacific Highway East, Marion County
   Roadside Improvement

   Same as No. 2.

7. Tunnel Creek-Whitewater Road
   North Santiam Highway, Marion County
   Grade and Pave
   12-foot lanes with 2-foot shoulders. Primarily overlay with slope bench work.

   Same as No. 1.

8. Alpine/Nelson Road-Strawberry Road
   Bomber Range Road, Morrow County
   Grade and Pave
   Minor widening. 11-foot travel lanes with 4-foot shoulders.

   Same as No. 1.

9. SE Foster Road-SE Crystal Springs Boulevard
   East Portland Freeway, Multnomah County
   Roadside Improvement and Bikeway Construction.

   10-foot Class I Bikeway.

10. Columbia Boulevard Intchge (UPRR Shoofly)
    East Portland Freeway, Multnomah County
    Grade and Structure
    UPRR Shoofly Construction

    Same as No. 2.

11. NE Maywood Place
    East Portland Freeway, Multnomah County
    Grade and Walls

    10-foot Class I Bikeway.

12. SW Terwilliger Blvd at SW Sam Jackson Park Road and SW Vermont Street at SW 30th Avenue (Portland)
Multnomah County
Grade, Pave and Signals

Grading and paving incidental to signal installation; however, bikeway on Terwilliger Boulevard is being disrupted and will be replaced in kind.

13. Johnson Creek-Ochoco Street (Portland/Milwaukie)
Pacific Highway East, Multnomah and Clackamas Counties
Pave
Overlay two 11-foot lanes and two 13-foot lanes

Same as No.1.

14. Rosewood Drive-Willamette River Bridge (Salem)
Willamina-Salem Highway, Polk County
Pave

Overlay. Class I Bikeway exists along this project.

15. Rockaway (North 3rd Avenue)
City of Rockaway, Tillamook County
Grade and Pave
12-foot lanes with 2-foot shoulders.

Same as No. 1.

16. N Cherry St-Wallowa Lake Hwy (LaGrande)
City Streets, Union County
Grade and Pave
Two 12-foot and two 10-foot lanes.

Same as No. 1.

17. Lookingglass Creek (Palmer Junction) Bridge
FAS B613, Union County
Structure
28-foot roadway.

Same as No. 1.

18. Dufur, FAS B409, Wasco County
Grade, Pave and Structure
12-foot lanes with 6-foot shoulders or with 10-foot parking and 5-foot sidewalks.

Same as No. 1.

19. Progress-Raleigh Hills
Scholls Highway, Washington County
Grade and Pave

12-foot lanes with 6-foot Class III bikeways.

20. Pacific Highway West at McDonald Lane
(McMinnville), Yamhill County
Traffic Signal Installation

Same as No. 2.

DS:jp
cc Robert Burco
F.B. Klaboe
E.S. Hunter
D.G. Talbot
L.E. George
F.E. Terpin
George Bell
Don Harwell

8645

8-3-77

LETTER OF APPROVAL AND/OR AUTHORIZATION

STATE PROJECT NO.: See Below

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.:

COUNTY NAME: Marion

ITEM NO.: 70137

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
STATE HWY ENG
AUG 15 77
REFER TO
FOR
Info | Invest | R/W | D/R | Sign | Act | File

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
8-3-77	8-3-77	Primary 47	Secondary 162

GENERAL LOCATION:

"Tunnel Creek - Whitewater Road Section"

GENERAL DESCRIPTION OF WORK:

Erosion Control (Code Y005 Miles 0.0)

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

☐ PRELIMINARY ENGINEERING TO DETERMINE LOCATION ONLY

☐ PRELIMINARY ENGINEERING FOR SURVEY AND PLAN PREPARATION

☐ ACQUISITION OF RIGHT-OF-WAY

☐ CONSTRUCTION • ADVERTISE FOR RECEIPT OF BIDS

☒ OTHER (Specify)
Permanent Pavement Striping (SF) $300
Temporary Erosion Control (EW) $1,000

☐ CONSTRUCTION • PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

After concurrence in award you are authorized to proceed with those items listed above as shown in your Estimate.

Mr. Swan's August 1, 1977, request and certifying statements are accepted.

PS&E documents for the subject project have been reviewed and are approved at a total estimated cost of $87,666-Federal Funds $75,217.

A signed copy of the Title sheet is returned herewith.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
8-3-77	G. K. Hansen	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U. S. GOVERNMENT PRINTING OFFICE: 1975—631-888

8646 Kings Valley Hwy. ● Main St. 197
(Dallas) Section
(Traffic signal installation)

C.A. 6214 9-6-99

8646

127-1086

Dallas

Narrative Report

Kings Valley Highway at Main St. (Dallas)

Traffic Signal Installation

Contract # 8646

The purpose of the project was to replace a flashing beacon signal with a full signal system, including detector loops, controller, etc.

The contract was awarded the 22nd of November, 1977;:field work began May 5th, 1978; and the signal was placed into operation on September 26th.

There was only one mechanical problem with the design -- this being the controller cabinet which was specified.

Our plans called for a 3 phase fully acuated controller with a type G cabinet. It turned out that this cabinet was too small to house the equipment we were calling for and a separate cabinet became necessary. This resulted in a Price Agreement in the amount of $ 1,150.00 for the new cabinet and separate base or pedestal including additional cabinet, etc. The actual installation did not pose any particular problems though one minor area of concern does come to mind.

The streets where the detector loops were to be installed were in poor condition (broken up) to where the loops were in jeopardy of being broken by the flexing of the pavement. Our maintenance forces patched out the highway portion of these but the city's portion did not get treatment. As a result, we feel it is quite possible that those may get broken before their expected life span period. My point is that perhaps we should in the design stage consider this and make corrective action arrangements by either contract bid item or by separate orders when the signals are installed.

There were some problems in acquiring the contractor's supplies which is not unique in this type of work. The contractor ordered their poles & materials early in December; we received the cut sheets the first part of February; and the poles were finally delivered the 28th of July, 1978, actually 8 days after the

contract time ran out. They had done all the work possible prior to the pole delivery point and had the poles come in when scheduled, the job would have been completed on time. However, partially due to the late pole delivery and problems with a previous job which required them to be away from this one in parts of August and September. They overran the contract time by 91 days. They have requested an extension which I have sent in with the recommendation that we allow 81 days.

Finally, a discussion with our inspector points out some minor items which he has had some experiences with. The contractor for some reason tended to try and bring in light gage or ungalvanized service cabinets. Another is that the brackets on the Singer Pedestrian Heads did not fit the pole circumference due to some small protrusions on the back. These were corrected by grinding the protrusions which was not detrimental because the brackets were made of bronze.

The Last is that our Standard Specs. 661.42 page 528 call for 150 watt bulbs in the pedestrian heads. I'm told that there is a note inside the head which states that if bulbs in excess of 116 watts are used, that the lens will suffer damage from the heat and that when our people replace these, they do go to the lower wattage.

Loren A. Weber
Resident Engineer
Crew # 080-06

RECEIVED
NOV 17 1978
TRAFFIC ENGINEERING

Kings Valley Highway at Main Street(Dallas)

Kings Valley Highway

Polk County

Contract 8646

STATEMENT OF OVERRUNS & UNDERRUNS

Item	Original Amount	Semi Final Estimate	Percent + or -
Contract Bid Items	$ 27,474.50	$ 27,584.53	+ 0.4%
Anticipated Items	$ 900.00	$ 1,078.02	+ 19.8%
Contingencies (All Required)	$ 1,276.85	$ 1,150.00	- 10.0%
Liquidated Damages	-------	$ - 4,500.00	
Engineering	$ 2,837.45	$ 4,500.00	+ 58.6%
Contractor used small work force to complete project.			
Total Contract Costs	$ 32,488.80	$ 29,762.55	- 8.4%

No.	Item	Unit	Contract Quantity	Final Quantity	Percent + or -
1	Temp. Dir. & Prot. of Traffic	Lump Sum	100%	100%	-0-
2	Temp. Signs	Sq. Ft.	130.0	76.0	- 41.5%
3	Flagmen	Hour	40.0	65.5	+ 63.8
4	Traffic Signal Install. Complete	Lump Sum	100%	100%	-0-
Price Agreement					
1	Change Signal Control Cabinet Type G to M	Lump Sum	100%	100%	-0-
State Force Orders					
1	Signal Controller Testing	$	600.00	967.80	+ 61.3%
2	Perm. Pavement Striping	$	300.00	110.22	- 63.3%

8646

cc: State (H. S. Coul
Baker
Accts

...TMENT OF TRANSPORTATION
...HIGHWAY ADMINISTRATION

Kappus
Hossner

2

FINAL ACCEPTANCE REPORT

10-24-79

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	2	Polk	Oregon

DATE OF REPORT	REPORT MADE BY	PROJECT NO.
10/24/79	W. H. Kappus. Area Engineer	TQF-63(1)

COMPLETION DATE	ACCEPTANCE DATE BY CONTRACT AGENCY	TIME ELAPSED	CONTRACT TIME
10/18/78	12/1/78	$\frac{311}{220}$ = 141 %	220 C.D.

APPROVED EXTENSIONS	LOCATION
None	The intersection of Kings Valley Hwy. and Main Street, Dallas, Oregon

*The PR-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been submitted.
*A copy of the State's materials certificate is attached to the Division office copy of this report.
There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: *The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.*

SUBJECT

KINGS VALLEY HWY. @ MAIN ST. (DALLAS)
KINGS VALLEY HWY.
Traffic Signal Installation

This project provided for the installation of a 3-phase traffic signal at the subject location.

The final project cost was $29,262.55 which underran the origianl estimate of $33,158.80 by 11%. This underrun was due to a $4,550 Liquidated Damage penalty for contract time overruns.

A final inspection of the completed project was made October 25, 1978. Acceptance is recommended.

11/19
cy/Casey

COPY SENT
NOV 9 1979
STATE

*NOTE: Not applicable for direct federal projects.

ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION	
SIGNATURE W. H. Kappus		SIGNATURE G. K. Hossner	
TITLE Area Engineer	DATE 11/7/79	TITLE Field Operations Engineer	DATE 11/8/79

FORM FHWA-1446 B (12-73) FORMERLY PR-33E

Previous Editions of PR-33E Will Not Be Used.

Form 734-3122

8646

December 7, 1978

United Pacific Insurance Company
Fidelity & Surety Department
P. O. Box 1216
Tacoma, WA 98401

Gentlemen:

On December 5, 1978, we wrote to you concerning release of final payment on Contract No. 8646 awarded to Clarke Electric Co. for traffic signal installation on the Kings Valley Highway at Main Street in Dallas, Polk County.

Final payment on this contract is $829.23 and the total contract amount is $24,184.53. No work was performed under force account.

Very truly yours,

C. W. Head
COMMISSION SERVICES

dda

cc Clarke Electric Co.
450 W. 5th
Eugene, OR 97401

United Pacific Insurance Co.
P. O. Box 1788
Eugene, OR 97401

bc C. T. Keasey
Walt Hart
C. O. Fredrickson

8646

FORM 81-734-3001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Kings Valley Hwy. @ Main Street		WEEK ENDING: 11/4/78
		SECTION PREFIX: 127-1086
HIGHWAY: Kings Valley		COUNTY: Polk
NAME OF JOB: Same as Section	KIND OF WORK: Traffic Signal	
CONTRACTOR: Clarke Electric Inc.	CONTRACT NUMBER: 8646	FEDERAL AID PROJECT NUMBER: TQF 63(1)
DATE OF CONTRACT: 11/22/77	DATE WORK STARTED: 5/5/78	ESTIMATED COMPLETION DATE: ----------
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: SUPERVISION:	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 220	CALENDAR DAYS USED 311
	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED 141
PROJECT AUTHORIZATION: $ 32,488.80		PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST 100
EXCLUSIVE OF ENGINEERING: $ 29,651.35	ENGINEERING AUTHORIZATION $ 2,837.45	
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $ 29,651.35	ENGINEERING COST TO DATE $ 4,035.27	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION 100
ESTIMATED PERCENT: OVERRUN / UNDERRUN ____ %	PERCENT OF AUTHORIZATION 142 %	DATE PROJECT WAS COMPLETED: 10/18/78

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT					
MILES PARTIALLY COMPLETED					
MILES COMPLETED					
TOTAL ESTIMATED QUANTITIES (CONTRACT)					
TOTAL QUANTITIES CORRECTED TO DATE					
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE					
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.								
PERCENT								

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY				
MONDAY				
TUESDAY				
WEDNESDAY				
THURSDAY				
FRIDAY				
SATURDAY				

Keasey Richards
Jackmond Berg
Hopkins Inloes
Williams Widmer
Johnson Gebauer
Glenn Church

RECEIVED
NOV 7 1978
CONSTRUCTION BRANCH

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY	
30 MONDAY	One man on the Semi Final Estimate all day.
TUESDAY 31	One man in the office on the Semi Final Estimate assembly.
1 WEDNESDAY	No work.
2 THURSDAY	No work
FRIDAY 3	No work
SATURDAY	

REMARKS

The Semi Final records have been pretty well worked up. I found where we lack certifications on the poles and have contacted the contractor to have these sent to us.

By: Allen H. Mickey

SIGNED For Loren A. Weber LOCATION Salem

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

SP*F216

8646

STATE COPY

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	Oregon
MONTHLY TRANSACTION NO. 1-41		County Polk
	FEDERAL-AID PROJECT AGREEMENT	Project No. TQF-63(1)
	1-10-78	

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

SR 223, Washington and Main (Dallas)

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	10-26-76	0.00
OTHER *(Specify)*		

FUNDS Pro rata 85.8%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 31,802.00	$ 27,286.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E.J. Thurston

Technical Services Engineer
(Title)

By J.S. Coulter

State Highway Engineer
(Title)

By _____

_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By Tony Bynum
(Division Administrator)

For: G.L. Green

Date executed by Division Administrator JAN 10 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway. agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtednesss of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

file

Oregon State Highway Division
Salem, Oregon, December 13, 1977

Federal-aid Project
No. TQF-63(1)

KINGS VALLEY HWY. AT MAIN ST. (DALLAS)
KINGS VALLEY HIGHWAY
POLK COUNTY

Project Agreement Estimate.

Type Code Y031
Traffic Signal (M.P. 3.40)

Temporary Protection and Direction	All Required		$ 1,300.00
Temporary Signs	130 sq.ft.	2.85	370.50
Flagmen	40 hour	10.35	414.00
Traffic Signal Installation, Complete	All Required		25,390.00
			$27,474.50
Anticipated Items			
Permanent Pavement Striping	All Required		$ 300.00
	Subtotal		$27,774.50
	Engineering		4,027.50
	Total		$31,802.00

Length of Project - - - - - - - - - - - 0.00 mile

Federal Funds (85.8%)	$27,286.00
State Funds	4,516.00
Total	$31,802.00

Group 1 - 100%

Contract No. 8646

Prefix 127-1086

8646

Cross Referenced To:
Wat 5-2
POLK CO.

October 18, 1977

Mr. Jack Fleming
327 S.E. Walnut
Dallas, OR 97338

Dear Mr. Fleming:

We have reinvestigated the intersection of Main Street and Walnut Avenue in Dallas. A traffic count was taken this month and it indicated that none of the traffic signal warrants as set forth in the National Manual on Uniform Traffic Control Devices were met. These nationally accepted warrants, which have been adopted by the Oregon Transportation Commission, take into consideration traffic volumes, pedestrian volumes and the past accident experience.

The traffic count indicated that 14,935 vehicles for a 24-hour period are entering the intersection at Walnut Avenue from the north and south. The 24-hour count on Walnut Avenue is 1,352 vehicles.

During a 12-month period from April 1, 1976 to March 31, 1977, there were two accidents reported at this intersection. One was of a type considered preventable by the installation of a signal and it did not involve any injuries.

We maintain a traffic signal priority list which is a state-wide tabulation of locations meeting one or more of the signal warrants. The list is used to determine new signal installation projects. With our present lack of highway funds, many of the signals on the list will not be installed in the near future.

Experience has shown that in most cases the installation of signals will operate either to the advantage or disadvantage of vehicles and persons controlled. Some of the factors which can result from improper or unwarranted signals are excessive delay, disobedience of the signal, the use of less adequate routes to avoid the signal, and an increase in accidents (particularly the rear-end type). These factors would be

contrary to the better interests of both pedestrians and drivers. Because of this and due to the fact that there are a number of locations where the warrants are met with preventable accidents, we cannot justify the installation of the signal you requested.

If you would like to discuss any specifics of the traffic investigation or have explained the particulars of how all the factors are considered, Mr. Dave Weaver, our Region Traffic Engineer, would be happy to meet with you and your co-petitioners at your convenience. Mr. Weaver can be reached by telephone at 378-2626.

Sincerely,

M. S. Coulter
State Highway Engineer

cc Howard D. Brandvold
Dallas City Manager

bc F. B. Klaboe
E. S. Hunter
J. H. Versteeg
L. E. George
J. W. Sheldrake
Dave Weaver

LEG:rw ia

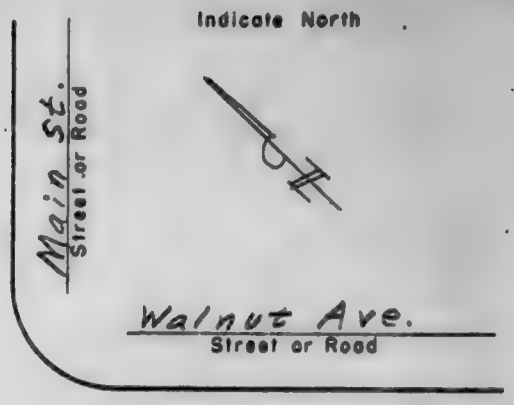
Oregon State Highway Division
Traffic Engineering Section
Accident Analysis

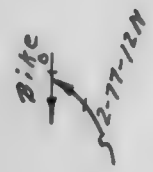
COLLISION DIAGRAM

City of Dallas County Polk
Intersection of Main St. and Walnut Ave
Highway Number 191 (ore 223) M.P. 2.93
Period Covered 7-1-76 6-30-77
Compiled by XX Drawn by _____ Date 8-22-77

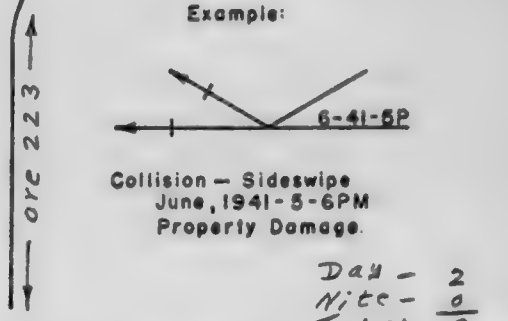
LEGEND

- Person Killed
- Pedestrian Killed
- Person Injured
- Pedestrian Injured
- Property Damage Only
- Collision – Rear-end
- Collision – Head-on
- Collision – Sideswipe





- Path of Pedestrian
- Path of Vehicle
- Path of Animal
- Vehicle Moving
- Vehicle Stopped
- Vehicle Backing
- Properly Parked
- Improperly Parked
- Vehicle Overturned
- Vehicle Skidded



Collision – Sideswipe
June, 1941 - 5-6PM
Property Damage.

Day – 2
Nite – 0
Total – 2

Collision Type	7-1-76 –12-31-76				6 MOS. 1977															
	Fatal	Non-fatal	Prop. Damage	Total	Fatal	Non-fatal	Prop. Damage	Total	Fatal	Non-fatal	Prop. Damage	Total	Fatal	Non-fatal	Prop. Damage	Total	Fatal	Non-fatal	Prop. Damage	Total
Angle																				
Head-on																				
Rear-end																				
Sideswipe																				
Turning Movement			1	1		1		1										1	1	2
Parking																				
Non-collision																				
Fixed Object																				
Pedestrian																				
Backing																				
Misc.																				
TOTAL			1	1		1		1										1	1	2

Form E-260 — 2M — 11-45 5/70

The Polk County
ITEMIZER-OBSERVER, Sept. 21, 1977

9-26-77 orig to Shirley Cooper

PROBLEM INTERSECTION -- Jack Flaming stands near the intersection of Walnut and Main Streets, where he and about 450 citizens feel there should be a traffic light. The heavily used area poses many problems for those wishing to join the flow of traffic both up and down Main Street. Pedestrian use of the area is also heavy with people waiting as much as 15 minutes to cross. An effort is being made by Flaming who has solicited about 450 signatures on a petition to bring this to the State's attention.

Photo by Nancy Miller

Help needed now

Traffic light requested

Dallas citizens are again trying to make their voices heard at the state level as a petition to place a stop light at the intersection of Walnut and Main Streets is currently being circulated.

Jack Flaming, 327 SE Walnut, Dallas who has been a one man committee in getting signatures, said, "I think when the State of Oregon puts in a traffic light in the City of Dallas, the people of Dallas should have a voice where this traffic light should go. That is what this petition is all about."

The petition which has more than 450 signatures, "shows a favorable response and is a good cross-section of town, not just the Walnut Street area," Flaming said.

The petition is addressed to H. Scott Coulter, State Highway Engineer, State Highway Building, Salem and states:

We, the undersigned, are residents of Birchwood Terrace Subdivision and Garden Terrace Subdivision in the City of Dallas. We respectfully request your cooperation and approval of the installation of a traffic signal at the intersection of Walnut and Main Street (Kings Valley Highway) in the City of Dallas, Oregon.

We are aware of the fact that the traffic count, for a twenty four hour period, may not be as great as some uncontrolled intersections in the state. We are sure, however, that during certain hours of the day, few uncontrolled intersections will have a heavier flow of traffic with no break for cross traffic to gain access to the arterial street.

Many school age children live in the Birchwood Terrace and Garden Terrace Subdivisions and have an extremely difficult time crossing Main Street (an established School Cross Walk). A Senior Citizen Center with sixty senior apartments is located one block from the intersection of Main and Walnut Streets. Many pedestrian senior citizens try to cross this intersection but also have an extremely difficult time. East Walnut Street is the only public ingress or egress for over forty-five homes that must use the intersection.

> ". . .needed before a pedestrian or vehicle fatality occurs."

We sincerely solicit your approval of a signal for this intersection before a pedestrian or vehicle fatality occurs. Some help is urgently needed. I shall anxiously await your reply. Jack Flaming, 327 SE Walnut, Dallas

Flaming went on to say that because of the growing business in that end of town with a new restaurant proposed and the completion of new apartments across from the senior center on Walnut Streets this signal is a must. The pedestrian and automobile traffic will greatly increase.

One of the biggest concerns has to do with school children crossing the streets. "We have children attending Lyle School, and Academy and LaCreole junior highs. Many mothers must help the younger ones cross the street because the motorists won't stop for them," Flaming continued.

The state recently surveyed the Washington and Main Street intersection to place a stop light there.

"I feel that this intersection (Walnut-Main) should have some priority over Washington and Main Street just because of the many pedestrians and its heavy use. I'm not saying that the stop light at Washington and Main isn't needed, just that the state has its priorities mixed up," Flaming said.

The petition will be presented soon and "it is hoped that the State of Oregon will not be ignorant to the request." Flaming concluded.

...ol board and teachers did not attempt to negotiate through ...e media. There were no press releases handed out by either side accusing the other group of not negotiating in good faith. An example of negotiating through the media was illustrated by the state employees and the governor's office during their contract talks this year.

The contract is now nearly finalized. Neither side is ever completely satisfied. Negotiating is a give and take situation. Compromise is the key. We have not yet had an opportunity to read the final document, but we realize that the words in the contract will not convey the hours of hard work put into it by the school board, administrators, and teachers. To each of them the community owes a thank you.

Walnut and Main deserves priority

Increased traffic volume in Dallas has resulted in the State Highway Commissions' allocation of a traffic light at the corner of Main and Washington streets. Unfortunately, the most pressing need for the light is located elsewhere -- at the intersection of Main and Walnut.

The Highway Commission notified the city recently that the traffic count warranted the new light. The problem, as we and many other Dallas residents see it, lies not only with the number of vehicles that use an intersection, but also with the circumstances of the location.

The intersection of Walnut and Main is the more likely place for the light for several reasons. It is located at a crossing used extensively by pedestrians, particularly seniors from the nearby Senior Center and children crossing on their way to Lyle, Academy and LaCreole schools. An added problem is the curve of Jefferson Street just prior to joining with Main, a curve which impairs the vision of drivers attempting to cross or enter onto Main. And the still developing residential area to the east of Main Street will add further to the problems met everyday at this intersection.

The problem has not gone unnoticed by the Dallas City Council. They have recommended to the Highway Commission several times that a light be installed at the Walnut and Main intersection. The Highway Commission, however, seems intent upon determining the allocation of the lights solely on the volume of traffic.

A petition drive has been mounted to inform the Highway Commission of Dallas residents' requests for the new light. Many of those who have signed the petition live in the immediate area and know best of the problems surrounding the intersection.

There have been accidents at the intersection in the past. Hopefully, the powers-that-be in the Highway Commission will pay need to the call for assistance before a real tragedy occurs.

Are lowest bids always the best

Last week a Polk County business lost a City of Dallas bid for an approximately $21,000 purchase by $190. The members of the city ...should send that amount of money

Across my desk

Polkow

Joe Blasha

ALL WAS not well in the little kingdom of Polkowski.

The three kings of Polkowski who lived in the great stoned kingdomhouse were unhappy. The lords and duchessess who shared the great kingdomhouse no longer nodded their heads when in the presence of the three kings. Even their loyal Lords Eyespie and Probe had failed to keep this bad behaviour of the lords in check.

Now even a darker cloud hovered over the kingdom of Polkowski. The three kings are threatened by another rebellion. A possible work stoppage by the officers and troops who run the everyday business of the kingdom looms over the horizon.

The scene opens with the three kings resting in their great kingdomhouse library. They are alone.

King 1: Gesturing wildly with his

Dallas, Polk and. . .

Governn

Dan Allen

LAST WEEK I discussed Oregon Senator Mark Hatfield's reported opposition to a proposal by President Jimmy Carter to place a nine per cent ceiling on annual overall increases in hospital charges.

In applauding the Senator's stand, I noted rising costs in health care facilities (hospitals, nursing homes, doctors' offices) are of concern to everyone.

But, as correctly stated by Hatfield, costs in this area are only part of the total problem.

Placing an arbitrary lid on hospital

R11

PETITION

We the undersigned are residents of Birchwood Terrace Subdivision and Garden Terrace Subdivision in the City of Dallas. We respectfully request your cooperation and approval of the installation of a traffic signal at the intersection of Walnut and Main Street (Kings Valley Highway) in the City of Dallas, Oregon.

We are aware of the fact that the traffic count, for a twenty four hour period, may not be as great as some uncontrolled intersections in the state. We are sure however, that during certain hours of the day, few uncontrolled intersections will have a heavier flow of traffic with no break for cross traffic to gain access to the arterial street.

Many school age children live in the Birchwood Terrace and Garden Terrace Subdivions and have an extremely difficult time crossing Main Street (an established School Cross Walk). A Senior Citizen Center with sixty senior apartments is located one block from the intersection of Main and Walnut Streets. Many pedestrian senior citizens try to cross this intersection but also have an extremely difficult time. East Walnut Street is the only public ingress or egress for over forty-five homes that must use the intersection.

We sincerely solicit your approval of a signal for this intersection before a pedestrian or vehicle fatality occurs. Some help is urgently needed. I shall anxiously await your reply.

Jack Flaming
32[illegible] E.E. Walnut
Dallas, Oregon 97338

1	Jack Flaming	327 SE Walnut Dallas
2	Myste Flaming	329 S.E. Walnut Dallas
3	Leroy Klopfer	359 SE Walnut Ct. Dallas
4	Albert C. Strong	410 S.E. Walnut Ave, Dallas
5	Julie Strong	410 S.E. Walnut Ave. Dallas
6	Karen Johnson	372 SE Walnut Ave Dallas
7	Gary Marquardt	1179 SW Bridlewood Dallas
8	Barbara Marquardt	1179 SW Bridlewood Dallas
9	Mark S Hall	352 SE. Walnut Ave Dallas
10	Judy E. Hall	352 SE Walnut Ave Dallas
11	Ben Hakman	332 SE Walnut Ave Dallas
12	Kaye J. Miller	309 SE Walnut Ave Dallas
13	LeRoy E Gilbert	292 SE Walnut ave Dallas
14	Miriam Gilbert	292 S.E. Walnut ave. Dallas
15	Roy Salaguier	276 S.E. Walnut Ave. Dallas
16	Virginia Salaguier	276 S.E. Walnut Ave Dallas
17	Sally Collingham	246 S.E. Walnut Ave. Dallas
18	Jim Blann	232 S E Walnut Ave Dallas

434
255
308
343
326
261
277
421

467

9-21-77
Hand-delivered
by J. B. Fleming
w/p Little Georgie
#1

To: H. Scott Coulter, State Highway Engineer
State Highway Building
Salem, Oregon 97310

September 6, 1977

PETITION

We the undersigned are residents of Birchwood Terrace Subdivision and Garden Terrace Subdivision in the City of Dallas. We respectfully request your cooperation and approval of the installation of a traffic signal at the intersection of Walnut and Main Street (Kings Valley Highway) in the City of Dallas, Oregon.

We are aware of the fact that the traffic count, for a twenty four hour period, may not be as great as some uncontrolled intersections in the state. We are sure however, that during certain hours of the day, few uncontrolled intersections will have a heavier flow of traffic with no break for cross traffic to gain access to the arterial street.

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Jack Flaming
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Dallas, Oregon 97338

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11	Ben Hakman	332 SE Walnut Ave Dallas
12	Kaye J. Miller	309 SE Walnut Ave Dallas
	LeRoy E. Gilbert	292 SE Walnut Ave Dallas

8646

REGION 2 ENGINEER
RECEIVED
OCT 3 1977
VLR

ROBERT STRAUB
XXXXXXXXXX

October 4, 1977

NOTED
H.C. COULTER

City of Dallas
P.O. Box 67
Dallas, Oregon 97338

Attn: Howard D. Brandvold

Dear Mr. Brandvold:

The intersection of Walnut and Main Streets will be investigated for determining the feasibility of a traffic signal. This matter was discussed with you by our regional traffic engineer on Monday, October 3, 1977.

Sincerely,

John W. Sheldrake
REGION II ENGINEER

RECEIVED
STATE HWY ENGR
OCT 7 '77
REFER TO
FOR
Info Inves R/D D/R Sign Act File

DW/lea
cc: Rick Kuehn

cc H S Coulter - w/attach
L E George "

City of Dallas - Office of the City Manager

September 30, 1977

0 404

John W. Sheldrake
Region II Engineer
Oregon State Highway Division
2960 E. State Street
Salem, Oregon

Dear Mr. Sheldrake:

On September 20, 1977, I returned to your office a preliminary plan with approval for a traffic signal to be installed at the Main and Washington Street intersection on the Kings Valley Highway in the City of Dallas. The City of Dallas agrees with the desirability of a signal at the Washington and Main Street intersection but would like to again call your attention to the Walnut and Main Street intersection where we feel there is a much greater need for a traffic and pedestrian control signal.

On several past occasions the City has asked the State to review its stand to signalize the Walnut and Main Street intersection. You have caused traffic counts to be made and have determined that a signal is not justified. We solicit your review of that stance in light of your pending plan to install a signal at Washington and Main.

We do not question that the traffic count at Washington and Main may be greater than the traffic count at Walnut and Main. We do however, believe there is a greater potential traffic hazard at the Main and Walnut Street intersection for several reasons.

1. It is the only ingress or egress from approximately fifty homes to the east of the interesection and in an area that is rapidly expanding with more homes.

2. It is an established school crossing for many children living in the Birchwood Terrace Subdivision and Garden Terrace Subdivision.

3. A Senior Center and Senior Citizen apartment complex is located only one block to the west on Walnut Street.

P.O. BOX 67 • DALLAS, OREGON 97338 • TELEPHONE (503) 623-2338

4. Several offices and businesses in the area attract a substantial amount of pedestrian traffic in addition to the school children pedestrian traffic.

5. The curve in Jefferson Street just prior to entering Main Street from the south makes the visibility for cross traffic very difficult.

Again, the City of Dallas appreciates your concern for a traffic controlled intersection at Washington and Main Streets but does request your reevaluation of the problem at the intersection of Walnut and Main Streets and that you now assign top priority for a signal at this latter intersection.

Yours very truly,

Howard D. Brandvold
City Manager

HDB:lem

8646

September 6, 1977

City of Dallas
City Hall
Dallas, OR 97338

MISC. CONTRACTS and AGREEMENTS No. 6214

Attention: Howard Brandvold
City Manager

Gentlemen

Attached for your records is a fully executed copy of an agreement for installation of traffic signals on the Kings Valley Highway (Washington Street) at Main Street.

We have retained a fully executed copy of this agreement for the Transportation Commission's files.

Very truly yours,

C. W. Head
COMMISSION SERVICES

fkn

Att.

cc Don Harwell (agree. att.)

8646

Form 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

July 19, 1977
Salem, OR 97310

FILE:

FROM: Gary A. Potter, Manager
Environmental Section

ORIGINAL SIGNED BY
GARY A. POTTER

SUBJECT: Statewide Assessment
Kings Valley Hwy. @
Main Street (Dallas)
Kings Valley Highway
Polk County, Oregon

TO: D. H. Moehring
Program Management Engineer

The proposed project is to install a two phase fully actuated traffic signal at the intersection of Main Street and the Kings Valley Highway in Dallas. The intersection is presently channelized and traffic is controlled by stop signs and flashing red and amber lights.

The project extends between mile points 3.30 and 3.50 on the Kings Valley Highway. Approximately 13,000 vehicles enter the intersection on an average day. Fifty-six percent of the traffic enters from the north, 26% from the west, 9% from the south and 9% from the east.

The Statewide Assessment for safety projects classifies projects of this type as non-major.

GAP:cjh

cc: E. S. Hunter
John Sheldrake
Eddie Welsh
D. E. Swan
Don Trout

RECEIVED
STATE HWY ENGR
JUL 19 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

8647 Newbury & Vermont Streets 1977
Viaducts on 99W in Portland
(Cap replacement)

September 6, 1978

Safeco Insurance Company of America
1500 S.W. First Avenue
Portland, OR 97201

Gentlemen:

A post-final payment for $3,000 will be made to Ross Bros. Construction, Inc., on Contract No. 8647 for cap replacement on the Newbury and Vermont Streets Viaducts on the Pacific Highway West in Multnomah County as soon as the warrant is prepared.

The total amount paid on this contract will be $181,026.00 including the post-final payment. No force account work was performed on this contract.

Very truly yours,

C. W. Head
COMMISSION SERVICES

dda

cc Ross Bros. Construction, Inc.
3501 Brooklake Rd. N.E.
Salem, OR 97305

bc C. T. Keasey
Walt Hart
Ed Hardt

8647

August 25, 1978

Ross Bros. Construction, Inc.
3501 Brooklake Road North
Salem, OR 97303

Gentlemen:

We have given a very careful review to your resubmitted request for an additional 45 days in which to complete the work on the Newbury and Vermont Streets Viaducts, Contract No. 8647, and a time extension of 30 calendar days is hereby granted. There remains 28 days of liquidated damages in effect on this project. We recognize the fact that the support system used on the project allowed you to perform the required work with a minimum amount of interference with the traveling public.

Should you have further questions in this matter, please contact the Resident Engineer or the Region Engineer.

Sincerely,

H. S. Coulter
State Highway Engineer

OBJ:fr ia

bc C. T. Keasey
Marion Craft
Enrique Rodriguez
Robert Church
Richard Hacek

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

August 22, 1978

FILE: CON 5 #8647

FROM: O. B. Jackmond
Contract Administration Engineer

SUBJECT: Time Extension Request
Newbury & Vermont Streets Viaducts
Contract No. 8647

TO: H. S. Coulter
State Highway Engineer

The contractor on the subject project, Ross Bros. Construction, Inc., has resubmitted his request for a 45-day time extension. My letter of May 8, 1978 to you analyzing the initial request remains essentially correct. (A copy of this letter is enclosed.) However, we find that there are two somewhat significant items that were omitted from the initial evaluation. The contractor's designed and provided support system enabled the work to proceed with a very minimum of interruption and interference with traffic on the structures. This is evidenced by the fact that very little flagging time was required in the project. The contract provided 120 hours of flagging time of which only 12 hours were used. It is therefore obvious that the contractor's system, although taking a longer time in which to complete the work, did cause less inconvenience to the traveling public and did present a far less safety hazard to the traveling public. Section 108.09 of the Standard Specifications does not specifically include this kind of benefit as a reason for time extension, however, it should be noted that the provisions of this section are not limited to the precise reasons stated. In view of the fact that the public did receive some intangible benefit from the contractor's provided support system, a grant of additional time should be considered.

The Resident Engineer and the Region have recommended an extension of 30 days on this project which seems reasonable. It is therefore recommended that a 30-day extension of contract time be approved. This is a State project. A rough draft letter to the contractor is attached.

OBJ:fr

Att.

cc: Robert Church
Marion Craft
Enrique Rodriguez

RECEIVED
STATE HWY ENGR
AUG 24 '78
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

1 Keesey
Jackmond
2 Hopkins
3 Williams
Johnsen
Glenn

RECEIVED
MAY 8 1978
CONSTRUCTION
BRANCH

Richards
Berg
Inloes
Widmer
Gebauer
Church

Salem, OR
May 8, 1978

O. B. Jackmond
Contract Administration Engr.

H. S. Coulter
State Highway Engineer

Time Extension Request
Newbury & Vermont Sts.
Viaducts
Contract No. 8647

The contractor on the subject project, Ross Bros. Construction, Inc., has requested a 45 day time extension. Pertinent contract dates are as follows:

Contract Awarded	November 22, 1977
Calendar Day Count Start	December 12, 1977
Work Started	January 11, 1978
Calendar Days Allowed	120
Estimated Calendar Days Used	170

This is a State project for the replacement of 10 caps on the Vermont Viaduct and 5 caps on the Newbury Viaduct. Contract time expired on April 10, 1978 and the work is approximately 80 percent complete as of May 1, 1978.

The contractor requests 45 additional days due to a 40 day delay "in obtaining OSHD approval and the subsequent fabrication of a safer, more efficient type of scaffolding than that described in the plans". The delay claimed is from December 12, 1977 to January 26, 1978.

Scaffolding described in the plans is still deemed to have been adequate. The Special Provisions do allow the option of using the details "as shown on the plans or other such system acceptable to the engineer". The system used by the contractor has proved very satisfactory.

The first shop drawings of the proposed system were submitted to the Structures Section on December 15, 1977. These did not indicate the proposed jacking details which were submitted on January 3, 1978. Concurrence of the system was mailed from the Structures Section to the Resident Engineer on January 6, 1978. This would not constitute an undue delay. The remaining time, from January 6, 1978 to January 26, 1978, was used by the supplier to fabricate and deliver the system to the project.

Work on the project has been persued continuously by the contractor after receipt of the scaffolding system, although he has used one small - 3 and 4 man - crew, one set of jacks and scaffolding. The contractor could have used two crews and two sets of jacks and scaffolding and decreased the time required considerably. The contractor is doing a good job, albeit slow, the travelling public is not being inconvenienced and it appears that the project will underrun both in contract and engineering costs.

Nonetheless, we can find no valid reason for an increase in contract time and it is recommended that the request be denied.

A rough draft reply to the contractor is attached.

OBJ:mk

Attach.

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

Date March 31, 1978

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from 120 days to 165 days, within which to complete our Contract No. 8647, without the assessment of liquidated damages. The said contract is described as follows:

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows: Dec. 12, 1977 to Jan. 26, 1978 (46 days) The delay was in obtaining O S H D approval and the subsequent fabrication of a safer, more efficient type of scaffolding than that described in the plans. Scaffold prints "approved for construction" were not received until January 26, 1978. The enclosed documents apply to this request.

Respectfully submitted,

Ross Bros. Construction, Inc.
Contractor

By R. K. Ross
R. K. Ross, Pres.

CONSENT OF SURETY

Date April 4, 1978

We, SAFECO INSURANCE COMPANY OF AMERICA, as

surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

Gail A. Custer
Attorney-in-fact Gail A. Custer (SEAL)

Frederick R. Emery
Resident Agent Frederick R. Emery

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request

for

Increase in Number of Workdays

to

Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8647 Contractor ROSS BROS. CONSTRUCTION, INC.

Highway PACIFIC WEST

Section NEWBURY AND VERMONT STREET VIADUCTS

Kind of Work CAP REPLACEMENT

It is recommended that the request for increase in the number of workdays within which to complete said contract be ~~DENIED or GRANTED~~. The reasons for such recommendation are as follows: See letter GRANTED

A 30-day extension is granted due to the intangible benefit received by the public as a result of the redesigned support system.

Recommended for Approval:

Division Engineer

O. B. Jackmond
For Construction Engineer ~~Bridge Engineer~~

State Highway Engineer

Contract No.	8647
Project designation	STATE (State-Federal)
Date awarded	NOVEMBER 22, 1977
Work started	JANUARY 11, 1978
Per cent completed	67%; APRIL 10, 1978 (Date)
No. of Workdays Allowed	120
No. of Workdays Used	120 (4/10/78)
No. of Added Workdays Requested	45

SP*6296-734

8647

August 8, 1978

Safeco Insurance Company of America
1500 S.W. First Avenue
Portland, OR 97201

Gentlemen:

Contract No. 8647 awarded to Ross Bros. Construction, Inc., for cap replacement on the Newbury and Vermont Streets Viaducts on the Pacific Highway West in Multnomah County was completed on June 7, 1978, and accepted by the State Highway Engineer on August 7, 1978.

Final payment in the amount of $8,901.30 will be released to the contractor after August 14, 1978. The total contract amount is $178,026 and no work was performed under force account.

No claims for labor or material have been filed with us.

Very truly yours,

C. W. Head
COMMISSION SERVICES

dda

cc Ross Bros. Construction, Inc.
3501 Brooklake Rd. N.E.
Salem, OR 97305

bc C. T. Keasey
Walt Hart
V. E. Skoog Attn: Dick Hacek
Ed Hardt

8647

9

FORM 81-784-3001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Newbury and Vermont Street Viaducts		WEEK ENDING: June 17, 1978
		SECTION PREFIX: 26-1118
HIGHWAY: Pacific West		COUNTY: Multnomah
NAME OF JOB: Newbury & Vermont Sts. Viaducts	KIND OF WORK: Cap Replacement	
CONTRACTOR: Ross Bros. Construction, Inc.	CONTRACT NUMBER: 8647	FEDERAL AID PROJECT NUMBER: State
DATE OF CONTRACT: November 11, ~~1976~~ 1977	DATE WORK STARTED: Jan. 11, 1978	ESTIMATED COMPLETION DATE: June 7, 1978
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 2 SUPERVISION: 0	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 120	CALENDAR DAYS USED 178
PROJECT AUTHORIZATION: $222,591.66	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED: 148
EXCLUSIVE OF ENGINEERING: $204,941.22	ENGINEERING AUTHORIZATION $17,650.44	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 99+
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $204,941.22	ENGINEERING COST TO DATE $7,300.00	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 99+
ESTIMATED PERCENT: OVERRUN / UNDERRUN . . . . . 0 %	PERCENT OF AUTHORIZATION . . . . . 44 %	DATE PROJECT WAS COMPLETED: June 7, 1978

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT					
MILES PARTIALLY COMPLETED					
MILES COMPLETED					
TOTAL ESTIMATED QUANTITIES (CONTRACT)					
TOTAL QUANTITIES CORRECTED TO DATE					
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE					
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK: None

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.								
PERCENT								

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY 11	Partly Cloudy	0		
MONDAY 12	Partly Cloudy	0		
TUESDAY 13	Showers	0		
WEDNESDAY 14	Showers	0		
THURSDAY 15	Partly Cloudy	0		
FRIDAY 16	Partly Cloudy	0		
SATURDAY 17		0		

RECEIVED
JUN 19 1978
CONSTRUCTION BRANCH

Keesey, Jackmond, Hopkins, Williams, Johnsen, Glenn, Richards, Inloes, Gebauer, Church

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY	11	No Activity
MONDAY	12	XXXX. Misc. Cleanup work
TUESDAY	13	Misc. Cleanup work.
WEDNESDAY	14	Misc. Cleanup Wrok.
THURSDAY	15	Misc. Cleanup work
FRIDAY	16	Misc. Cleanup work
SATURDAY	17	No Activity

REMARKS

Status to Date: Vermont Complete except for cleanup
Newbury Complete except for cleanup

SIGNED E. Rodriguez by Check Lobaugh LOCATION Beaverton

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

SP-F216

8647

8

May 11, 1978

Ross Bros. Construction, Inc.
3501 Brooklake Road N.
Salem, OR 97303

Gentlemen:

Time Extension Request
Newbury & Vermont Street Viaducts
Contract No. 8647

We have given careful consideration to your request for an additional 45 days in which to complete the above project. Based on the reasons given, the request is denied.

Should you have further questions in this matter, please contact the Resident Engineer or the Region Engineer.

Sincerely,

H. S. Coulter
State Highway Engineer

OBJ:mk ia

bc C. T. Keasey
Robert Church
E. L. Hardt
Enrique Rodriguez

FORM 81-784-3030

OREGON STATE HIGHWAY DIVISION
INTER-OFFICE CORRESPONDENCE

FILE:

Salem, OR
May 8th, 1978

FROM: O. B. Jackmond
Contract Administration Engr.

SUBJECT: Time Extension Request
Newbury & Vermont Sts.
Viaducts
Contract No. 8647

TO: H. S. Coulter
State Highway Engineer

The contractor on the subject project, Ross Bros. Construction, Inc., has requested a 45 day time extension. Pertinent contract dates are as follows:

Contract Awarded	November 22, 1977
Calendar Day Count Start	December 12, 1977
Work Started	January 11, 1978
Calendar Days Allowed	120
Estimated Calendar Days Used	170

This is a State project for the replacement of 10 caps on the Vermont Viaduct and 5 caps on the Newbury Viaduct. Contract time expired on April 10, 1978 and the work is approximately 80 percent complete as of May 1, 1978.

The contractor requests 45 additional days due to a 46 day delay "in obtaining OSHD approval and the subsequent fabrication of a safer, more efficient type of scaffolding than that described in the plans". The delay claimed is from December 12, 1977 to January 26, 1978.

Scaffolding described in the plans is still deemed to have been adequate. The Special Provisions do allow the option of using the details "as shown on the plans or other such system acceptable to the engineer". The system used by the contractor has proved very satisfactory.

The first shop drawings of the proposed system were submitted to the Structures Section on December 15, 1977. These did not indicate the proposed jacking details which were submitted on January 3, 1978. Concurrence of the system was mailed from the Structures Section to the Resident Engineer on January 6, 1978. This would not constitute an undue delay. The remaining time, from January 6, 1978 to January 26, 1978, was used by the supplier to fabricate and deliver the system to the project.

RECEIVED STATE HWY ENGR
MAY - 9 '78
REFER TO
FOR
File
Appl
Sign
D/R
R/D
Invest
Info

Work on the project has been persued continuously by the contractor after receipt of the scaffolding system, although he has used one small - 3 and 4 man - crew, one set of jacks and scaffolding. The contractor could have used two crews and two sets of jacks and scaffolding and decreased the time required considerably. The contractor is doing a good job, albeit slow, the travelling public is not being inconvenienced and it appears that the project will underrun both in contract and engineering costs.

Nonetheless, we can find no valid reason for an increase in contract time and it is recommended that the request be denied.

A rough draft reply to the contractor is attached.

OBJ:mk

Attach.

Keasey
Jachmond
Hopkins
Williams
Johnson
Glenn

RECEIVED
APR 19 1978
CONSTRUCTION
BRANCH

Richards
Inloes
Widmer
Church

OREGON STATE HIGHWAY DIVISION
INTER-OFFICE CORRESPONDENCE

FILE:

Region 1 — Portland
April 18, 1978

FROM: MARION CRAFT
Region Construction Engineer

TO: C. T. KEASEY
Construction Engineer

SUBJECT: NEWBURY AND VERMONT STREETS
VIADUCT
Contract No. 8647
Extension of Time Request

Attached are five copies of a time extension request from Ross Brothers and a letter from the Resident Engineer, Hank Rodriguez. Hank describes the situation very well. In hindsight, I think we didn't use the best Judgment as to when the project was let, and there was no reason to place such a tight time frame on the completion of the project. We probably would have received a cheaper bid if we would have let this in the spring or early summer and let the contractor do his work in a more pleasant time of year, also, if we had allowed another month or two to the completion time. This would have given the contractor time to design and put together another system of support, which is just what this contractor did.

However, as far as I know, none of these are legitimate reasons for granting the time extension. I am entirely sympathetic with the contractor on this and with Hank Rodriguez and his reasons. My feelings would not be hurt at all if someone granted a thirty day time extension, but I can't find any reasons for recommending any additional time.

MC/ggw

Attachment

cc: H. Rodriguez

FORM E-30 BOH 5-68 43506

OE RE RME RCE BE

OREGON STATE HIGHWAY DEPARTMENT

RECEIVED RSM

UE APR 13 1978 RSC

INTER-DEPARTMENT CORRESPONDENCE

SO ! REGION I RBI

BEAVERTON
APRIL 11, 1978

TO

SUBJECT: NEWBURY AND VERMONT STREET VIADUCTS
CONTRACT NO. 6647
EXTENSION OF TIME REQUEST

To:
MR. EDWARD L. HARDT
REGIONAL ENGINEER
MILWAUKIE, OREGON

L

ATTEN: MR. MARION CRAFT
REGIONAL CONSTRUCTION ENGINEER

AS PER ATTACHED FORMS AND CORRESPONDENCE, ROSS BROS. CONSTRUCTION, INC. HAS REQUESTED AN EXTENSION OF TIME FROM 120 TO 165 CALENDAR DAYS IN WHICH TO COMPLETE THE CONTRACT WORK WITHOUT THE ASSESSMENT OF LIQUIDATED DAMAGES.

THIS IS A STATE PROJECT CALLING FOR THE REPLACEMENT OF 10 CAPS ON THE VERMONT VIADUCT AND 5 CAPS ON THE NEWBURY VIADUCT. THE 120 CALENDAR DAYS ALLOWED TO COMPLETE THE PROJECT RAN OUT ON APRIL 10, 1978, WITH VERMONT VIADUCT ALMOST FINISHED AND WITH NO WORK STARTED AT NEWBURY, OR WITH ABOUT 67% PERFORMED FOR THE ENTIRE PROJECT.

OTHER PERTINENT FACTS ARE AS FOLLOWS:

DATE OF AWARD: NOVEMBER 22, 1977.
CALENDAR DAY COUNT START: DECEMBER 12, 1977.
PRE-CONSTRUCTION CONFERENCE: JANUARY 5, 1978.
COMMENCEMENT DATE: JANUARY 11, 1978.
PENALTY: $100.00 PER CALENDAR DAY.

ACCORDING TO THE CONTRACTOR, THE REASON FOR THE TIME EXTENSION IS THAT IT TOOK 46 DAYS TO OBTAIN APPROVAL AND TO FABRICATE A TEMPORARY SUPPORT SYSTEM FOR LIFTING THE DECK AND STRINGERS IN ORDER TO REPLACE THE CAPS. THE CONTRACTOR'S ONLY DEFENSE OR REASON FOR USING HIS OWN SUPPORT SYSTEM IS THAT HE WANTED A SAFER AND MORE EFFICIENT WAY TO REPLACE THE CAPS THAN THAT SHOWN ON THE PLANS. OUR PLANS AND SPECIAL PROVISIONS DO ALLOW THE OPTION OF USING THE DETAILS " AS SHOWN ON THE PLANS OR SUCH OTHER SYSTEM ACCEPTABLE TO THE ENGINEER." NO MENTION IS MADE, HOWEVER, OF EXTENDING THE CONTRACT TIME THE EQUAL NUMBER OF DAYS WHICH WOULD BE REQUIRED TO REVIEW, APPROVE AND FABRICATE A DIFFERENT WORKING SYSTEM. OBVIOUSLY, ANY SYSTEM CAN BE IMPROVED,

BE MADE SAFER AND MORE EFFICIENT, BUT THIS DOES NOT MEAN THAT THE ORIGINAL DESIGN WAS UNSAFE OR IN ERROR, WHICH WOULD THEN BE REASON FOR EXTENDING THE CONTRACT TIME. SINCE NO EXTRA WORK ORDERS NOR REVISIONS HAVE BEEN ISSUED, THERE IS NO JUSTIFIABLE REASON UNDER OUR SPECIFICATIONS FOR GRANTING THE CONTRACTOR'S REQUEST.

IT IS MY OPINION THAT EVEN IF THE CONTRACTOR HAD BEEN ALLOWED TO USE HIS OWN SYSTEM SINCE DAY ONE, THE CONTRACT TIME STILL WOULD HAD RUN OUT SIMPLY BECAUSE THE SAME THREE OR FOUR MAN CREW WAS ASSIGNED TO DO ALL THE WORK ON BOTH STRUCTURES. IT BECAME THEN A MATTER OF ECONOMICS AS THE CONTRACTOR ELECTED TO BUY ONE SET OF JACKS AND SCAFFOLDING INSTEAD OF TWO SETS AND HAVING A CREW WORKING AT EACH STRUCTURE SIMULTANEOUSLY.

THE CONTRACTOR IS DOING A GOOD JOB, ALBEIT SLOW, THE TRAVELLING PUBLIC IS NOT BEING INCONVENIENCED, AND IT APPEARS AS IF THE PROJECT WILL UNDERRUN BOTH IN CONTRACT AND ENGINEERING COSTS. REALISTICALLY, THE STATE IS NOT BEING DAMAGED BY THE TIME OVERRUN, NOR, I BELIEVE, AM I GETTING SOFTHEARTED, BUT THERE ARE TIMES WHEN BENDING A LITTLE WILL HELP IN THE LONG RUN. THIS, I BELIEVE, IS ONE OF THOSE TIMES. I GUESS WHAT I AM TRYING TO SAY IS THAT A 20 OR 30 DAY EXTENSION WOULD NOT BE OUT OF LINE IN THIS PARTICULAR CASE.

MY RECOMMENDATION THEN, BASED SOLELY ON THE OBSERVATIONS THAT THE CONTRACTOR IS DOING A GOOD JOB AND COOPERATING FULLY, THAT THERE IS NO DELAY OR EXPENSE TO THE PUBLIC AND THAT THE TOTAL COSTS WILL UNDERRUN, IS THAT THE CONTRACTOR BE GRANTED A 30 DAY EXTENSION.

E. Rodríguez

ENRIQUE RODRIGUEZ
RESIDENT ENGINEER

ENCLS.

STATE OF OREGON

INTER[illegible]ICE MEMO

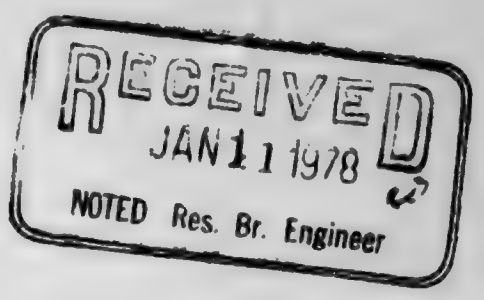
TO: Mr. Enrique Rodriguez
Resident Engineer

DATE: January 6, 1978

FROM: L. L. Wallace
Assistant Structural
Design Engineer

SUBJECT:

Newbury & Vermont Sts. Viaducts
Pacific Highway West (Barbur Blvd.)
Multnomah County
Cap Replacement Temporary Supports Details
CON 8647



Review of the subject details has been made by this office. The system submitted appears to be adequate for the proposed job. Some information was not provided on the drawings but was obtained verbally from PAFCO.

Design loads used in checking stresses were dead load, HS20-44 live load, and an allowance of 50 psf for wearing surface. The allowable timber stresses were increased by 25 percent to reflect short-term loading. No increases were assumed for allowable steel stresses. Grade No. 1 Douglas fir was assumed used unless called out otherwise.

The beams supporting the existing stringers will be W24 x 84(A36) or stronger and will be spliced at the center support. Calculations indicated a maximum bending stress of 24,350 psi and a maximum shearing stress of 8,500 psi in the beam. Adequate bearing area should be provided under the timber stringers to prevent crushing.

The cap beam will be a W21 x 112(A36). Maximum stresses claculated in this beam were 7,810 psi bending and 13,000 psi shearing.

The maximum reaction in any temporary leg was found to be 91.7 tons, so the 100-ton rams are adequate.

The structural tubing legs will have an Fy of 46,000 psi. These legs are satisfactory for the given loads according to the design charts of the seventh edition of the AISC Manual of Steel Construction.

The bottom beam supporting the system will be two W16 x 36(A36) welded together side by side. A maximum bending stress of 22,090 psi and maximum shearing stress of 15,350 psi were calculated in these beams. Maximum reactions of 27.7 tons occur under the structural tubing support leg and 45.3 tons under the uphill timber block. A maximum reaction of 85.0 tons occurs on the existing footing. Under some loading conditions, uplift can occur off the uphill timber block. Adequate bearing areas should be used to keep soil and timber bearing stresses within limits.

WMT:dh

cc E. L. Hardt
C. T. Keasey

ROBERT W. STRAUB
GOVERNOR

Department of Transportation

TRANSPORTATION BUILDING, SALEM, OREGON 97310

November 30, 1977

Ross Bros. Construction, Inc.
3501 Brooklake Rd. N.E.
Salem, OR 97305

Gentlemen:

Enclosed are three copies of Contract No. 8647 awarded to you on November 22, 1977, for cap replacement on the Newbury and Vermont Streets Viaducts on the Pacific Highway West in Multnomah County in the amount of $186,116.

Two of these copies should be signed on the contract and bond pages and returned to this office (121 Transportation Building, Salem, OR 97310) within 10 days after you receive this contract. Please follow exactly the instructions given on the blue slip attached to the contract.

The copy stamped "Advance Copy to be Retained by Contractor" is furnished for your information pending receipt of a fully executed copy.

The calendar day count on this contract will begin December 12, 1977.

Very truly yours,

C. W. Head

C. W. Head
COMMISSION SERVICES

dda
Enc.

Newbury and Vermont Sts. Viaducts

CAP REPLACEMENT

Scope - This work shall consist of replacing timber caps on selected bents of Newbury Street and Vermont Street Viaducts as call for on the plans.

Materials - The new timber caps will be furnished to the contractor by the State and may be obtained from the maintenance yard 9200 S.E. McLoughlin Boulevard.

Construction - The contractor shall install temporary supports for lifting the deck off the stringers. The support system shall be as shown on the plans or such other system acceptable to the engineer. Wroking drawings for temparary supports, other than as detailed on the plans shall be prepared by an engineer registered to practice in the State of Oregon. Working drawings along with calculations shall be submitted to the resident engineer for review for all temporary supports.

Working drawings shall be submitted in conformance with the requirements of subsection 105.02.

Two existing temporary steel beam supports are in place on Vermont Street Viaduct but are not adequate for use under the contract. The contractor shll remove these beams and take them to the maintencance yard on McLoughlin Blvd.

The timber caps shall be handled and installed in conformance with the applicable provisions of Section 520 of the Standard Specifications.

The Contractor shall furnsih and stockpile in the maintenance yard at Milwakie, sufficient sheet metal flashing to protect the tops of all caps in both structures that do not have the flashing installed under the contract.

Measurement - There will be no measurement of work performed under these provisions.

E-330 (Rev.)—SM—9-64

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

Date March 31, 19 78

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from ...120..... **days to** 165..... **days, within which to complete our Contract No.** ..8647....., **without the assessment of liquidated damages. The said contract is described as follows:**

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows: Dec. 12, 1977 to Jan. 26, 1978 (46 days) The delay was in obtaining O S H D approval and the subsequent fabrication of a safer, more efficient type of scaffolding than that described in the plans. Scaffold prints "approved for construction" were not received until January 26, 1978. The enclosed documents apply to this request.

Respectfully submitted,

Ross Bros. Construction, Inc.
Contractor

By R. K. Ross
R. K. Ross, Pres.

CONSENT OF SURETY

Date April 4, **1978**

We, SAFECO INSURANCE COMPANY OF AMERICA

....., **as**

surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

Gail A. Custer
Attorney-in-fact Gail A. Custer (SEAL)

Frederick R. Emery
Resident Agent Frederick R. Emery

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request

for

Increase in Number of Workdays

to

Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8647 Contractor ROSS BROS. CONSTRUCTION, INC.

Highway PACIFIC WEST

Section NEWBURY AND VERMONT STREET VIADUCTS

Kind of Work CAP REPLACEMENT

It is recommended that the request for increase in the number of workdays within which to complete said contract be **DENIED** ~~or GRANTED~~. The reasons for such recommendation are as follows:

Denied. No valid reason given by the contractor.

Recommended for Approval:

Division Engineer

O. B. Jackmond
For Construction Engineer ~~or Bridge Engineer~~

State Highway Engineer

Contract No.	8647
Project designation	STATE (State-Federal)
Date awarded	NOVEMBER 22, 1977
Work started	JANUARY 11, 1978
Per cent completed	67%; APRIL 10, 1978 (Date)
No. of Workdays Allowed	120
No. of Workdays Used	120 (4/10/78)
No. of Added Workdays Requested	45

SP*8296-734

E-320 (Rev.)—8M—9-64

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

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Respectfully submitted,

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Contractor

By R. K. Ross
R. K. Ross, Pres.

CONSENT OF SURETY

Date April 4, 1978

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Gail A. Custer
Attorney-in-fact Gail A. Custer (SEAL)

Roderick R. Emery
Resident Agent Roderick R. Emery

OREGON STATE HIGHWAY COMMISSION

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Highway PACIFIC WEST

Section NEWBURY AND VERMONT STREET VIADUCTS

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Recommended for Approval:

Division Engineer

O. B. Jackman of
For Construction Engineer ~~Bridge Engineer~~

H. S. Coulter
State Highway Engineer

Contract No.	8647
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No. of Added Workdays Requested	45

SP*6290-734

E-220 (Rev.)—SM—9-64

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

Date March 31, **19** 78

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Contractor

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R. K. Ross, Pres.

CONSENT OF SURETY

Date April 4, **1978**

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Gail A. Custer
Attorney-in-fact
Gail A. Custer

Roderick R. Emery
Resident Agent
Roderick R. Emery

(SEAL)

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request

for

Increase in Number of Workdays

to

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Contract No. 8647 Contractor ROSS BROS. CONSTRUCTION, INC.

Highway PACIFIC WEST

Section NEWBURY AND VERMONT STREET VIADUCTS

Kind of Work CAP REPLACEMENT

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Recommended for Approval:

Division Engineer

O. B. Jackman
For Construction Engineer ~~Bridge Engineer~~

H S Crotty
State Highway Engineer

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No. of Added Workdays Requested	45

SP*3296-734

E-300 (Rev.)—6M—8-66

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

Date March 31, 1978

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Contractor

By R K Ross
R. K. Ross, Pres.

CONSENT OF SURETY

Date April 4, 1978

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Gail A. Custer
Attorney-in-fact Gail A. Custer

(SEAL)

Roderick R. Emery
Resident Agent Roderick R. Emery

OREGON STATE HIGHWAY COMMISSION

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for

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Division Engineer

O. B. Jackman
For Construction Engineer ~~or Bridge Engineer~~

H S Coulter
State Highway Engineer

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SP*6396-734

E-220 (Rev.)—8M—8-66

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
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Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

Date March 31, 19 78

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from ...120..... days to 165..... days, within which to complete our Contract No. ..8647....., without the assessment of liquidated damages. The said contract is described as follows:

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows: Dec. 12, 1977 to Jan. 26, 1978 (46 days) The delay was in obtaining O S H D approval and the subsequent fabrication of a safer, more efficient type of scaffolding than that described in the plans. Scaffold prints "approved for construction" were not received until January 26, 1978. The enclosed documents apply to this request.

Respectfully submitted,

Ross Bros. Construction, Inc.
Contractor

By R. K. Ross
R. K. Ross, Pres.

CONSENT OF SURETY

Date April 4, 1978

We, SAFECO INSURANCE COMPANY OF AMERICA

....., as

surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

Gail A. Custer
Attorney-in-fact Gail A. Custer (SEAL)

Frederick R. Emery
Resident Agent Frederick R. Emery

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request

for

Increase in Number of Workdays

to

Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8647 Contractor ROSS BROS. CONSTRUCTION, INC.

Highway PACIFIC WEST

Section NEWBURY AND VERMONT STREET VIADUCTS

Kind of Work CAP REPLACEMENT

It is recommended that the request for increase in the number of workdays within which to complete said contract be **DENIED** or ~~GRANTED~~. The reasons for such recommendation are as follows:

Denied. No valid reason given by the contractor.

Recommended for Approval:

Division Engineer

O. B. Jackson
For Construction Engineer or ~~Bridge Engineer~~

State Highway Engineer

Contract No.	8647
Project designation	STATE (State-Federal)
Date awarded	NOVEMBER 22, 1977
Work started	JANUARY 11, 1978
Per cent completed	67%; APRIL 10, 1978 (Date)
No. of Workdays Allowed	120
No. of Workdays Used	120 (4/10/78)
No. of Added Workdays Requested	45

SP*6296-734

8647

Form 81-736-5020

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: MAI

Region 1 - Milwaukie

May 10, 1977

FROM: EDWARD L. HARDT
Regional Engineer

TO: SCOTT COULTER
Highway Engineer

SUBJECT: REPLACEMENT OF TIMBER CAPS
NEWBURY AND VERMONT STS. VIADUCTS
BARBUR BLVD.

Barbur Blvd. in Southwest Portland crosses the Newbury Street and Vermont Street gulches on large timbered trestles built in the mid-30's. For your information I have attached a copy of the plan sheet for each structure.

Fifteen of the 20"X24"X27' caps on these two structures are decayed and should be replaced. I've also attached a copy of a May 4 report from the Region Bridge Inspector on these caps.

This cap replacement is beyond our maintenance capability, so I am requesting that a contract be prepared to accomplish the work. The replacement caps are stockpiled in the Milwaukie yard so the contract would be for installation only. We estimate that cost at about $100,000. We believe the decay is caused by water running through the joint in the deck and getting into the end of the cap, so we would also suggest that some protection, for instance a sheet metal roof, be installed over the end of each cap.

If you approve, we would be happy to work with the Bridge Section in developing the details of a construction contract.

ELH/cr
cc Walt Hart w/attachments
Bart Bonney

RECEIVED
STATE HWY ENGR
MAY 11 '77
REFER TO
Hunter
FOR
Info | Invest | R/D | D/R | Sign | Act | File

5-20-77
CH. Walt Hart
[redacted]
Ok work up a contract for replacement with steel mat. ?.
cc Quirin
Hardt

Recommendation for Contract seems appropriate - Can we work up a State Maint. Contract? —
HSC

8647

8

DATE: May 27, 1977

TO: Oregon Transportation Commission

FROM: F. B. Klaboe
Chief of Operations

SUBJECT: Finance Approval

The following State project is not on the Six-Year Construction Program and needs finance approval for contracting:

Section	Funding	Amount
Newbury & Vermont St. Viaducts Pacific Highway West Multnomah County Structure Repair	State	$150,000

The above project is needed to replace timber trestle pile caps.

Your approval is recommended and the matter will be on the agenda for your consideration at the June 21, meeting.

bc: R. A. Burco
C. W. Head
H. S. Coulter
E. S. Hunter
George Bell
W. J. Hart
V. E. Skoog
G. N. Hopkins
E. L. Hardt, Region 1
R. N. Bothman, Metro

DES:re

8647

FORM 61-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Region 1 - Milwaukie

May 10, 1977

FILE: MAI

FROM: EDWARD L. HARDT
Regional Engineer

TO: SCOTT COULTER
Highway Engineer

SUBJECT: REPLACEMENT OF TIMBER CAPS
NEWBURY AND VERMONT STS. VIADUCTS
BARBUR BLVD.

NOTED
H. S. COULTER

Barbur Blvd. in Southwest Portland crosses the Newbury Street and Vermont Street gulches on large timbered trestles built in the mid-30's. For your information I have attached a copy of the plan sheet for each structure.

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This cap replacement is beyond our maintenance capability, so I am requesting that a contract be prepared to accomplish the work. The replacement caps are stockpiled in the Milwaukie yard so the contract would be for installation only. We estimate that cost at about $100,000. We believe the decay is caused by water running through the joint in the deck and getting into the end of the cap, so we would also suggest that some protection, for instance a sheet metal roof, be installed over the end of each cap.

If you approve, we would be happy to work with the Bridge Section in developing the details of a construction contract.

APPROVED
H S Coulter
STATE HIGHWAY ENGINEER
DATE: 5/20/77

ELH/cr
cc Walt Hart w/attachments
Bart Bonney

RECEIVED
STATE HWY ENGR
MAY 11 '77
REFER TO
Hunter
FOR

Info	Inves	R/D	D/R	Sign	Act	File
		✓				

5-20-77
Cy. Walt Hart.
[redacted]
Ok work up a contract for replacement with stock mat. $.
cc Quirin
Hardt

Recommendation for contract seems appropriate - Can we work up a State Contract, Contract? —
HSC

Form 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Region 1- Milwaukie

May 4, 1977

FILE:

FROM: BART BONNEY
Region Bridge Inspector

SUBJECT:

TO: EDWARD L. HARDT
Region Engineer

We've just completed a thorough investigation of the decayed caps on Newbury Street and Vermont Street Viaducts.

Newbury Street is located on Highway 1W at MP 3.25. This structure shows extensive decay in five caps.

Vermont Street is located also on Highway 1W at MP 3.50. This structure shows extensive decay in eleven caps.

The majority of the decay is located under the outside four stringers, which extends approximately eight feet into the roadway, measuring from the gutter.

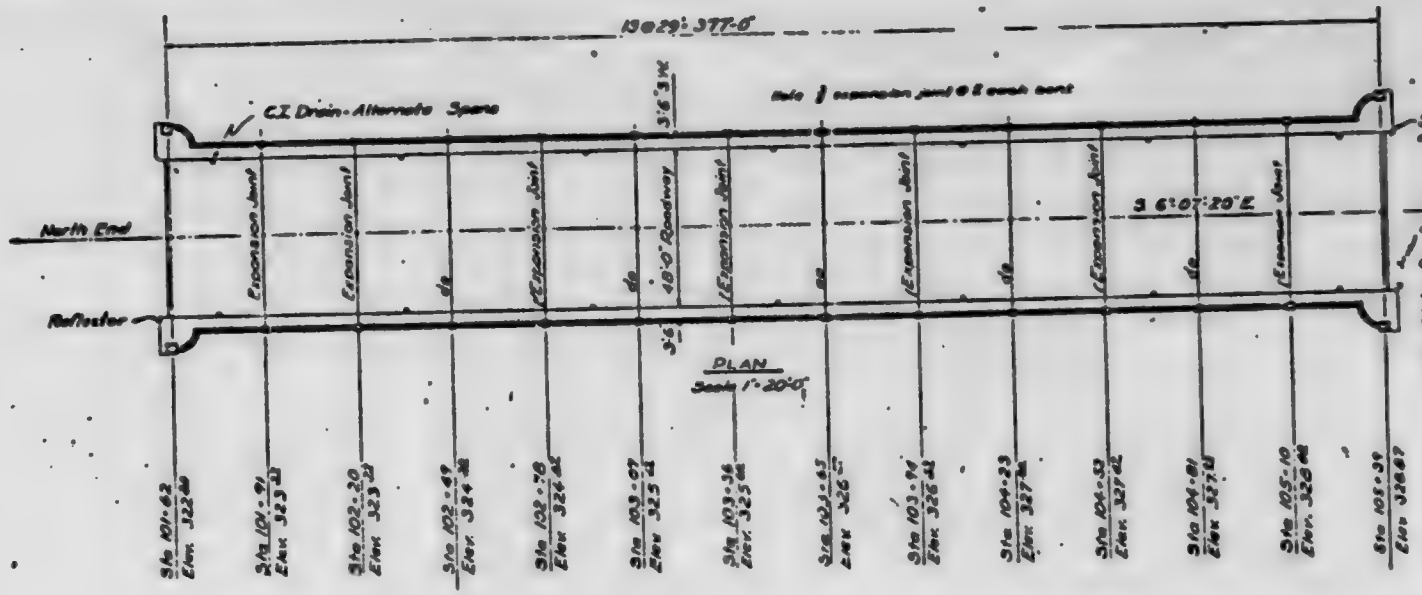
Due to the advanced stages of decay and the projected increase in bus traffic, I propose a contract be prepared to correct these deficiencies. Incidently, the materials for this project are stockpiled in the Milwaukie yard.

BB/ggw

Attachment

cc: W. J. Hart
W. W. Geibel

1933



1-Hwy 1W
MP. 3.25

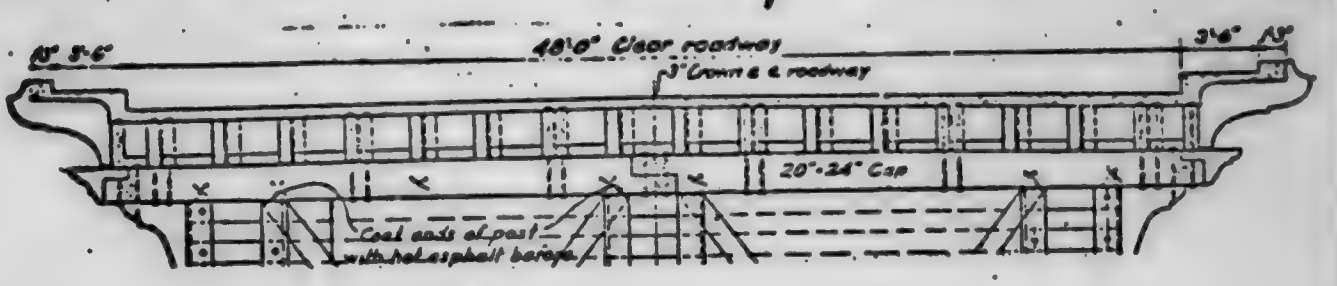
Oregon State Highway Division
BRIDGE DESIGN UNIT

Sheet 1 of 3

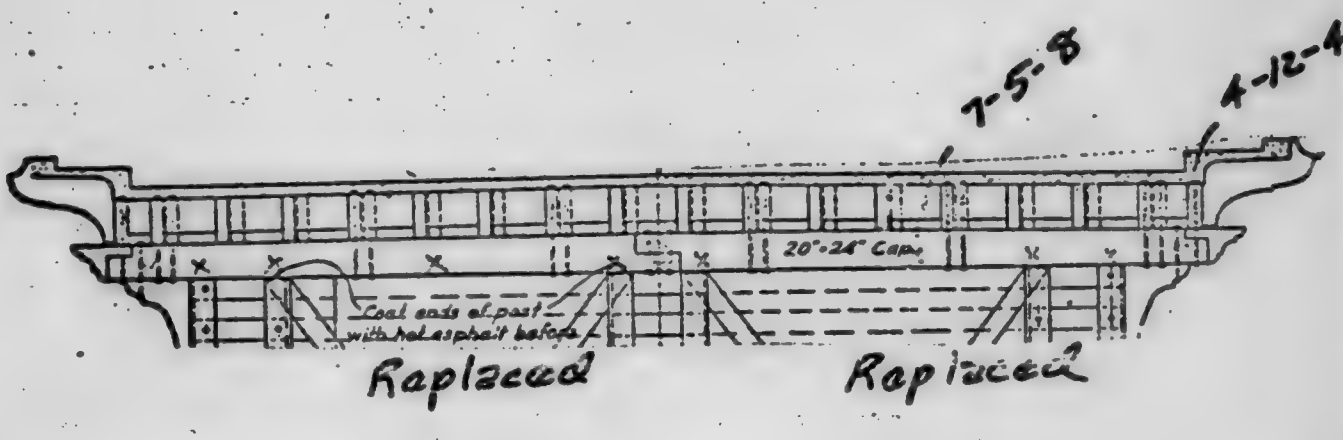
Bridge Newbury St. Viaduct County Mult.

Calculations by Ed James by Bart Farrar Date 3-22-77 Bridge No. 1983

Looking South



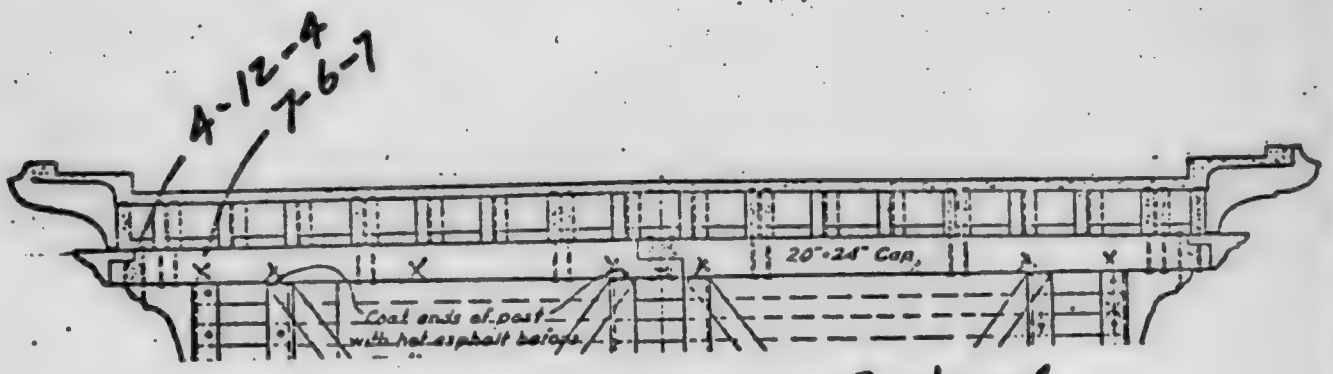
Bt. 5



Bt. 4

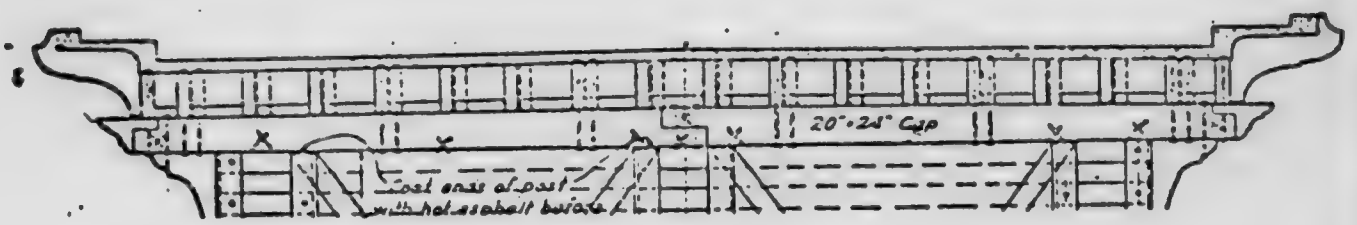
Replaced Replaced

East



Bt. 3

Replaced



Bt. 2

Bent 1 is concrete

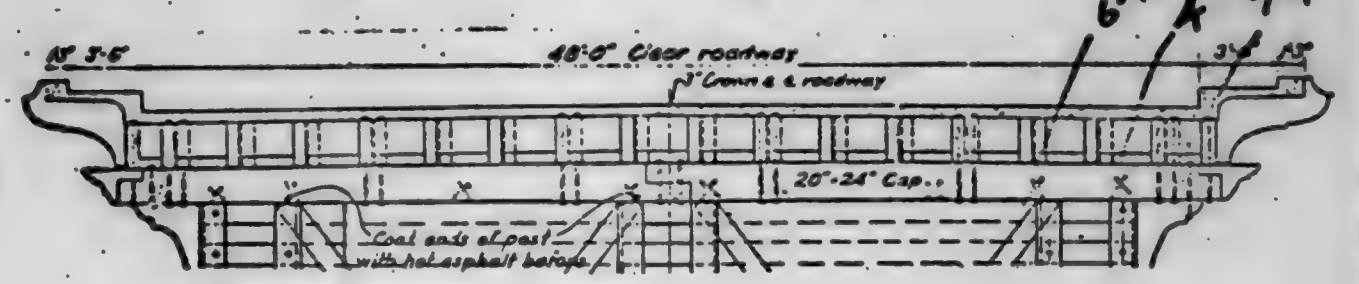
Oregon State Highway Division
BRIDGE DESIGN UNIT

Sheet 2 of 3

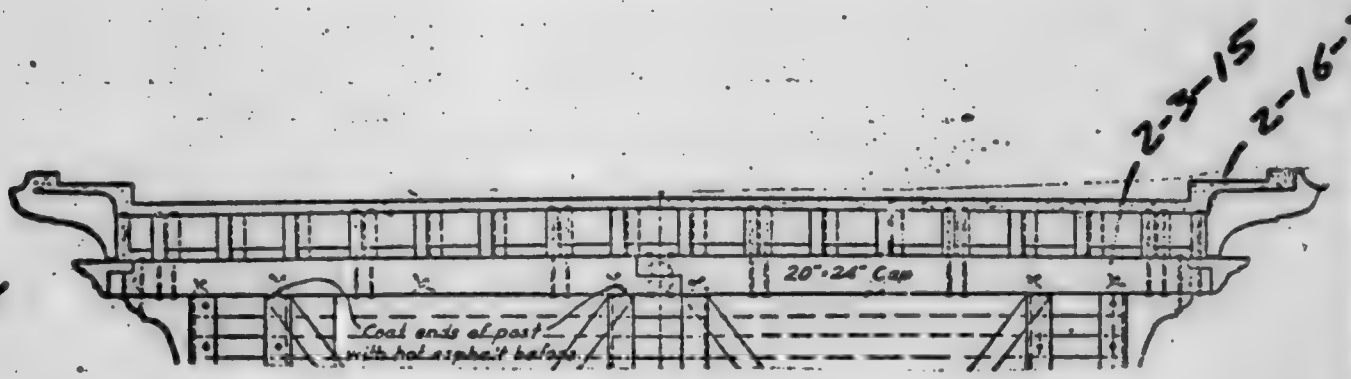
Bridge Newbury St. Viaduct County Mult.

Calculations by Ed James by Bart Burnap Date 3-22-77 Bridge No. 1503

Looking South

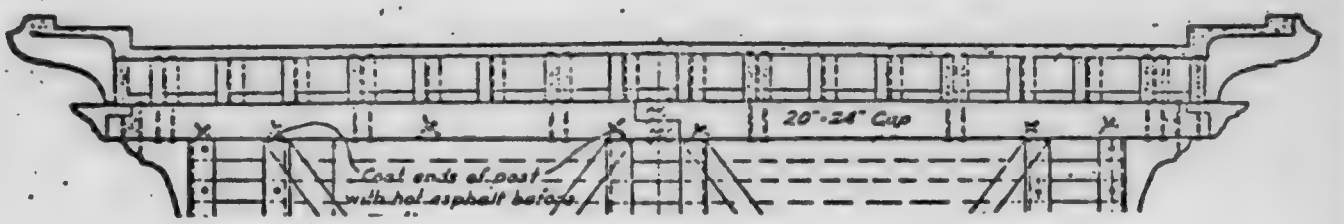


Bt. 9

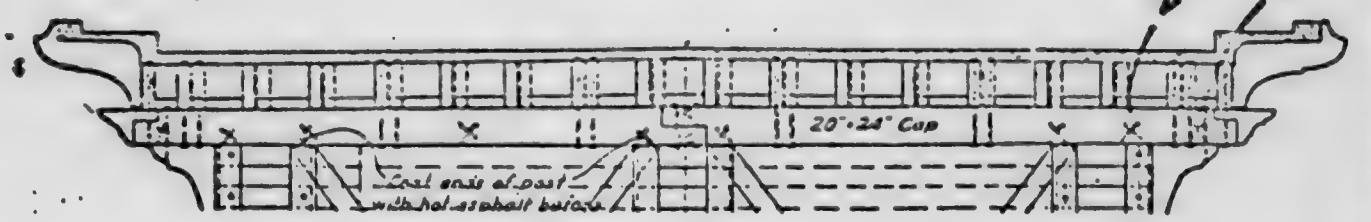


Bt. 8

East



Bt. 7



Bt. 6

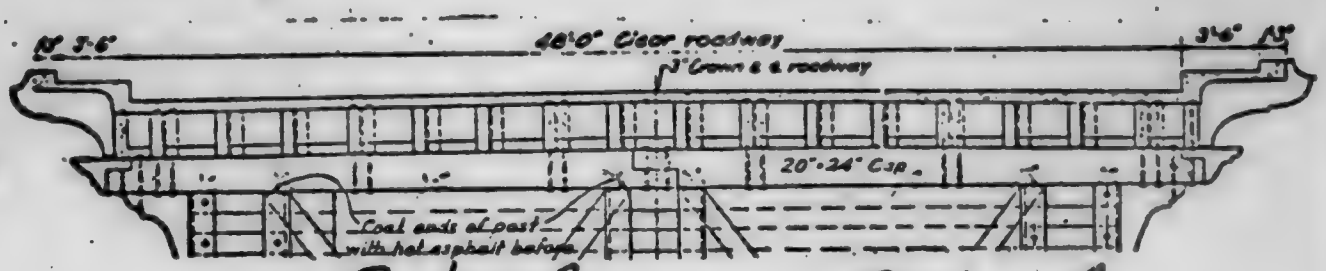
Oregon State Highway Division
BRIDGE DESIGN UNIT

Sheet 3 of 3

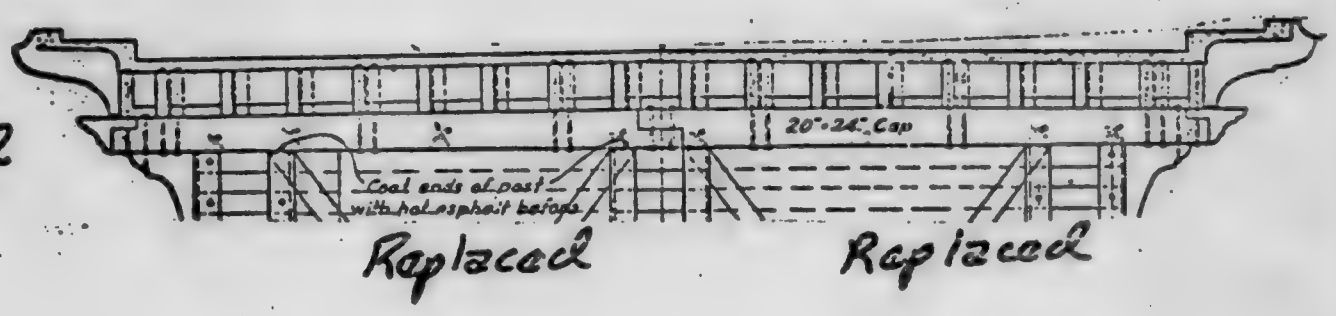
Bridge Newbury St. Viaduct County Mult.

Calculations by Ed James by Earl Bonney Date 3-22-77 Bridge No. 1983

Bt. 14 – conc. Looking South

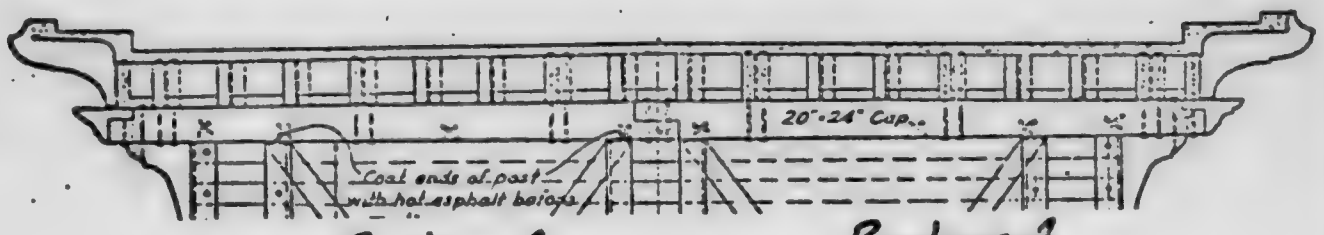


Bt. 13

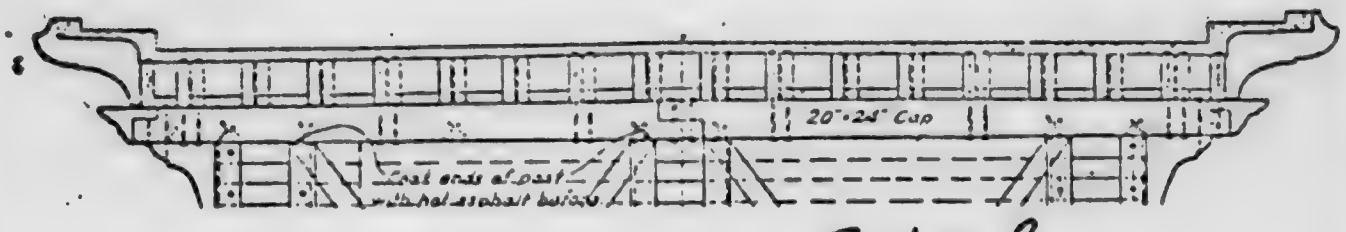


Bt. 12

East

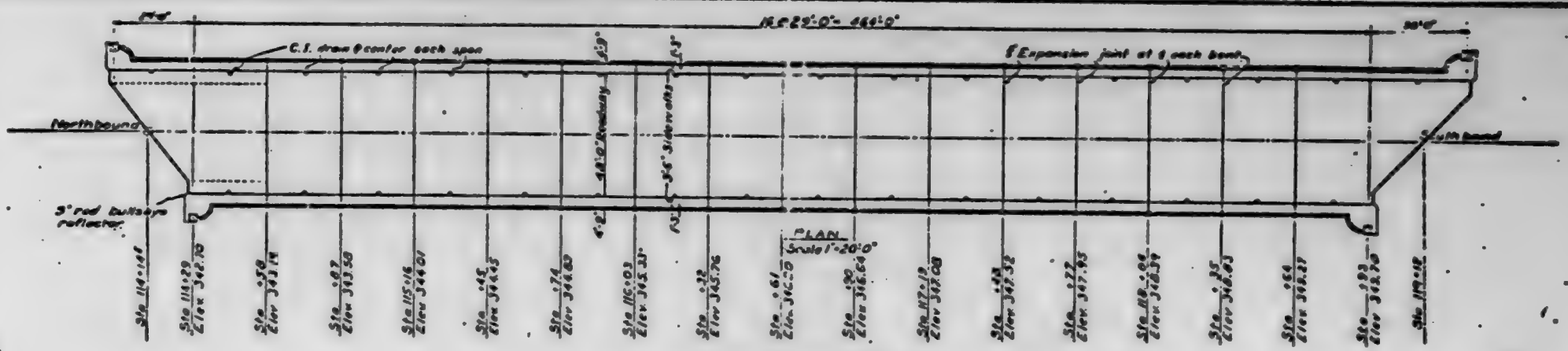


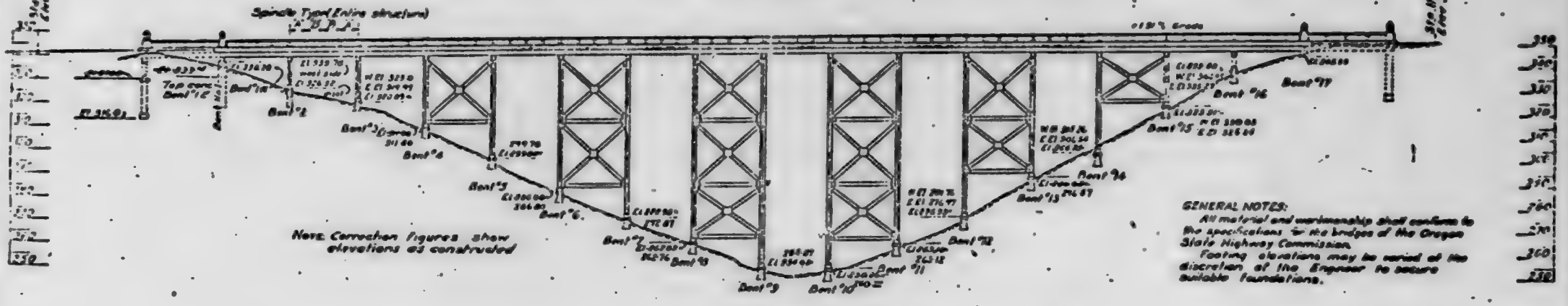
Bt. 11



Bt. 10

1934





ELEVATION
Scale 1"=20'-0"

GENERAL NOTES:
All material and workmanship shall conform to the specifications of the bridges of the Oregon State Highway Commission.
Footing elevations may be varied at the discretion of the Engineer to secure suitable foundations.

Approved
[illegible]
Bridge Engineer

[illegible]
State Highway Engineer
Revised-Feb. 13, 1934.

OREGON
STATE HIGHWAY COMMISSION

VERMONT STREET GULCH BRIDGE

O.-S.

VERMONT STREET GULCH - PORTLAND, ORE.

ON

S. W. BARBER BLVD.

PLAN & ELEVATION

SCALE AS NOTED	DRAWN BY L.L.L.	SHEET 1 OF 6
NOV. 14, 1933.	TRACED BY W.A.L.	BRIDGE NO. 1984
CALC. BK. NO.	CHECKED BY C.C.S.	DRAWING NO. 5092

ACCOMPANIED BY DWGS. 5093-66-95 & 4310 - 5m

Hwy 1W
MP 3.50

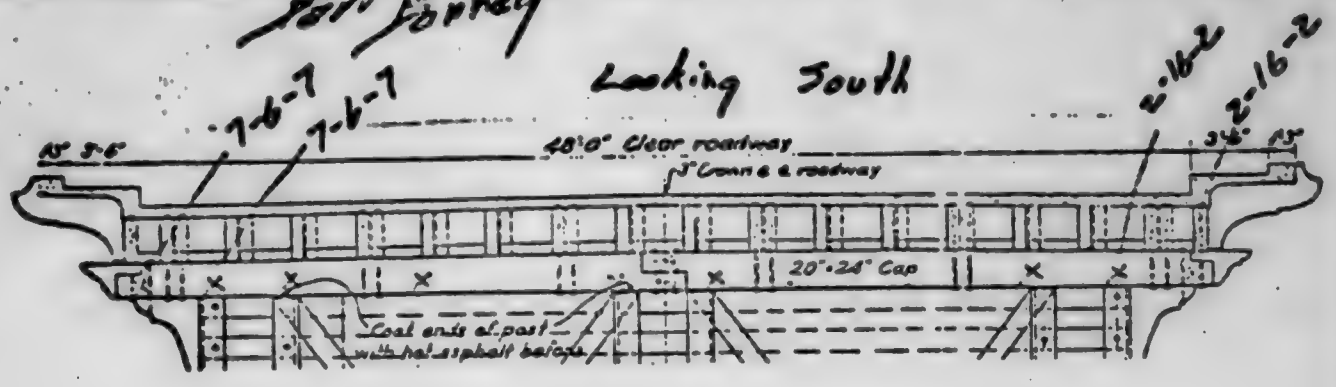
Oregon State Highway Div
BRIDGE DESIGN UNIT

Sheet 1 of 5

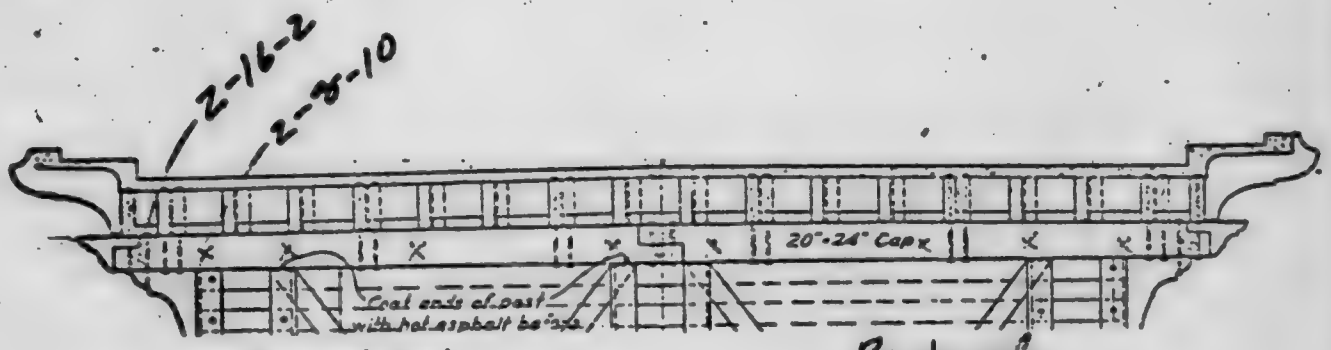
Bridge Vermont St. Viaduct County Mult.

Calculations by Ed James by Earl Forney Date 3-22-77 Bridge No. 1C:04

Looking South



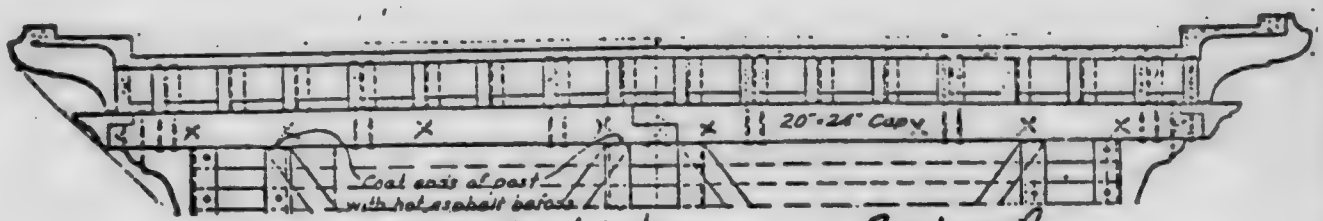
Bt. 4



Bt. 3

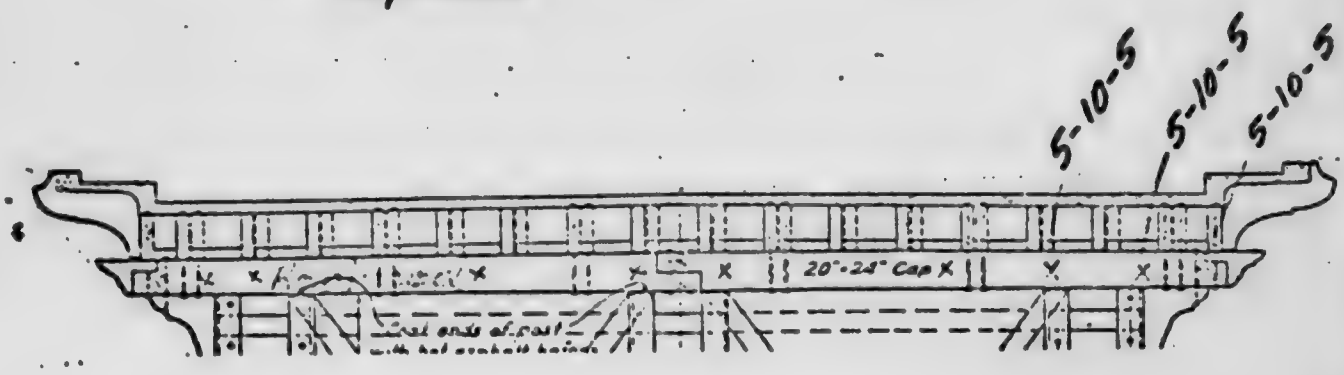
Big check Replaced

East



Bt. 2

Crack - Boltad w/plates Replaced Replaced



Bt. 1

abut. 1 O.K. Bottom bulkhead plank rotten

Form 41-321-31-6

Oregon State Highway Div.
BRIDGE DESIGN UNIT

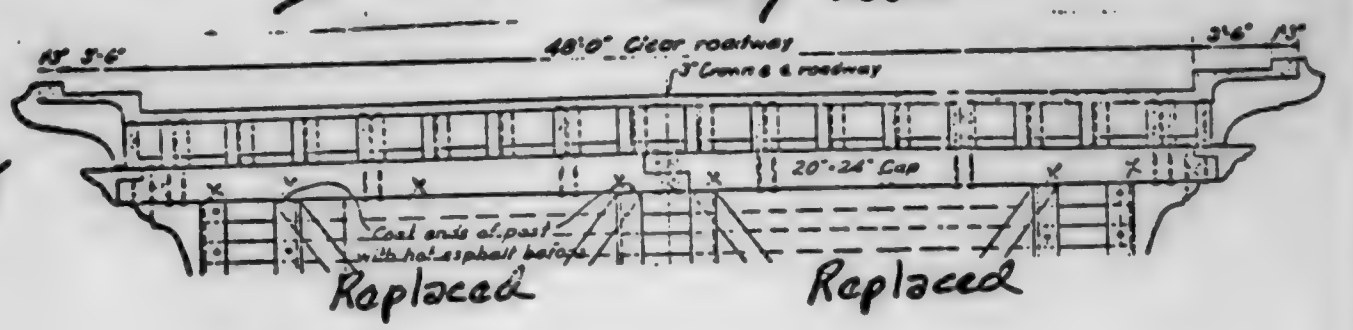
Sheet 2 of 5

Bridge Vermont St. Viaduct ..... County Mult.

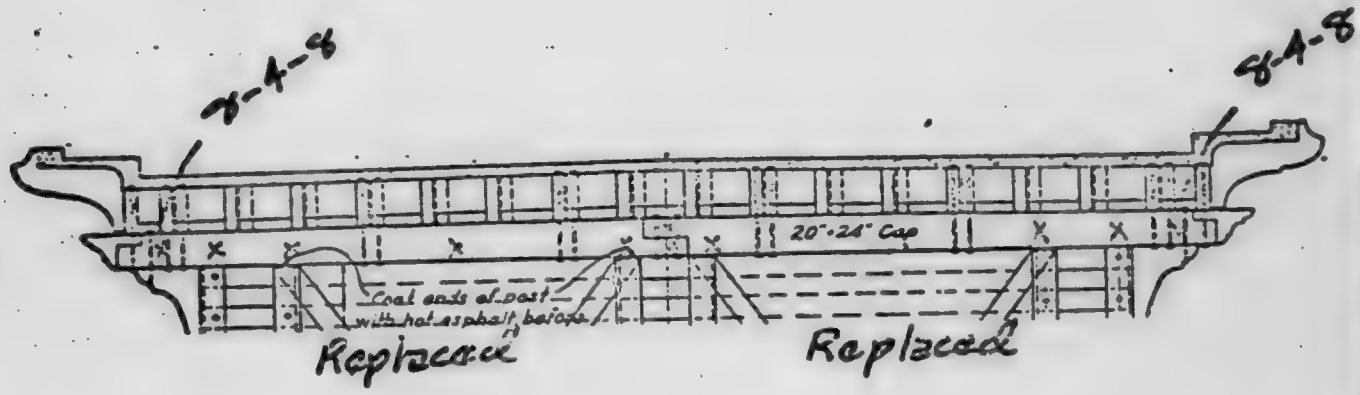
Calculations by Ed James by Bartha C. Bonney ..... Date 3-22-77 ..... Bridge No. 1984

SP-67705-704

Looking South

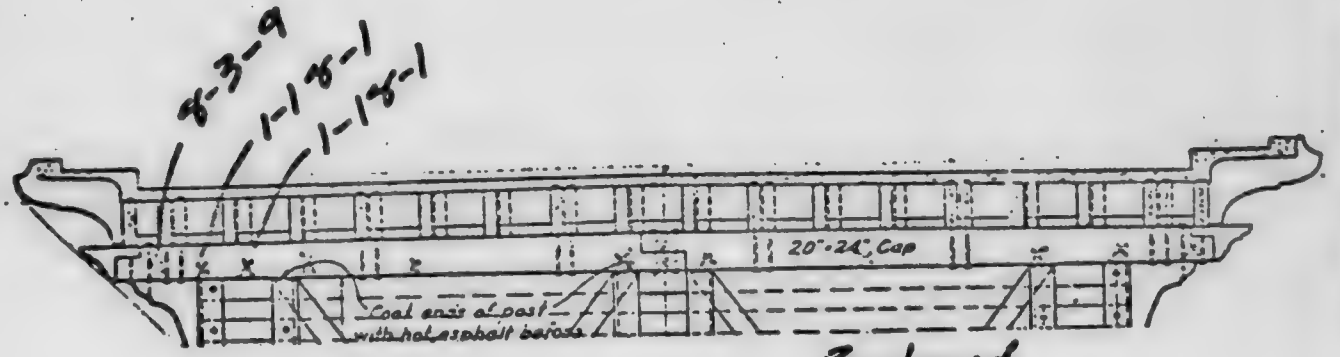


Bt. 8

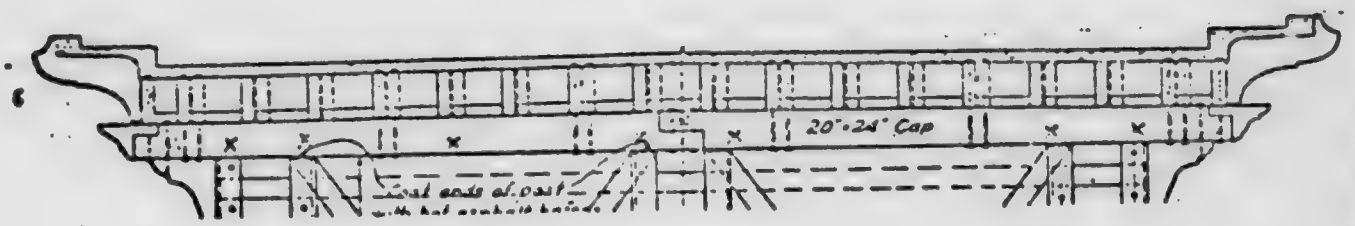


Bt. 7

← East



Bt. 6



Bt. 5

Oregon State Highway Division
BRIDGE DESIGN UNIT

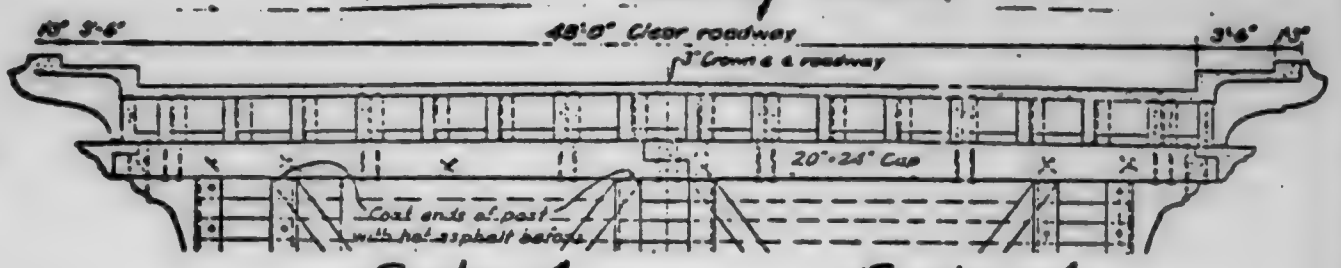
Sheet 3 of 5

Bridge Vermont St. Viaduct County Mult.

Calculations by Ed James by Bart Forney Date 3-22-77 Bridge No. 1176

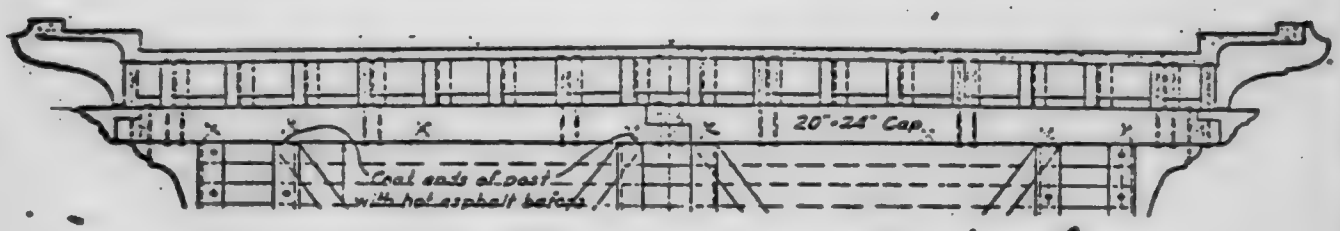
SP-97746-734

Looking South



Bt. 12

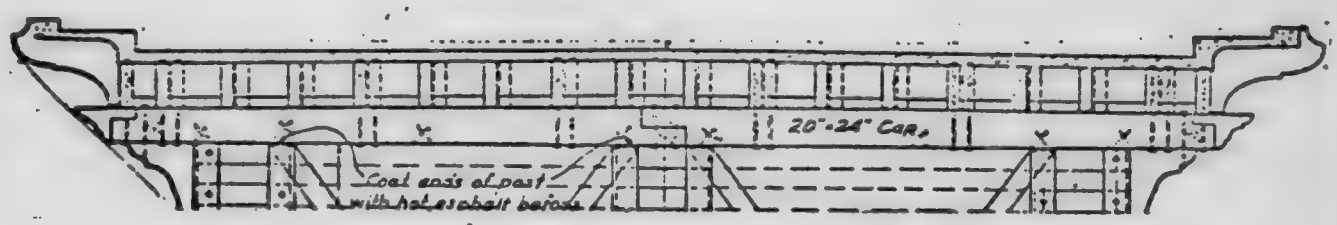
Replaced Replaced



Bt. 11

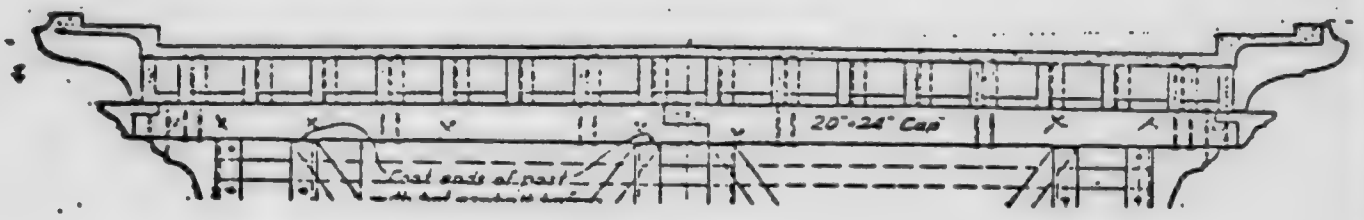
Replaced Replaced

East



Bt. 10

Large Check 12" deep Replaced



Bt. 9

Cracked

Form 81-734-3136

Oregon State Highway Division
BRIDGE DESIGN UNIT

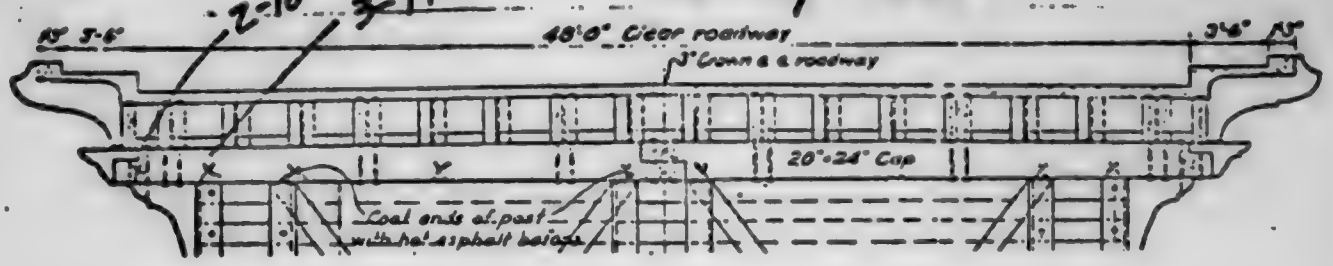
Sheet 4 of 5

Bridge Vermont St. Viaduct County Mult.

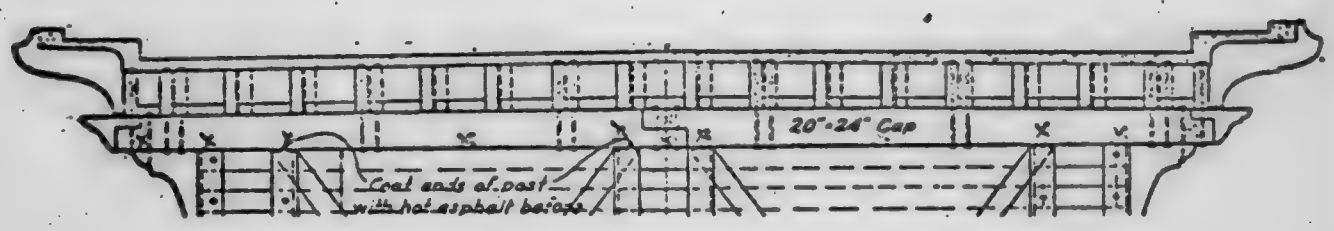
Calculations by Ed James b/l Bart Conroy Date 3-22-77 Bridge No. 1984

SP-87746-734

Looking South

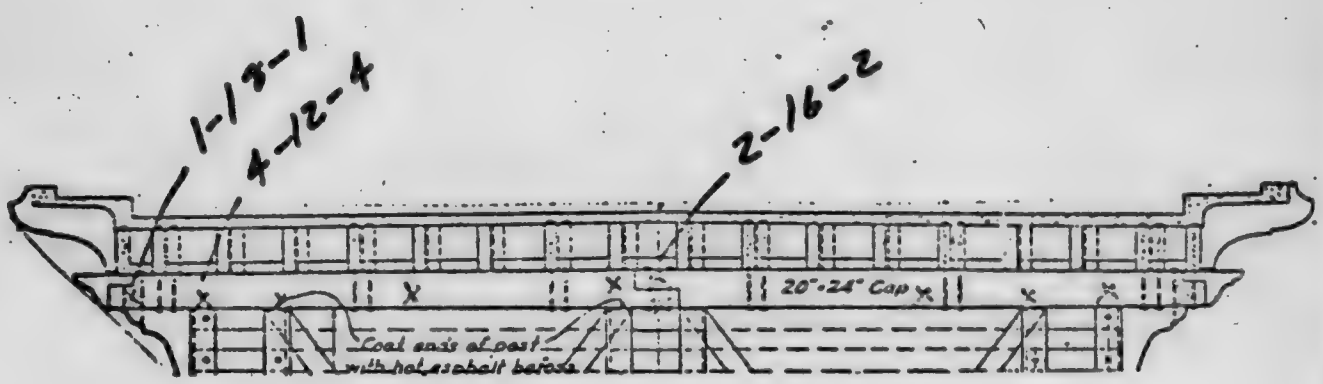


Bt. 16

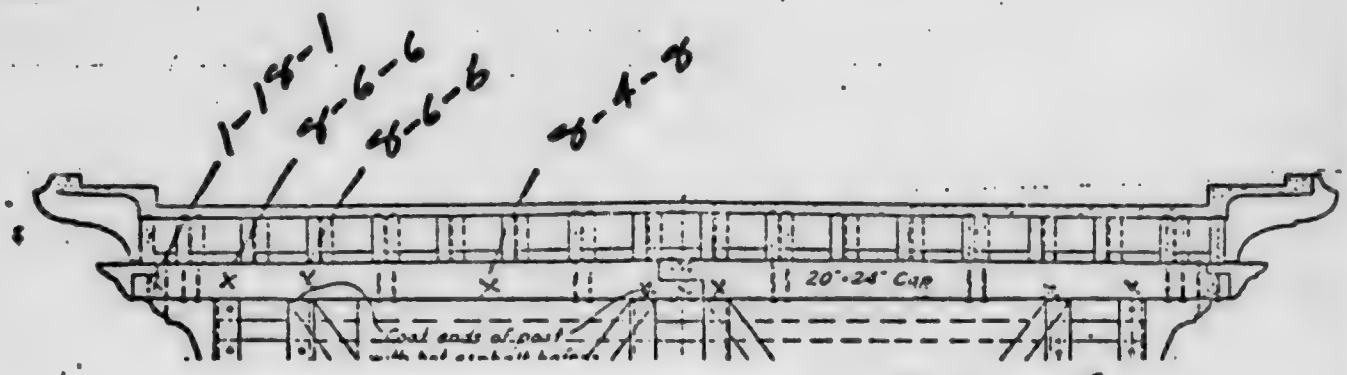


Bt. 15

East



Bt. 14



Bt. 13

Replaced

Form 81-731-3136

Oregon State Highway Division
BRIDGE DESIGN UNIT

Sheet 5 of 5

Bridge Vermont St. Viaduct County Mult.

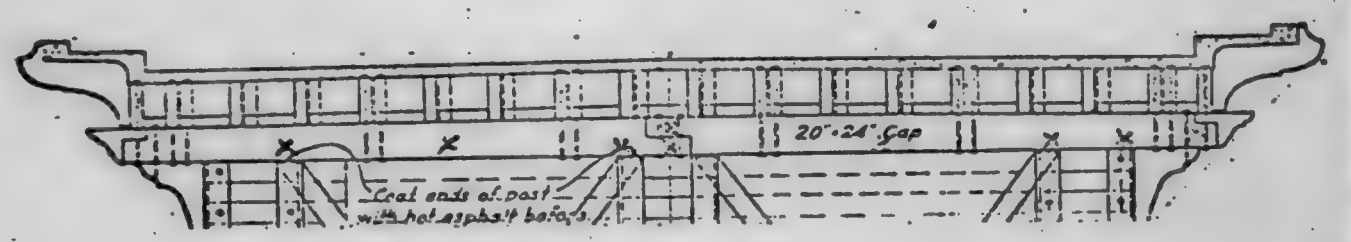
Calculations by Ed James by Bart Seaney Date 3-22-77 Bridge No. 1984

SP 67746-724

Looking South

abut. 2 O.K.

Bt. 17



8648 NW Kittridge Ave–NW 26th Ave 197
(Portland) Section of FAU 9300
(NW Front Ave)(Gr,pave,illum & sig) #2

8648

HIGHWAY DIVISION
INVOICE

INVOICE NUMBER **135776**

SEND REMITTANCE TO:
OREGON STATE HIGHWAY DIVISION
TRANSPORTATION BUILDING
SALEM, OREGON 97310

DATE	YOUR ORDER NUMBER	BILLING REQ. NUMBER
12/1/82		CA 652

NEW

CODE: PORTBUR

- CITY OF PORTLAND
- ATTENTION: RICHARD SCHMIDT
- BUREAU OF STREETS & STRUCTURAL ENG.
  1120 SW 5TH AVE ROOM 802
  PORTLAND OR 97204

PREFIX	FUNC	SUB FUNC	OBJECT	P/N GROUP	AMOUNT
	324	02			1,778.24
26-1904	296	00	000		643.53
26-1904	295	00	000		(643.53)
326-1088	296	00	000		770.12
326-1088	295	00	000		(770.12)

DESCRIPTION		TOTAL PRICE
FINAL SETTLEMENT WITH CITY OF PORTLAND ON 1X-M-9300(3) & M-9300(1)		
P.E. TOTAL COSTS	102,945.28	
LESS: FEDERAL FUNDS	(87,879.65)	
STATE SHARE	(7,272.10)	
CITY'S ADVANCE DEP.	(7,150.00)	
BAL. DUE ON PE		643.53
R/W TOTAL COSTS	4,786.23	
LESS: FEDERAL FUNDS	(4,083.71)	
STATE SHARE	(337.93)	
BAL. DUE ON R/W		364.59
CONST. TOTAL COSTS	1,986,817.19	
LESS: FEDERAL FUNDS	(1,701,436.77)	
STATE SHARE	(149,410.30)	
CITY'S ADVANCE DEP.	(135,200.00)	
BAL. DUE ON CONSTRUCTION		770.12
110.00		1,778.24

FOLD

IF YOU HAVE QUESTIONS ON THIS INVOICE, PLEASE CONTACT:

.... PH: ..... FOR CORRECTNESS OF CHARGES

OR JANE HENSLEY PH: 378-5034 PREPARER OF INVOICE

734-1190 (7-81)

OREGON STATE HIGHWAY DIVISION

ITEMIZED STATEMENT OF FINAL COSTS DATE: 10/27/82

CITY: PORTLAND AGREEMENT NO: 6140 PROJECT NO: IX-M-9300(1)(3)

CONTRACT NO: 8648 SECTION: NW Kittridge Ave.-NW 26th Ave., NW Front Ave.

PRELIMINARY ENGINEERING (Prefix No. 26-1904):

Resident Engineer	$ 6,048.45
Citizen Involvement	1,066.85
Payment to City	71,262.58
Final Design	1,705.18
Bridge Design	1,348.43
Preliminary Design	9,653.74
Soils & Geology	2,804.16
Signing	792.74
Utility Liaison	155.64
Audit Expense	460.61
Photogrammetry	2.51
Project Management	355.00
Specifications	2,446.58
Environmental Section	231.88
Planning	122.72
Foundation Investigation	4,020.07
Training	287.06
Public Hearing	181.08
TOTAL P.E.	$102,945.28
Less Federal Funds (FAU)	-87,879.65
BALANCE	$ 15,065.63

Less Non-Participating Costs:		
Resident Engineer	$ 5.74	
Preliminary Design	340.10	
Signing	172.38	
Environmental Section	3.22	- 521.44
AMOUNT TO BE SHARED		$ 14,544.19

State Share P.E.: 50% of $14,544.19 = $7,272.10

City Share P.E.: 50% of $14,544.19 + $521.44 = $7,793.53

RECEIVED
NOV 12 1982

RIGHT-OF-WAY (Prefix No. 326-2553):

Cost of Land		$ 4,260.00
Appraisal		52.03
Misc.		14.35
Maintenance Repairs		19.66
Title Cost		7.00
Relocation		19.83
Legal		22.16
Engineering		391.20
TOTAL R/W		$ 4,786.23
Less Federal Funds (FAU)		-4,083.71
BALANCE		$ 702.52
Less Non-Participating Costs:		
Maintenance Repairs	$19.66	
Title Cost	7.00	$ - 26.66
AMOUNT TO BE SHARED		$ 675.86

State Share R/W: 50% of $675.86 = $337.93

City Share R/W: 50% of $675.86 + $26.66 = $364.59

CONSTRUCTION (Prefix No. 326-1088):

	FAI-X	FAU
Payment to Contractor	$531,668.97	$1,236,558.83
Deduct for Retainage Adm. Costs	(20.80)	----
SFO #1 Permanent Striping	----	2,335.33
SFO #2 Permanent Striping	----	219.24
SFO #3 Pave Shoulder	1,744.44	----
SFO #4 Signal Controller Testing	360.00	840.00
SFO #5 Document Res. Engr. Costs	32.63	76.13
SFO #6 Remove Street Lighting	----	4,066.60
SFO #7 Portland Bureau of Water Works	23,087.65	----
Construction Engineering	54,750.92	130,161.04
Audit Expense	141.05	426.44
Specifications	250.06	----
Retainage Administrative Costs	6.00	----
Accounting	14.80	----
EEO Monitoring	92.33	5.53
TOTAL CONST.	$612,128.05	$1,374,689.14
Less Federal Funds	522,073.58	1,179,363.19
BALANCE	$ 90,054.47	$ 195,325.95
Less Non-Participating Costs:		
Payment to Contractor	$- 3,555.54	$ ----
Deduct for Retainage Adm. Costs	(20.80)	----
Construction Engineering	- 95.14	139.97
Retainage Adm. Costs	- 6.00	----
Accounting	- 14.80	----
AMOUNT TO BE SHARED	$ 86,362.19	$ 195,185.98

STATE SHARE:

(FAI-X = $\frac{8.52\%}{14.2\%}$ of $86,362.19)+(FAU = 50% of $195,185.98)

= $149,410.30

CITY SHARE:

(FAI-X = $90,054.47 - $51,817.31)+(FAU = $195,325.95 - $97,592.99)

= $135,970.12

- SUMMARY -

	CITY SHARE	ADV. DEP.	BALANCE
Preliminary Engineering	$ 7,793.53	$ 7,150.00	$ 643.53
Right-of-Way	364.59	----	364.59
Construction	135,970.12	135,200.00	770.12
TOTAL	$144,128.24	$142,350.00	$1,778.24

BALANCE DUE FROM CITY = $1,778.24

801 OREGON STATE HIGHWAY DEPARTMENT 09/30/82
FINAL BILLING VOUCHER PAGE NO.

PREFIX	GRP FI	FED AID PROJ APPR	AGREEMENT AMOUNT	TOTAL COSTS TO DATE	PARTIC AMOUNT	% OF PARTIC	FEDERAL SHARE	AMOUNT BREV CLAIMED	ADJUSTMENT AND CODE	AMOUNT OF THIS VOUCHER
326-1060	1	X10 -9891-004 APPR-580				85.00				
	8	X10 -9891-004 APPR-580				85.00				
326-1060	PREFIX TOTALS									
326-1070	1	SRS -000S-076 APPR-148	150,917.71	155,333.56	155,324.15	90.00	139,791.74	139,721.26		70.48
	2	RRP -000S-076 APPR-139	9,540.12			90.00				
326-1070	PREFIX TOTALS		160,457.83	155,333.56	156,324.15		139,791.74	139,721.26		70.48
326-1088	1*	XI -9300-003 APPR-823	522,073.58	612,128.05	608,477.37	85.80	522,073.58	522,073.58		
	2*	M -9300-003 APPR-436	1179,363.19	1374,689.14	1374,549.17	85.80	1179,363.19	1179,363.19		
326-1088	PREFIX TOTALS		1701,436.77	1986,817.19	1983,026.54		1701,436.77	1701,436.77		
326-1089	1	RR00-000S-029 APPR-686	150,975.00	764.18	9,638.98	90.00	8,675.08	8,675.08		
327-1009	1	PMS -000S-114 APPR-140				100.00				
	8	PMS -000S-114 APPR-140				100.00				
327-1009	PREFIX TOTALS									
327-1093	1*	M -6685-001 APPR-W32	182,511.84	207,304.32	206,976.46	88.18	182,511.84	182,511.84		
	8*	M -6685-001 APPR-W32	9,756.65	11,096.40	11,064.47	88.18	9,756.65	9,756.65		
327-1093	PREFIX TOTALS		192,268.49	218,400.72	218,040.93		192,268.49	192,268.49		
327-1097	1	M -6120-001 APPR-W32	335,178.00	534,906.96	532,848.30	66.10	352,212.73	335,178.00	17,034.73 B	
	8	M -6120-001 APPR-W32	1,400.00	29,525.85	29,484.87	81.80	24,118.62	1,400.00	22,718.62 B	
327-1097	PREFIX TOTALS		336,578.00	564,432.81	562,333.17		376,331.35	336,578.00	39,753.35	
329-1005	1	PMS -000S-092 APPR-140	926.00	747.25	747.25	100.00	747.25	739.53		7.72
330-1032	1*	SRS -000S-063 APPR-148	53,854.73	61,064.71	59,838.59	90.00	53,854.73	53,854.73		
330-1044	1	RRP -3465-001 APPR-139	116,343.00	116,029.37	115,380.99	90.00	103,842.89	103,842.89		
330-1060	1	PMS -000S-088 APPR-140	1,421.00	2,021.56	2,021.56	100.00	2,021.56	1,421.00	600.56 B	
330-1065	1*	BRM -3530-001 APPR-114	600,465.53	750,844.85	750,581.91	80.00	600,465.53	600,465.53		
330-1067	1*	SOS -3002-001 APPR-680	53,779.20	178,540.58	62,701.64	85.77	53,779.20	53,779.20		
	9			31,331.86						
330-1067	PREFIX TOTALS		53,779.20	209,872.44	62,701.64		53,779.20	53,779.20		

8648

(MEMORANDUM)

FORM APPROVED BY COMPTROLLER GENERAL, U.S. MAY 12, 1966

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

5-5-82

ST. VOUCHER NO.

FHWA VOUCHER NO.

VOUCHER FOR WORK PERFORMED UNDER PROVISIONS OF THE FEDERAL AID AND FEDERAL HIGHWAY ACTS, AS AMENDED

APPROPRIATION

FHWA SCHEDULE NO.

THE UNITED STATES, DR., TO *(Insert official or depositary named in project agreement)*

PAID BY

ADDRESS Treasurer of the State of Oregon
c/
Capitol Bldg.

(For use of Paying Office)

STATE Salem, OR 97310

VOUCHER TYPE *(Check Appropriate Block)*

☐ CURRENT BILLING

VOUCHER PERIOD Oregon

☐ OTHER PROGRESS

FEDERAL AID PROJECT NO.

TO 10/25/77

☐ FINAL VOUCHER (*) Post X

IX-H-9300(3)

(*) Use Form FHWA-1447 for Final Billing for a project constructed under certification acceptance or secondary road procedures (23 U.S.C. 117).

	TOTAL ACTUAL COST	TOTAL PARTICIPATING COST	PRO-RATA OF PARTICIPATING COST CLAIMED FROM U.S.	TOTAL AMOUNT CLAIMED FROM U.S.	LESS PREVIOUS PAYMENTS	NET AMOUNT CLAIMED
IX	$ 612,128.05	$ 608,477.37	85.80%	$ 522,073.58	$ 522,073.58	$ 0.00
H	1,374,689.14	1,374,549.17	85.80%	1,179,363.19	1,179,363.19	0.00
	$1,986,017.19	$1,983,026.54	85.80%	$1,701,436.77	$1,701,436.77	$ 0.00

RECEIVED DIVISION OFFICE	DIVISION OFFICE REVIEW MADE	PASSED FOR PAYMENT
BY DATE	BY DATE	BY DATE

REMARKS: Oregon 5/5/82 V.E. Skoog, Controller

NOTE:

STATE MATCH - CONSTRUCTION 9% = $\frac{9}{15} = \frac{x}{14.2} = 8.52\%$

$ 0.00

FORM PR-20A
(Rev. 5-78)

PREVIOUS EDITIONS ARE OBSOLETE

STATEMENT OF COSTS INCURRED UNDER PROJECT AGREEMENT

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT	NOTATIONS (Payee must not use this column)
	N.W. Kittridge Ave.-N.W. 26th Ave. (Portland) Section N.W. Front Ave. In Multnomah County					
	Construction					
	Type Code 6201					
	Grade & Pave (Sta. 125+40 To Sta. 201+50)					
	Final Contract Payment Summary	Lump Sum			$1,551,672.26	
	IX Funds $ 404,213.43					
	M Funds 1,087,458.83					
SFO #1	Permanent Pavement Striping					
	M Funds Only	All Required			2,335.33	
SFO #2	Permanent Pavement Striping	All Required			219.24	
SFO #3	Pave Shoulder to facilitate					
	IX Funds Only	All Required			1,744.44	
SFO #7	Portland Bureau of Water Works					
	IX Funds Only	All Required			23,087.55	
					$1,579,058.92	
	Illumination					
	Final Contract Payment Summary					
	IX Funds $17,400					
	M Funds 40,800	Lump Sum			58,000.00	
SFO #6	Remove Existing Street Lights					
	M Funds Only	All Required			4,066.60	
	Subtotal				$ 62,066660	
	Signals					
	Final Contract Payment Summary					
	IX Funds $ $5,500					
	M Funds 108,500	Lump Sum			$ 155,000.00	
	Total Participating Construction				$1,796,125.52	
	Construction Engineering					
	State IX $ 54,905.84					
	M 130,021.07	All Required			184,926.91	
SFO #4	Test Traffic Signal Controller Equip					
	IX $360.00					
	M 840.00				1,200.00	
SFO #5	Document Resident Engineering Costs					
	IX $ 32.63					
	M 76.13	All Required			108.76	
	Total Participating C.E.				$ 186,235.67	
	Misc. Project Cost					
	Audit Expense					
	IX Funds $141.05					
	M Funds 426.44	All Required			567.49	
	Equal Opportunity Program Expense					
	IX Funds $92.33					
	M Funds 5.53				97.86	
	Total Participating Cost				$1,983,026.54	
	Nonparticipating Items					
	Final Contract Payment Summary	Lump Sum			$ 3,555.54	
	Construction Engineering	All Required			235.11	
	Total Nonparticipating Costs				$ 3,790.65	
	TOTAL COSTS				$1,986,817.19	

Prepared based on Participating Costs as shown on Federal Filing as of 5/13/82.

AMOUNT CARRIED FORWARD..

...N STATE HIGHWAY DIVISION

REQUEST FOR TRANSFER OF COST DISTRIBUTION

...TING SECTION OR CREW

SEND ORIGINAL TO ACCOUNTING SECTION

DATE OF REQUEST: 1-22-82

DATE OF ORIGINAL TRANSACTION:

NAME AND NUMBER OF ORIGINAL DOCUMENT (IF PAYROLL TRANSFER, INDICATE CREW NO.): Payroll, Crew No. 080-01

VENDOR'S NAME:

ATE OR CHER NO.	DESCRIPTION	CHARGE PREFIX	FUNCTION	SUB FUNC	OBJECT	P/N GROUP	AMOUNT	CREDIT PREFIX	FUNCTION	SUB FUNC	OBJECT	P/N GROUP	AMOUNT	CREW NO.
378	JV													
140	CU	5061	950		001		6 32	~~326-1088~~	~~950~~		~~001~~	~~2P~~	~~6 32~~	~~080-01~~
378	JV Per Frank Griffins													
378	JV conversation w/ Buz Swarol	5061	950		001		60 53	326-1088	950		001	2P	60 53	080-01
78	JV no transfers will be													
78	JV processed for prefix	5061	950		001		29 24	326-1051	950		001	1P	29 24	
425	CU deleted from the fed	~~5061~~	~~950~~		~~001~~		~~43 16~~	~~326-1088~~	~~950~~		~~001~~	~~1P~~	~~43 16~~	
425	CU bill and JCS 6/30/81	5061	950		001		14 62	~~326-1088~~	~~950~~		~~001~~	~~2P~~	~~14 62~~	
425	CU The remainder of this	~~5061~~	~~950~~		~~001~~		~~90 75~~	~~326-1088~~	~~950~~		~~001~~	~~1P~~	~~90 75~~	
40	CU transfer processed	~~5061~~	~~950~~		~~001~~		~~134 91~~	~~326-1088~~	~~950~~		~~001~~	~~2P~~	~~134 91~~	
426	CU for prefix 326-1088	5061	950		001		25 94	326-1088	950		001	1P	25 94	
426	CU for prefix	5061	950		001		22 54	326-1088	950		001	1P	22 54	
17	CU	5061	950		001		52 71	326-1088	950		001	2P	52 71	
7	CU	5061	950		001		24 92	326-1088	950		001	1P	24 92	
		5061	950		001		58 16	326-1088	950		001	2P	58 16	

JAN 26 Recd

FOR THIS REQUEST:

TOTAL: 244 85 / ~~569 15~~

TOTAL: 244 85 / ~~569 15~~

correct training charges that were

...ed to local construction projects.

PREPARED BY: Maria

APPROVED: Maria

(Rev. 3/78)

0727-734

STATE OF OREGON
HIGHWAY DIVISION

INTEROFFICE MEMO

ACC

TO: E. L. Hardt
Region 1 Engineer

DATE: January 19, 1982

FROM: D. E. Swan, P.E.
Operation Programming Engineer

SUBJECT: Job Charges
Local Government Projects

Mr. Coulter's letter dated July 23, 1981 directed that our charges for training courses, office expenses and administration not be charged to local government projects.

The following City of Portland projects have training course charges on their construction prefixes:

8622 Bernhart — N. Unit, N.E. Broadway St.-S.E. Harrison St. Pacific Highway East TQM-M-9809(2) Prefix 26-1082 ~~950~~ Cancelled 6-1-79 — 118.35 + 25.59 + 175.93 = 319.87

8648 Bernhart — N.W. Kittridge Ave.-N.W. 26th Ave. N.W. Front Ave. IX-M-9300(3) Prefix 326-1088 ~~750~~ Cancelled 7-1-80 — 75.08 + 175.27 = 250.35

Please transfer these charges to the appropriate State project so that we can process the final billing with the City.

UE	RE	RME
TE	RECEIVED	RSM
UE	JAN 20 1982	RSC
SO	REGION I	RBI
TO		

GEZ:pf

cc: Jan Peterson, Accounting
H. S. Coulter
C. T. Keasey

Please find out what the charges are, [illegible]

8648

STATE OF OREGON
HIGHWAY DIVISION

INTEROFFICE MEMO

ACC

TO: R. N. Bothman, Administrator
Metropolitan Branch

DATE: January 19, 1982

FROM: D. E. Swan, P.E.
Operation Programming Engineer

SUBJECT: Job Charges
Local Government Projects

Mr. Coulter's letter dated July 23, 1981 directed that our charges for training courses, office expenses and administration not be charged to local goverment projects.

The following City of Portland projects have training course charges on their preliminary engineering prefixes:

N. Unit, N.E. Broadway St.-S.E. Harrison St.
Pacific Highway East TQM-M-9809(2) Prefix 26-1946 $64.96

N.W. Kittridge Ave.-N.W. 26th Ave.
N.W. Front Ave. M-9300(1) Prefix 26-1904 $287.06

Please transfer these charges to the appropriate state project so that we can process the final billing with the City.

GEZ:pf 1-0814

cc: Jan Peterson, Accounting
H. S. Coulter
C. T. Keasey

RECEIVED FHWA PDE FRM 17-
ODOT-METRO
JAN 20 1982

BM PAR PPC FILE T/A

1-27-82 Notified Elda G

Gary Zehner:
We have had some phone conversation about this. I have lost my notes. Please give me any other info you might have: dates, dollar amounts, check number — anything.

Elda
238-8226

	026	1902	923	00	N	1				33.18
	026	1902	924	00	P	1				37.63
			TOT		P	1				4,931.57
			TOT		N	1				38.92
			** JOB TOTALS **				**		**	4,970.49 **

NW KITTRIDGE AV-NW 26TH(PORT) CONT NO			X FA PROJ NOS M 300001 100							STATE
	026	1904	296	00	N	9	Tr. St.			94,029.65CR
	026	1904	298	00	N	9	" Fed.			87,879.65
	026	1904	299	00	N	9	" R.R.			6,150.00
	026	1904	901	00	P	1	Res. Engr.			6,042.71
	026	1904	901	00	N	1	" "			17.50
	026	1904	902	00	P	1	Citizen Involvement			1,066.85
	026	1904	903	00	P	1	Pay Loc. Govt.			71,262.58
	026	1904	905	00	P	1	Fin. des.			1,705.18
	026	1904	906	00	P	1	Br. des.			1,348.43
	026	1904	907	00	P	1	Pro. des.			9,313.64
	026	1904	907	00	N	1	" "			340.10
	026	1904	910	00	P	1	Soils & Geology			2,804.16
	026	1904	911	00	P	1	Signing			620.36
	026	1904	911	00	N	1	"			172.38
	026	1904	913	00	N	1	R/W Liason			18.51
	026	1904	914	00	P	1	Ut. Lias. 290.46	290.46		446.10
	026	1904	915	00	P	1	Audit			460.61
	026	1904	916	00	P	1	Photogr.			2.51
	026	1904	920	00	P	1	P.U.			355.00
	026	1904	921	00	P	1	Spec.			2,446.58
	026	1904	923	00	P	1	Env.			228.66
	026	1904	923	00	N	1	"			1.22
	026	1904	924	00	P	1	DOT			122.72
	026	1904	926	00	P	1	Found. Invest.			4,020.07
	026	1904	950	00	P	1	Plan.			227.06
	026	1904	980	00	P	1	Pub. hearing			181.08
			TOT		P	1		290.46	290.46	102,714.30
			TOT		N	1				551.71
			** JOB TOTALS **				290.46 **	290.46	**	103,266.01 **

NE COLUMBIA-NE HEIDLER	CONT NO	X FA PROJ NOS XI 809001 100						STATE
	026	1905	295	00	N	9		31,500.00

TOTAL TO DATE JOB COST SUMMARY						SEPTEMBER 1981		PAGE 396
DESCRIPTION OF JOB OR DEPARTMENT	PREFIX		FUNCTION			CURRENT MONTH	FISCAL YEAR TO DATE	GRAND TOTAL TO DATE
	026	1905	296	00	N	9			221,2[illegible] 10CR
	026	1905	298	00	N	9			183,[illegible]79.30
	026	1905	901	00	P	1	26.53CR	45.10CR	70,415.06
	026	1905	901	00	N	1		25.87	804.14
	026	1905	902	00	P	1			226.98
	026	1905	903	00	P	1			771.24

TOTAL TO DATE JOB COST SUMMARY — JUNE 1981 — PAGE 1138

DESCRIPTION OF JOB OR DEPARTMENT	PREFIX		FUNCTION		CR	CURRENT MONTH	FISCAL YEAR TO DATE	GRAND TOTAL TO DATE
	326	2548	950	00	P 1			1,617.62
	326	2548	950	13	P 1			182.87
			TOT	00				370,817.61
			TOT	P1				32,401.54
			TOT	M1				401,221.15
			** JOB TOTALS **			**	**	**

0016A9000006 3081 CONT PO — FR PROJ NOS M 300001 100 — STATE

N.W. KITTRIDGE - N.W. 26TH.									
	326	2553	296	00	M 9	Tr. St.	2.92CR.		4,083.71CR
	326	2553	298	00	M 9	" Fed.	2.92		4,083.71
	326	2553	401	00	P 1	Cost of Land			4,260.00
	326	2553	407	00	P 1	Appraisal			52.03
	326	2553	409	00	P 1	Misc.			14.35
	326	2553	411	00	M 1	Maint. repairs	19.66		19.66
	326	2553	412	00	M 1	Title Cost			7.00
	326	2553	415	00	P 1	Reloc. Computation			19.83
	326	2553	426	00	P 1	Legal			22.16
	326	2553	930	00	P 1	Engring			391.20
			TOT	P1					4,759.97
			TOT	M1					26.66
			** JOB TOTALS **			**	19.66 **		4,786.23 **

SE 17TH-SE 28TH ON SE HOLGATE CONT PO — FR PROJ NOS M 793002 100 — STATE

	326	2554	295	00	M 9				17,250.00
	326	2554	296	00	M 9		505.22CR	88,900.36CR	347,133.22CR
	326	2554	298	00	M 9		505.22	88,900.86	329,941.22
	326	2554	401	00	P 1			51,579.00	116,119.00
	326	2554	403	00	P 1				36,075.00
	326	2554	404	00	P 1			11,409.00	19,914.00
	326	2554	406	00	M 1				40.00
	326	2554	405	00	P 1			8,717.00	35,392.00
	326	2554	407	00	P 1		12.39	859.56	61,917.00
	326	2554	407	00	M 1				7.00
	326	2554	409	00	P 1			2,028.67	9,129.51
	326	2554	411	00	P 1			153.17	164.17
	326	2554	412	00	P 1			769.93	2,268.43
	326	2554	413	00	P 1			412.48	405.67
	326	2554	413	00	M 1			34.31CR	34.31CR
	326	2554	414	00	P 1		.45	2,758.37	36,823.62
	326	2554	414	00	M 1				531.00
	326	2554	415	00	P 1			337.61	1,250.00
	326	2554	419	00	P 1			1,250.00CR	47.00
	326	2554	420	00	P 1				47.00
	326	2554	426	00	P 1			10,335.80	10,335.80
	326	2554	428	00	P 1		.55	260.80	517.00
	326	2554	470	00	P 1			193.68	346.00
	326	2554	471	00	P 1				1.00

| | | |

No. 8648

(MEMORANDUM)

FORM APPROVED BY COMPTROLLER GENERAL, U.S. MAY 12, 1966

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

4-1-81

STATE VOUCHER NO.

FHWA VOUCHER NO.

VOUCHER FOR WORK PERFORMED UNDER PROVISIONS OF THE FEDERAL AID AND FEDERAL HIGHWAY ACTS, AS AMENDED

APPROPRIATION

FHWA SCHEDULE NO.

THE UNITED STATES, DR., TO *(Insert official or depositary named in project agreement)*

Treasurer of the State of Oregon

ADDRESS

Capitol Bldg.
Salem, OR 97310

PAID BY

(For use of Paying Office)

STATE

Oregon

VOUCHER TYPE *(Check Appropriate Block)*

☐ CURRENT BILLING

VOUCHER PERIOD — FROM 7-18-74 TO 10-27-77

☐ OTHER PROGRESS

☒ FINAL VOUCHER (*)

FEDERAL AID PROJECT NO. M-9300(1)

(*) Use Form FHWA-1447 for Final Voucher for a project constructed under certification acceptance or secondary road procedures (23 U.S.C. 117).

TOTAL ACTUAL COST	TOTAL PARTICIPATING COST	PRO-RATA OF PARTICIPATING COST CLAIMED FROM U.S.	TOTAL AMOUNT CLAIMED FROM U.S.	LESS PREVIOUS PAYMENTS	NET AMOUNT CLAIMED
$ 4,786.23	$ 4,759.57	85.80%	$ 4,083.71	$ 4,083.71 R/W	$ 0.00
102,945.28	102,423.84	85.80%	87,879.65	87,879.65 P.E.	0.00
$107,731.51	$107,183.41	85.80%	$ 91,963.36	$ 91,963.36	$ 0.00

RECEIVED DIVISION OFFICE — BY — DATE

DIVISION OFFICE REVIEW MADE — BY — DATE

PASSED FOR PAYMENT — BY — DATE

REMARKS Oregon 4/1/81 V.E. Skoog, Controller

P.E. & R/W

$ 0.00

R/W 326-2553

O

FORM PR-20A
(Rev. 5-78)

PREVIOUS EDITIONS ARE OBSOLETE

OREGON STATE HIGHWAY DEPARTMENT 12/31/80

STATEMENT OF COSTS INCURRED UNDER PROJECT AGREEMENT

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT	NOTATIONS (Payee must not use this column)
	N.W. Kittridge Ave. N.W. 26th Ave. (Portland) Section City Street (Front Ave.) in Multnomah County					
	Preliminary Engineering					
	Type Code P.E.					
	State	All	Required		$ 18,488.58	
	City of Portland	All	Required		83,474.65	
					$101,963.23	
	Right of Way					
	Type Code ROW (Sta. 128+40 To Sta. 201+50)					
	State	All	Required		4,260.00	
	Acquisition Expense					
	State	All	Required		499.57	
	Misc. Project Costs					
	Audits by Highway Accounting	All	Required		460.61	
	Total Participating Costs				$107,183.41	
	Nonparticipating Items					
	Preliminary Engineering	All	Required		$ 521.44	
	Right of Way	All	Required		26.66	
	Total Nonparticipating Costs				$ 548.10	
	Total Costs				$107,731.51	

Participating Costs are for Right of Way actually incorporated in the final project and all costs have been previously certified by the Rights of Way Engineer. Right of Way plans have been approved by FHWA 1-7-80.

Prepared based on Participating costs as shown on Federal Billing as of 2/31/81.

AMOUNT CARRIED FORWARD .....

TOTAL TO DATE JOB COST SUMMARY — MARCH 1991 — PAGE 046

DESCRIPTION OF JOB OR DEPARTMENT	PREFIX	FUNCTION	CR	CURRENT MONTH	YEAR	PRIOR TOTAL
	026 1902	200	00 N 1			
	026 1902	201	00 N 1		5.7%	
	026 1902	202	00 N 1			
	026 1902	205	00 N 1			
	026 1902	206	00 N 1			
	026 1902	207	00 P 1			
	026 1902	210	00 P 1			
	026 1902	211	00 N 1			
	026 1902	212	00 N 1			
	026 1902	213	00 P 1			
	026 1902	214	00 P 1			
		TOT	M1			
		TOT	M1			
	** JOB TOTALS **			**	5.7% **	**

NH KITTRIDGE AV-NH 26TH(PORT) CONT NO $ FA PROJ NOS M 000001 100 — STATE

026	1904	200	00	N 1	Tr. St.	2. 72	2. 72	
026	1904	201	00	N 1	" Fed	2. 72CR	2. 72CR	
026	1904	202	00	N 1	" RR			
026	1904	601	00	P 1	Res.Engr.	281. 99CR	281. 99CR	
026	1904	201	00	N 1	"		5.7%	
026	1904	203	00	P 1	Citizen Inv.			
026	1904	204	00	P 1	Pay City			
026	1904	205	00	P 1	Fin. Des			
026	1904	206	00	P 1	Br. Des.	4. 00CR	4. 00CR	
026	1904	207	00	P 1	Pr. Des			
026	1904	207	00	N 1	" "			
026	1904	210	00	P 1	S & G.			
026	1904	211	00	P 1	Signing	2. 106. 90CR	2. 106. 90CR	
026	1904	211	00	N 1	"			
026	1904	212	00	P 1	Lands			
026	1904	214	00	P 1	Ut. Lias.			
026	1904	215	00	P 1	Audit		252. 81	
026	1904	216	00	P 1	Photog.			
026	1904	220	00	P 1	P.M.			
026	1904	221	00	P 1	Specs	81. 22CR	81. 22CR	
026	1904	223	00	P 1	Env. Sec.			
026	1904	223	00	N 1	" "			
026	1904	230	00	P 1	Planning			
026	1904	240	00	P 1	Found. Inv.			
026	1904	250	00	P 1	Training	434. 22CR	434. 22CR	
026	1904	260	00	P 1	Hearing			
						3,612. 19CR	3,[illegible]. 19CR	
		101		M1			5.7%	
		** JOB TOTALS **				3,617. 19CR**	3,297. 00CR**	102. **

NE COLUMBIA-NE NEIDLER — CONT NO — $ FA PROJ NOS XI 000001 100 — STATE

026	1906	225	00	N 1				31.

8648

STATE COPY

cc: State (H S Coulter)

8-4-80

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

FINAL ACCEPTANCE REPORT

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	6	Multnomah	Oregon

DATE OF REPORT	REPORT MADE BY	PROJECT NO.
8-4-80	C. T. Christianson, Area Engineer	IX-M-9300(3)

COMPLETION DATE	ACCEPTANCE DATE BY CONTRACT AGENCY	TIME ELAPSED	CONTRACT TIME
6-21-79	11-1-79	100 %	360 CD

APPROVED EXTENSIONS	LOCATION
36 CD	Front Avenue, NW. Portland, Oregon

*The PR-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been submitted.
*A copy of the State's materials certificate is attached to the Division office copy of this report.
There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: *The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.*

NE. KITTRIDGE-NW. 26th AVENUE
FRONT AVENUE
Grading, Paving, Illumination & Signing

This project has been completed at a final cost of $1,800,992 representing a negligible overrun.

RECEIVED
STATE HWY ENGR
AUG 13 '80
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

8-14 cy

*NOTE: Not applicable for direct federal projects.

ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION	
SIGNATURE C. T. Christianson		SIGNATURE Original Signed By G. K. HOSSNER Field Operations Engineer G. K. Hossner	
TITLE Area Engineer	DATE 8-5-80	TITLE Field Operations Engineer	DATE 8-8-80

FORM FHWA-1446 B (12-73) FORMERLY PR-33E

Previous Editions of PR-33E Will Not Be Used.

8648

COW 5
#8648

November 6, 1979

The Aetna Casualty & Surety Co.
Bond Department
200 Market Bldg., Suite 1500
200 S.W. Market Street
Portland, OR 97201

Gentlemen:

On November 2, 1979, we wrote to you concerning release of final payment on Contract No. 8648 awarded to Peter Kiewit Sons' Company for work on the N.W. Kittridge Ave.-N.W. 26th Ave. (Portland) Section of N.W. Front Avenue in Multnomah County.

The total contract amount is $1,768,227.80 including $6,919.55 for work performed under force account.

Sincerely,

C. W. Head
COMMISSION SERVICES

rls

cc: Peter Kiewit Sons' Co.
215 South "V" Street
Vancouver, WA 98663

bc: C. T. Keasey
Walt Hart
E. L. Hardt

#8648

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
The Oregon Division - Salem

SUBJECT: Oregon Project IX-M-9300(3)
Kittridge Avenue-26th Avenue
Request for Time Extension
Contract 8648

DATE: October 31, 1979

In reply refer to: HFO.6-OR

FROM : G. L. Green, Division Administrator

TO : Mr. H. S. Coulter, State Highway Engineer, ODOT

I have reviewed the support data submitted with Mr. Jackmond's letter dated October 24, 1979. Of the 35 days granted, 25 were due to utility work.

Due to the nature of this project, it was necessary to perform utility work during the appropriate stage of construction. The added time required for water main work should have been anticipated and included in the contract time. The gas line work (which could not have been predicted) should have had sufficient contract provisions as a City permit requirement to make Hood Corporation responsible for their delays to existing contractors.

Because of the numerous parties involved, and the complex nature of the work, I concur in the extension as granted. Please ask the City to be more aware of this potential problem in the future.

for G. L. Green

RECEIVED
STATE HWY ENGR
NOV 1 '79
REFER TO
FOR
Info | Inves | B/D | D/E | Sign | Act | File

VICTOR ATIYEH
GOVERNOR

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

DATE: October 24, 1979

TO: Glen L. Green
Division Administrator

FROM: O. B. Jackmond
Contract Administration Engineer

SUBJECT: Time Extension Request
N.W. Kittridge Ave.-N.W. 26th Ave.
Contract No. 8648
IX-M-9300 (3)

Peter Kiewit Sons' Company, contractor, has requested a time extension of 50 calendar days in which to complete Phase (b) of this project. The contractor cites six reasons in his request. A copy of the contractor's request is attached.

Resident Engineer Rhodes has made a detailed evaluation of the contractor's request and recommends that an extension of 40 calendar days be granted. A copy of Mr. Rhodes' analysis is also attached. We concur with this evaluation with the exception of item (6), weather delays, and recommend no additional time for this reason.

Deleting time for item (6), five calendar days, we, therefore, recommend a 35 calendar day time extension for Phase (b) of this project. This will eliminate all liquidated damages under this contract.

Your concurrence is requested.

H. S. noted COULTER

RECEIVED
STATE HWY ENGR
OCT 25 '79
REFER TO
FOR
Info | Invest | R/D | D/R | Sgn | Act | File

OBJ/db

Att.

cc: H. S. Coulter (w/attach.)
Ed Hardt
John Howard
Vic Rhodes
Robert Church

PETER KIEWIT SONS' CO.

CONTRACTORS

ESTABLISHED 1884

HOME OFFICE - OMAHA, NEBRASKA

P. O. Box 1777

VANCOUVER, WASHINGTON 98663

August 17, 1979

City of Portland
400 S. W. Sixth Avenue
Portland, Oregon 97204

Attention: Victor F. Rhodes
Resident Engineer

Re: N. W. Kittridge Avenue -
N. W. 26th Avenue (Portland)
Section FAU 9300 (N.W. Front Ave)
OSHD Contract #8648
Kittridge Job No. 5692
Serial Letter V-49

Gentlemen:

We have now reviewed the time delays we experienced on Unit B of this contract and hereby request an additional fifty (50) calendar days for work called for under Unit B of the contract.

Delays to the overall completion of the project were associated with work by Hood Construction Co. installing a gas main the full length of the project during critical staging of the work, as well as work performed by the Lind-Fagerstrom Co. associated with a City of Portland waterline extension on the west end of the project. Work was also delayed as a result of a change order extending the limits of the project to the east approximately one block, and by delays associated with working with the Portland General Electric company and the FMC Corporation with regard to some of their utilities. A detailed breakdown of these delays is as follows:

1. Lind-Fagerstrom. Work performed by the Lind-Fagerstrom Co. delayed work on this project during the period May 16 through June 14, 1978. We were particularly delayed during the period from May 16th to May 23rd when their work delayed our traffic change being made until after their work was completed. Since some of the Lind-Fagerstrom work only caused delay to portions of the work in Unit B, we are only requesting a total of ten (10) working days resulting from their work.

2. Hood Corporation. Work by the Hood Corporation occupied the entire length of the contract area, delaying not only the traffic movement through the job during other portions of our work but also delaying critical traffic changes that we wished to make under the contract. In addition, a rupture during testing of their completed

AUG 20 1979
BRIDGE & STRUCT
ENGINEERING DIVISION

gas line within our completed work area caused us to perform additional work and caused delay to the overall project. Work by Hood Corporation first impacted our work in August, 1978, and impact delays continued randomly through the 20th of December, 1978. For the delays caused by Hood Corporation work (which was not contemplated at the time this project was bid), we request a total of fifteen (15) calendar days.

3. Extension of Project Limits. The extension of project limits at the east end of the job extended project duration by the amount of time required to accomplish that work. We request an additional ten (10) calendar days for this additional work.

4. Portland General Electric Co. We were delayed from December 6, 1978 to December 18, 1978 as a result of the power company delaying work they needed to perform to permit light poles to be set by our subcontractor, Grasle Electric. We request an additional five (5) calendar days as a result of these delays.

5. FMC Utilities. Delays as a result of FMC utilities were incurred in June and again in November, 1978. In June, the location of unmarked utilities during Stage III held up Stage III work until FMC Co. could lower them. This caused a seven (7) calendar day delay. In November, 1978, other FMC utilities required a change in grade. This work delayed the project approximately three (3) days. We, therefore, request an additional ten (10) calendar days as a result of FMC utility relocations.

Delays attributed to the above total fifty (50) calendar days.

Consent of Surety is attached to this letter.

Yours very truly,

PETER KIEWIT SONS' CO.

Leonard W. Kearney
Area Manager

LWK/hms
Attach.

cc: Res. Engr. (3)
Job
File

THE CITY OF
PORTLAND
OREGON

DEPARTMENT OF
PUBLIC WORKS

CONNIE McCREADY
COMMISSIONER

OFFICE OF
PUBLIC WORKS
ADMINISTRATOR

400 S.W. SIXTH AVE.
PORTLAND, OR. 97204

OE RE RME ROE BE
TE RECEIVED RSM
UE RSC
SO REGION I RBI
TO

September 26, 1979

Oregon State Highway Division
P.O. Box 02157
Portland, Oregon 97202

Attn: Marion Craft
Region I Construction Engineer

Re: NW Kittridge Avenue - NW 26th Avenue
FAU 9300 (NW Front Avenue)
Fap No. IX-M-9300(3)
Contract No. 8648

Dear Mr. Craft:

Transmitted herewith is Peter Kiewit Son's Co. request for an extension of contract time for Unit 'B' of the subject project. No prior Unit 'B' extensions have been requested or granted and 35 calendar days liquidated damages are outstanding. Delays claimed by the contractor total 50 calendar days.

The following is my recommendation regarding this matter:

1) Interference by Lind-Fagenstrom Corp:

Lind-Fagenstrom, under contract to the City of Portland, Bureau of Water Works, installed a 24" main in NW Front Avenue from NW Kittridge to the northwest. The construction of the main across NW Kittridge Avenue was responsible for delaying the road construction in this area. For the majority of the time period of May 16, through June 14, 1978, other work was available to and pursued by Peter Kiewit Son's Co. Our records on the actual delay are not clear but it is my judgement that the 10 calendar days requested by the contractor is reasonable and should be granted.

2) Hood Corporation:

Hood Corporation was under contract to install a 20" gas main through the entire length of the project. This work was not anticipated and was required by the location of Wacker Siltronic, Inc. to the northwest of this project. Hood Corporation was responsible for numerous delays both on and off the project site. While working to the northwest of NW Kittridge Avenue, Hood interrupted traffic flow continuously and caused delay to Kiewit's

haul vehicles dumping at a fill site at NW 61st Avenue and NW Front Avenue. Their work in the project area was staged by agreement with Northwest Natural Gas Co. so as to cause no cut of the new roadway. This required several move-ins in the area and a good deal of pipe was layed in the area of Kiewit's temporary roadway. Hood's attitude, pursuance of the work and near total disregard for other contractors and traffic flow caused a significant impact on this project. During testing of the completed line a "pig" became stuck, air pressure on the line was increased to dislodge it resulting in the pig rupturing the pipe at a bend, erupting through four feet of sand, 12" of new pavement and shooting some 25'-30' into the air. Some 8 cubic yards of subgrade material was blown onto the parking lot and roof of the Waterways Terminal facility. Approximately 60' of the completed Stage VI roadway was destroyed. Repair of the broken line and pavement resulted in further delay to Kiewit's operation. It is my recommendation that the full 15 calendar days requested by the contractor be granted.

3) Extension of Project Limits:

Project limits were revised from Station 201+50 to 202+00 with substantial changes in the character of work from Station 200+00 to 202+00. This required remobilization of equipment and rescheduling of subcontractor crews as documented by Price Agreement No. 14. In addition, the width of the project was increased by extending the reconstruction of NW Kittridge Avenue by 100' to the south. The additional work at NW Kittridge is estimated at 4 calendar days. An additional 6 calendar days is reasonable for the work from Station 200+00 to 202+00. A total extension of 10 calendar days should be granted for the above work.

4) Portland General Electric Company:

A conflict was found between PGE facilities and the new street light poles from Station 129+00 to 139+00. There was a delay in solving this problem but this did not impact the overall project completion. No extensions of contract time is recommended for this cause.

5) FMC Utilities:
During grading utilities owned by FMC and crossing NW Front Avenue were found and required adjustment. Delays attributable to this cause were minimal. We have no record of actual delay being incurred and recommend no extension of time be granted for this cause.

6) Weather:

During the period of November 19 to November 27, 1978, extreme weather conditions were encountered as outlined in the contractor's Serial Letter V-44. As stated by the contractor, the principle work available was Portland Cement Concrete curbs and walks. No work could be performed during this period. I recommend that five calendar days be granted for the period November 19 through November 24, 1978.

The foregoing analysis indicates a total delay of ~~39~~ 40 calendar days to the contractor for factors beyond his control. I recommend that the outstanding 35 calendar days liquidated damages be returned to the contractor by granting a 35 calendar day extension of contract time for Unit 'B' of the project.

Sincerely,

Victor F. Rhodes, P.E.
Resident Engineer
Bureau of Street & Structural Engineering

VFR:lj

cc: John Howard

8648

Vic Atiyeh

Department of Transportation
HIGHWAY DIVISION
TRANSPORTATION BUILDING, SALEM, OREGON 97310

October 24, 1979

Peter Kiewit Sons' Co.
P. O. Box 1777
Vancouver, Washington 98663

Gentlemen:

Re: Time Extension Request
N.W. Kittridge Ave.-N.W. 26th Ave.
Contract No. 8648
IX-M-9300 (3)

Your request for additional time in which to complete phase (b) of this project has been carefully considered. A time extension of 35 calendar days for the completion of phase (b) is granted for the reasons requested except that no time was granted for the claimed weather delay. This will eliminate all liquidated damages under this contract.

Should you wish a more detailed review, please contact Resident Engineer Rhodes.

Sincerely,

C. T. Keasey
Assistant State Highway Engineer

By
O. B. Jackmond
Contract Administration Engineer

OBJ/db

cc: H. S. Coulter
Ed Hardt
John Howard
Vic Rhodes
FHWA
Robert Church

Noted H. S. COULTER

RECEIVED
STATE HWY ENGR
OCT 25 '79
REFER TO
FOR
Info | Invies | R/D | D/R | Sign | Act | File

Form 81-734-3123 (Rev. 7-77)

8641

July 19, 1979

Peter Kiewit Son's Company
215 South "V" Street
Vancouver, WA 98663

Gentlemen:

Time Extension Request
N.W. Kittridge Ave.-N.W. 26th Ave.
Contract No. 8648

You have requested that we reconsider your time extension request for Unit "A" of this contract. An exhaustive review has been made and an additional extension of 25 calendar days is granted for Unit "A". This will eliminate all liquidated damages on Unit "A" of this contract.

Thank you for bringing this matter to our attention.

Sincerely,

H. S. Coulter
State Highway Engineer

OBJ:lt jh
bc: Federal Highway Administration
C. T. Keasey
Ed Hardt
John Howard
Vic Rhodes
Dick Hacek

#8648

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
The Oregon Division - Salem

SUBJECT: Reconsideration of Time Extension Request
N.W. Kittridge Avenue-N.W. 26th Avenue
Oregon Project IX-M-9300(3)

DATE: July 12, 1979

In reply refer to: HFO.7-OR

FROM : G. L. Green, Division Administrator

TO : Mr. H. S. Coulter, State Highway Engineer, ODOT

We have reviewed Mr. Rhodes' re-analysis of the trenching operation on the subject project and agree that this was indeed a complex operation coupled with unforeseen circumstances. Consequently, we concur in your recommendation for an additional 25 days time extension for Unit "A" of Contract No. 8648.

G. K. Hoosen
for G. L. Green

RECEIVED
STATE HWY ENGR
JUL 17 '79
REFER TO
FOR
Info | Issue | B/D | D.R. | Ltr | Act | File

Orig to

#8648

DATE: July 2, 1979

TO: Glen L. Green, Division Administrator
Federal Highway Administration

FROM:
H. S. Coulter
State Highway Engineer

SUBJECT: Reconsideration of Time Extension Request
N.W. Kittridge Ave.-N.W. 26th Ave.
Contract No. 8648

Peter Kiewit Son's Company, contractor on the above project, has requested a reconsideration of his time extension request for Unit "A" of this contract.

As a result of the contractor's prior request, a time extension of 11 calendar days was granted due to an overrun in foundation fill and special backfill materials. The contractor protested and claimed that our evaluation of this time delay did not take into account the full effect of this overrun. The Resident Engineer then developed an excellent engineering analysis of this rather complex item of work and found that the contractor is correct. We did not fully acknowledge the time delay caused by this overrun, and that an additional 25 calendar days should be granted. A copy of the Resident Engineer's analysis is attached.

It is therefore recommended that an additional time extension of 25 calendar days be granted for Unit "A" of this contract.

Attachment

OBJ:lt jh
bc: C. T. Keasey
E. L. Hardt
John Howard
Robert Church
Richard Hacek

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon

June 28, 1979

FROM: O. B. Jackmond
Contract Administration Engineer

SUBJECT: Reconsideration of
Time Extension Request
NW Kittridge Ave.-NW 26th Ave.
Contract No. 8648

TO: H. S. Coulter
State Highway Engineer

Peter Kiewit Son's Co., contractor on the above project has requested a reconsideration of his time extension request for Unit "A" of this contract.

As a result of the contractor's prior request, a time extension of 11 calendar days were granted due to an overrun in foundation fill and special backfill materials. The contractor protested and claimed that our evaluation of this time delay did not take into account the full effect of this overrun. The Resident Engineer then developed an excellent engineering analysis of this rather complex item of work and finds that the contractor is correct. We did not fully acknowledge the time delay caused by this overrun, and that an additional 25 calendar days should be granted. A copy of the Resident Engineer's analysis is attached.

It is therefore recommended that an additional time extension of 25 calendar days be granted for Unit "A" of this contract.

This is a Federal-aid project and FHWA concurrence should be obtained since this is a reconsideration of a prior request. Rough draft letters to FHWA and the contractor are enclosed.

OBJ:lt
cc: Ed Hardt
John Howard
Vic Rhodes

RECEIVED
STATE HWY ENGR
JUN 29 '79
REFER TO
FOR
Info | Inves | R/D | D.E. | Sign | Act | File

THE CITY OF
PORTLAND
OREGON

DEPARTMENT OF
PUBLIC WORKS

CONNIE McCREADY
COMMISSIONER

OFFICE OF
PUBLIC WORKS
ADMINISTRATOR

400 S.W. SIXTH AVE.
PORTLAND, OR. 97204

June 15, 1979

RE RME RCE BE
RECEIVED RSM
JUN 18 1979 RSC
REGION I RBI

MARION CRAFT
REGION I CONSTRUCTION ENGINEER
P O BOX 02157
PORTLAND OR 97202

RE: Unit 'A' Time Extension
NW Kittridge Avenue - NW 26th Avenue
FAU 9300 (NW Front Ave.)
FAP No. IX-M-9300 (3)
Contract No. 8648

Dear Mr. Craft:

As you are aware, I have conducted an extensive review of this matter in the past several weeks. It is my conclusion that an additional twenty-five (25) day time extension should be granted for Unit 'A' of this contract. This recommendation is supported by the attached analysis of the contractor's productivity, as it can best be quantified.

The procedure used in the analysis was to first select a section of pipe which could serve as a "control" or basis for determining, given the contractor's selected method of construction, what production rate he could attain having made reasonable assumptions with regard to the difficulty of the work. These judgments on his part were made using our contract documents and his preliminary site evaluations. The site evaluation consisted of digging a test hole between manholes 1-A and 2-A of the control section. This hole did not indicate the presence of water or unstable foundation conditions beyond that indicated by the plan quantity of foundation fill material. This was the only site available to the contractor to conduct this type of exploratory excavation as the other areas were paved and under traffic. In addition, the contractor had access to our bore logs which indicated clay at 11 to 13 feet and water at 14 feet below existing ground. The contractor initially selected a box crib method of construction based on these data, and that method was employed on the control section.

Having selected the pipe run from manhole 1-A to 2-A as the control section, it became necessary to evaluate several different methods by which to measure productivity in pipe laying. It is not satisfactory to base this on lineal feet of pipe layed in a given period as pipe sizes and cuts to flowline vary more than 100% over the job. Several alternatives were based on the amount of foundation fill placed, but there is some difficulty with this in terms of actually establishing a production rate, as they also do not account for depth of cut, shoring type, or difficulty of the work.

It was finally determined that the rate of trench excavation was the most representative method to measure productivity. This takes into account pipe size, depth of cut, shoring placement, sub-excavation and all functions related to the pipe laying.

Having arrived at a method to measure production, some basic rules were needed to insure as accurate an analysis as possible. The following is a definition of the method used to determine the various quantities involved.

EXCAVATION: In all cases the volume of trench excavation is that on which contract payment was based. This includes excavation to flowline as well as sub-excavation for foundation fill. In cases where pipe runs were not continuously open cut due to railroad tracks, the ratio of the length of tunneled pipe to the total pipe length was computed. This percentage was then deducted from the excavation quantity.

ACTUAL DAYS: The number of days actually used to complete pipe runs was determined by researching the Culvert Data Cards indicating the various amounts of pipe layed on a given day. This was cross checked with the General Daily Progress Report to assess the portion of the day devoted to pipe laying. This eliminates time spent on other activities from prejudicing theanalysis. Owing to the approximate nature of these determinations, no increment of less than ½ day was used.

CALCULATED DAYS: The days required to perform the work based on the contractor's expectations and the productivity demonstrated on the control section were calculated by dividing the excavation quantity by the control rate. This quotient was then rounded to the nearest ½ day. This provides an accuracy compatible with that used in determining actual days.

PIPE RUNS: Pipe runs selected for this analysis are those that vary by more than 100% from the plan quantity of foundation fill. The bid proposal quantity represented one foot of foundation fill under all the pipe. Only sections exceeding two feet of foundation fill were subjected to analysis.

The results of the analysis indicate that 60 work days were required to complete the work in question. The calculated time to complete the work is 27.5 days which was rounded to 28 days. This indicates that the work required 32 additional days beyond that anticipated. This figure, converted to calendar days, yields 44 calendar days.

The analysis is further supported by the fact that the contractor was forced to change from the box crib shoring method to using a steel frame and driving sheets. This was caused by the actual soil condition found present in these pipe runs. These conditions varied from those indicated by our bore logs in that water was frequently encountered at 10 feet below existing ground with a clay strata at 9 feet. This represents a difference in construction conditions not readily apparent by the differences in vertical location of these features. The basic problem is the control of importation of native

material from the sides of the trench, the weakening and upheaval of the underlying material by lengthened exposure thereby creating the necessity of yet more foundation fill material, and the loss of manpower productivity under these conditions.

Because our analysis indicates the 44 calendar days to be a reasonable number, owing to the conditions anticipated and those actually encountered, I recommend that the full amount of the outstanding liquidated damages on Unit 'A' be returned to the contractor. To date, eleven calendar days have been granted based on the overrun of foundation fill, and twenty-five days remain outstanding. This time overrun did not in any way impact the total project completion nor did it deny the public the use of any facility. In my opinion it is equitable and justified to grant the additionally requested extension.

Sincerely,

Victor F. Rhodes, Resident Engineer
Bureau of Street & Structural Engineering

VFR:cas

cc: John Howard
Oregon State Highway Division

8648

FORM 81-734-5001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: NW Kittridge Avenue-NW 26th Avenue (Portland)		WEEK ENDING: June 21, 1979
		SECTION PREFIX: 326-1088
HIGHWAY: FAU 9300 (NW Front Avenue)		COUNTY: Multnomah
NAME OF JOB: NW Kittridge Ave-NW 26th Ave (Portland)	KIND OF WORK: Grading, Paving, Illumination and Signals	
CONTRACTOR: Peter Kiewit Sons' Company	CONTRACT NUMBER: 8648	FEDERAL AID PROJECT NUMBER: IX-M-9300(3)
DATE OF CONTRACT: December 5, 1977	DATE WORK STARTED: January 9, 1978	ESTIMATED COMPLETION DATE: June 21, 1979
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 2 SUPERVISION: 1	SPECIFIED cal DAYS (A) 180	cal. DAYS USED (A) 228
	SPECIFIED CALENDAR DAYS (B) 360	CALENDAR DAYS USED (B) 395
PROJECT AUTHORIZATION: $ 2,059,160.63	SPECIFIED COMPLETION DATE (A) June 13, 1978 (B) Dec. 11, 1978	PERCENT OF TIME ELAPSED (A) 127% (B) 110%
EXCLUSIVE OF ENGINEERING: $ 1,912,731.43	ENGINEERING AUTHORIZATION $ 146,429.20	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 100%
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $ 1,811,725.62	ENGINEERING COST TO DATE $ 178,500.00	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 95%
ESTIMATED PERCENT: OVERRUN / UNDERRUN 5 %	PERCENT OF AUTHORIZATION 122 %	DATE PROJECT WAS COMPLETED: Unit A August 15, 1979 Unit B June 21, 1979

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		
100%	100%	100%	100%	100%			

	GRADING	Bit. Base	B&C AC	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT	1.38	1.38	1.38		
MILES PARTIALLY COMPLETED	0	0	0		
MILES COMPLETED	1.38	1.38	1.38		
TOTAL ESTIMATED QUANTITIES (CONTRACT)	16,000 C.Y.	15,200 T	6,450 T		
TOTAL QUANTITIES CORRECTED TO DATE	18,372 C.Y.	13,372 T	7,087 T		
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE	18,372 C.Y.	13,372 T	7,087 T		
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

Ladder Truck

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.								
PERCENT								

		WEATHER	Cal. DAYS CHARGED A / B	HOURS DELAY	
SUNDAY	17	Rain	0 / 391		
MONDAY	18	Cloudy	0 392		
TUESDAY	19	Cloudy	0 393		
WEDNESDAY	20	Pt. Cloudy	0 394		
THURSDAY	21	Pt. Cloudy	0 395		Second Notification, Unit B
FRIDAY	15	Pt. Cloudy	0 389		
SATURDAY	16	Showers	0 390		

Keasey, Jackmond, Hopkins, Williams, Johnsen, Glenn — Richards, Berg, Inloes, Widmer, Gebauer, Church

RECEIVED
JUN 26 1979
CONSTRUCTION BRANCH

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK	
SUNDAY 17	No Activity
MONDAY 18	No Activity
TUESDAY 19	Ruddiman - Painting finish coat on Street Light Poles
WEDNESDAY 20	Ruddiman - Painting finish coat on Street Light Poles
THURSDAY 21	Ruddiman - Completing painting of finish coat on Street Light Poles
FRIDAY 15	No Activity
SATURDAY 16	No Activity

REMARKS

Second Notification issued June 21, 1979 for Unit B, Complete Project.

SIGNED Don Shines for LOCATION Portland
Victor F. Rhodes
Resident Engr. (City of Portland)

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

SP-F216

#8648

December 6, 1978

Peter Kiewit Sons' Company
215 South "V" Street
Vancouver, WA 98663

Gentlemen:

Time Extension
N.W. Kittridge Ave.-N.W. 26th Ave.
(Portland)
Multnomah County
Contract No. 8648
FAP No. IX-M-9300(3)

Your request for an increase in calendar days for phase (a) completion of the subject project has been given careful consideration and review. A 23 calendar day increase for phase (a) is hereby granted due to extra work performed under Price Agreement No. 1, design changes in manhole 1-B and additional foundation excavation and backfill work. There will remain 25 days liquidated damages charged under phase (a).

Any questions concerning this extension should be directed to the Resident or Region Engineer.

Sincerely,

H. S. Coulter
State Highway Engineer

OBJ:DA:fr jl

bc: FHWA
C. T. Keasey
Robert Church
Ed Hardt
John Howard
Richard Hacek
Victor Rhodes, City of Portland
400 S.W. 6th, Portland, OR 97204

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION FILE: CON 5 #8648

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

November 29, 1978

O. B. Jackmond

FROM: O. B. Jackmond
Contract Administration Engineer

TO: H. S. Coulter
State Highway Engineer

STATE OF OREGON
DEC 4
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

SUBJECT: Time Extension Request
N.W. Kittridge-N.W. 26th (Portland)
Multnomah County
Contract No. 8648
FAP No. IX-M-9300(3)

The contractor on the subject project, Peter Kiewit Sons' Company, requests a 60 calendar day increase in which to complete phase (a) of the contract. Extra work, overrun of bid item quantities and plan omissions are cited as reasons for the request. Some pertinent dates are:

Calendar day count starts	12-16-77
Work began	1- 9-78
Stop work order	7-20-78 to 8-4-78
Completion of phase (a) work	8-15-78

Phase (a) includes all work required to complete the storm sewer main, and 180 calendar days were allotted for this work. The contractor exceeded the allotted time by 48 calendar days. The stop work order was written when river conditions did not permit construction of the storm sewer outfall.

All work to be completed under the project is included under phase (b) and is to be completed before the elapse of 360 calendar days. Time has not yet expired for this phase of the work.

Fourteen Texaco fuel lines were encountered crossing N.W. Front Avenue. These lines which were not shown on the plans, required tunnelling of this section of the storm sewer. The extra work was covered by Price Agreement No. 1. The contractor has asked for 15 additional days for delays because of this work. The work extended over a 15-day period from April 4 to April 18, but was done in conjunction with other contract work. Evaluation of the work shows an overall delay of nine calendar days which should be returned to the contractor.

The contractor claims the plans did not detail an elbow connection coming into manhole 1-B and that he was delayed seven days while securing an elbow for this installation. The plan detail for this particular manhole clearly calls out the bend. However, the existing structure was not as shown on the plans and required a change in design. The design change delayed contract work three calendar days. These days should be returned to the contractor.

Unstable foundation conditions have necessitated additional excavation and subsequent foundation backfill. The contractor is asking for 40 additional days for the time lost due to the additional excavation and backfill and the resultant loss of production in handling the poor quality of material.

The subsurface exploration logs gave an indication that one could expect to encounter unstable material. There is no warranty or guarantee that the logs disclose the actual conditions which will be encountered which also says the amount of unstable material may not be limited to the areas shown. The contractor should have been prepared for handling this type of material.

The increased quantity of trench excavation and backfill due to the unstable material did delay the progress of the work. Unstable material below the pipe required replacement with foundation fill material. This also required additional trench excavation. The additional work involved approximately 950 cubic yards of material and caused a 6 percent overrun in the excavation item and a 98 percent overrun of the foundation fill material. A delay of 11 calendar days would have been realized by this additional work.

To summarize, it is recommended that nine calendar days be granted for extra work performed under P.A. 1, three calendar days for the manhole design change and eleven calendar days for additional foundation excavation and backfill work totalling 23 calendar days. This will leave 25 days liquidated damages to be charged under phase (a).

FHWA approval will not be required.

A rough draft letter to the contractor is attached.

OBJ:DA:fr

Att.

cc: Ed Hardt
Victor Rhodes, City of Portland
John Howard
FHWA

[illegible] (REV.)—[illegible]

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays **
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

Date October 10, 1978

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from 180 days to 240 days, within which to complete our Contract No. 8648, without the assessment of liquidated damages. The said contract is described as follows:

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows:

Refer to our Serial Letter No. V-40.

Respectfully submitted,

PETER KIEWIT SONS' CO.
Contractor

By

CONSENT OF SURETY

Date October 11, 1978

We, THE ÆTNA CASUALTY AND SURETY COMPANY

, as

surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

Robert T. Stites, Attorney-in-fact

(SEAL)

Resident Agent

** All reference to "workdays" is hereby deleted and "calendar days" substituted in place thereof.

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request

for

Increase in Number of Workdays **

to

Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8648 Contractor Peter Kiewit Sons, Inc.

Highway N.W. Front Avenue FAU 9300

Section NW Kittridge Ave.-NW 26th Ave.

Kind of Work Grading, Paving, Illumination, Signal

It is recommended that the request for increase in the number of workdays within which to complete said contract be [redacted] or **GRANTED**. The reasons for such recommendation are as follows:

Twenty-three (23) days are hereby granted due to additional work and delays resulting from a design change.

Recommended for Approval:

M Marion Copt
Division Engineer

O. B. Jakmund
For Construction Engineer or Bridge Engineer

H S Coulter
State Highway Engineer

Contract No.	8648
Project designation	IX-M-9300(3) State-Federal
Date awarded	December 5, 1977
Work started	
Per cent completed	Date
No. of Workdays Allowed	Unit A - 180 CD
No. of Workdays Used	240
No. of Added Workdays Requested	60

BP*0206-734

** All reference to "workdays" is hereby deleted and "calandar days" substituted in place thereof.

8648

Section NW Kittridge Ave - NW 26th Ave (Portland) Programming Estimate $ 1,943,000 VSM

Highway FAU 9300 (NW Front Ave)

County Multnomah Project Length 1.38 miles

Kind of Work Grading, Paving & Signals Completion Time 360 calendar days (12-1-78)

Prefix 26-1984- FA Project No. IX-M-9300(3)

ESTIMATED CONSTRUCTION AUTHORIZATION

Estimated Contract Amount		$ 1,619,514
Anticipated Additional Items:		
Royalty Payment		
Building Permit Fees		
Slide Correction		
Railroad Protective Costs		
Other Railroad Costs		
Permanent Signing		
Permanent Pavement Striping	4,000	
Temporary Pavement Striping	2,000	
Remove Pavement Striping (Exist. & Temp.)	2,000	
Temporary Erosion Control		
State Furnished	1,000	
Install Water Meter		
Furnish Water		
Laboratory Fees		
On the Job Trainees (2)		
State Responsibility for Damages	1600	
Signal Controller Testing		
Bikeway Signs	750	
Furnish Mail Box Posts		
Adjust Utilities		
Portland General Electric	64[illegible]	
City of Portland Water	12,500	
Misc. Permit Fees		
Roadside Seeding & Mulching	1000	
		$ 111,250
		$ 1,730,764
Contingencies (4-1/2%)		77,884 38
Engineering (8 %)		138,461 12
Credit for	SUBTOTAL	$
Estimated Net Authorization, Construction		$ 1,947,109 50

APPROVED

Road Design Engineer

APPROVED

FINAL DESIGN

Copy to Ross 10-20-31 (H)

(Nov.)

OREGON STATE HIGHWAY DIVISION

SUMMARY--BID SCHEDULE--COST ESTIMATE

Sheet 1 of _____

Date 9-21-77

Section NW. Kittridge Ave. - NW. 26th Ave (Portland) County Multnomah

Kind Of Work Grading, Paving, Illumination & Signals Length 1.38 mi Name Galloway

9-28-77 8

No	Item	Code	Unit	Quant.	Unit Cost	Total
1	Mobilization (7%)		Lump Sum	All		106,000
2	Temporary Protection And Direction Of Traffic		Lump Sum	All		10,000
3	Temporary Signs		Sq. Ft.	300	7	2,100
4	Temporary Barricades		Each	16	125	2,000
5	Flagmen		Hour	1800	17 00	30,600
	ROADWORK					
6	Clearing And Grubbing		Lump Sum	All	—	5,000 00
7	Removal Of Structures And Obstructions		Lump Sum	All		15,000 00
8	General Excavation		Cu. Yd.	16,000	4 50	72,000
9	Granular Embankment Material		Cu. Yd.	450	6 50	2,925
10	Trench Excavation		Cu. Yd.	15,300	15 00	229,500
11	Foundation Fill		Cu. Yd.	1,000	6 00	6,000
12	Special Backfill		Cu. Yd.	3,000	5 00	15,000
13	Finishing Roadbed And Slopes		Lump Sum	All	—	6,900 00
14	Furnishing And Placing Topsoil		Cu. Yd	310	10 00	3100
15	Watering		M-Gal.	160	8 00	1,280
16	Bituminous Base Mixture		Ton	15,200	9 50	144,400
17	Asphalt In Bituminous Base Mixture		Ton	835	73 00	60,955
18	3/4"-0 Aggregate Base		Ton	1,500	6 50	9,750

OREGON STATE HIGHWAY DIVISION

SUMMARY--BID SCHEDULE--COST ESTIMATE

Sheet 2 of _____

Date _____

Section N.W. Kittridge Ave. - NW 26th Ave (Portland) County _____

Kind Of Work Grading, Paving, Illumination and Signals Length _____ Name _____

No	Item	Code	Unit	Quant.	Unit Cost	Total
19	Class "B" or Class "C" Asphalt Concrete Mixture		Ton	6,450	10 50	67,725
20	Asphalt Cement In Mixture		Ton	420	73 00	30,660
21	Asphalt In Tack Coat		Ton	10	150 00	1500
22	Furnish Pile Driving Equipment		Lump Sum	All	—	5,000 00
23	Furnish HP 12x74 Steel Piling		Lin. Ft.	1470	17 00	24,990
24	Drive Steel Piles		Lin. Ft.	1470	1 50	2205
25	Precast Pile Caps		Each	21	400 00	8,400
26	60-inch Sewer Outfall Pipe		Lin. Ft.	160	140 00	22,400
27	10-inch Sewer Pipe		Lin. Ft.	1810	6 50	11,765
28	12-inch Sewer Pipe		Lin. Ft.	490	7 00	3,430
29	15-inch Sewer Pipe		Lin. Ft.	825	9 75	8,043 75
30	18-inch Sewer Pipe		Lin. Ft.	1125	14 25	16,031 25
31	21-inch Sewer Pipe		Lin. Ft.	1620	19 25	31,185
32	24-inch Sewer Pipe		Lin. Ft.	700	25 00	17,500
33	27-inch Sewer Pipe		Lin. Ft.	510	33 00	16,830
34	30-inch Sewer Pipe		Lin. Ft.	875	37 00	32,375
35	36-inch Sewer Pipe		Lin. Ft.	690	42 50	29,325
36	42-inch Sewer Pipe		Lin. Ft.	8	48 00	384
37	60-inch Sewer Pipe		Lin. Ft.	43	105 00	4515
38	Extra for Pipe Under Pavement		Lin. Ft.	2,110	8 00	16,880
	Bedding Material		Cu. Yd.	600	8 00	4800

OREGON STATE HIGHWAY DIVISION
SUMMARY--BID SCHEDULE--COST ESTIMATE

Sheet 3 of _____
Date _____

Section N.W. Kittridge Ave - N.W. 26th Ave (Portland) County _____

Kind Of Work Grading, Paving, Illumination & Signals Length 1.38 mi Name _____

No	Item	Code	Unit	Quant.	Unit Cost	Total
40	Extra For Tunneling 12-inch Pipe		Lin. Ft.	64	100 00	6400
41	Extra For Tunneling 18-inch Pipe		Lin. Ft.	187	115 00	21,505
42	Extra For Tunneling 21-inch Pipe		Lin. Ft.	72	125 00	9,000
43	Extra For Tunneling 27-inch Pipe		Lin. Ft.	127	210 00	26,670
44	Extra For Jacking 30-inch Pipe		Lin. Ft.	55	230 00	12,650
45	Extra For Jacking 36-inch Pipe		Lin Ft.	36	260 00	9,360
46	Standard Manholes		Each	37	2,000 00	74,000
47	Manholes, Type C		Each	1	4,000 00	4,000
48	Manholes, Type G		Each	1	7,600 00	7,600
49	Manholes, Type I		Each	1	10,000 00	10,000
50	Concrete Inlets, Type P		Each	98	250 00	24,500
51	Reinforced Concrete Driveways		Sq. Yd.	1210	15 00	18,150
52	Concrete Walks, Curbs And Surfacing		Cu. Yd.	1110	95 00	105,450
53	Extra For Asphalt Walks		Sq. Yd.	2050	1 50	3,075
54	Extra For Asphalt Approaches		Each	23	100 00	2,300
55	Loose Riprap		Cu. Yd.	410	15 00	6,150
56	Fil for Blanket		Cu. Yd.	140	10 00	1,400
57	Adjusting Manholes		Each	20	150 00	3,000
58	Adjusting Inlets		Each	1	250 00	250
	1,314,431 00					1,423,914 00

OREGON STATE HIGHWAY DIVISION

SUMMARY--BID SCHEDULE--COST ESTIMATE

Sheet 4 of 4

Date

Section N.W. Kittridge Ave - N.W. 26th Ave. (Bi-Hard) County

Kind Of Work Grading, Paving, Illumination, & Signals Length Name

No	Item	Code	Unit	Quant.	Unit Cost	Total
	ILLUMINATION					
59	Pole Foundations		Lump Sum	All		13,600
60	Roadway Lighting Poles And Bracket Arms		Lump Sum	All		28,550
61	Luminaires And Ballasts		Lump Sum	All		16,450
62	Switching, Conduit, Wiring, Lamps, Protective Posts, Etc.		Lump Sum	All		7,000
					Subtotal	65,600
	SIGNALS					
63	Traffic Signal Installation, Complete		Lump Sum	All		40,000
64	Commissioners Std. No. 2 Installation, Complete		Lump Sum	All		60,000
65	Commissioners Std. No. 2B Installation, Complete		Lump Sum	All		30,000
					Subtotal	130,000
					Total	$ 619,514

8648

Section NW. Kittridge Ave - NW. 26th Ave (Portland) Programming Estimate $ _____

Highway FSV 9300 (NW Front Ave) Project Length 1.38 miles

County Multnomah Completion Time 360 calendar days

Kind of Work Grading, Paving & Signals (12-1-78)

Prefix 26-1984- FA Project No. FX-M-9300(3)

ESTIMATED CONSTRUCTION AUTHORIZATION

Estimated Contract Amount		$ 1,615,731
Anticipated Additional Items:		
Royalty Payment		
Building Permit Fees		
Slide Correction		
Railroad Protective Costs		
Other Railroad Costs		
Permanent Signing	4000	
Permanent Pavement Striping	2000	
Temporary Pavement Striping	2000	
Remove Pavement Striping (Exist. & Temp.)		
Temporary Erosion Control	1000	
State Furnished _____		
Install Water Meter		
Furnish Water		$ 111,250
Laboratory Fees		
On the Job Trainees 2	1600	
State Responsibility for Damages		
Signal Controller Testing	750	
Bikeway Signs		
Furnish Mail Box Posts		
Adjust Utilities _____		
_____		
Portland General Electric	600	
City of Portland Water	12,500	
Misc. Permit Fees _____		
Roadside Seeding & Planting	1000	
		$ 1,726,981
Contingencies (4-1/2%)		77,714 15
Engineering (8 %)		138,158 48
	SUBTOTAL	$
Credit for _____		
Estimated Net Authorization, Construction		$ 1,942,853 63

APPROVED

_____

Road Design Engineer

OREGON STATE HIGHWAY DIVISION (Nov.)

SUMMARY--BID SCHEDULE--COST ESTIMATE

Sheet 1 of _____

Date 9-21-77

Section NW. Kittridge Ave. - NW. 26th Ave (Portland) County Multnomah

Kind Of Work Grading, Paving, Illumination & Signals Length 1.38 mi Name Galloway

9-28-77 8

No	Item	Code	Unit	Quant.	Unit Cost	Total
1	Mobilization (7%)		Lump Sum	All		105,700
2	Temporary Protection And Direction Of Traffic		Lump Sum	All		10,000
3	Temporary Signs		Sq. Ft.	300	7	2,100
4	Temporary Barricades		Each	16	125	2,000
5	Flagmen		Hour	1800	17 00	30,600
	ROADWORK					
6	Clearing And Grubbing		Lump Sum	All	—	5,000 00
7	Removal Of Structures And Obstructions		Lump Sum	All		15,000 00
8	General Excavation		Cu. Yd.	16,000	4 50	72,000
9	Granular Embankment Material		Cu. Yd.	450	6 50	2,925
10	Trench Excavation		Cu. Yd.	15,300	15 00	229,500
11	Foundation Fill		Cu. Yd.	1,000	6 00	6,000
12	Special Backfill		Cu. Yd.	3,000	5 00	15,000
13	Finishing Roadbed And Slopes		Lump Sum	All	—	6,900 00
14	Furnishing And Placing Topsoil		Cu. Yd.	310	10 00	3100
15	Watering		M. Gal.	160	8 00	1,280
16	Bituminous Base Mixture		Ton	15,200	9 50	144,400
17	Asphalt In Bituminous Base Mixture		Ton	835	73 00	60,955
18	1½"-0 Aggregate Base		Ton	1,500	6 25	9,375

OREGON STATE HIGHWAY DIVISION
SUMMARY—BID SCHEDULE—COST ESTIMATE

Sheet 2 of _____
Date _____

Section N.W. Kittridge Ave. - N.W. 26th Ave (Portland) County _____

Kind Of Work Grading, Paving, Illumination and Signals Length _____ Name _____

No	Item	Code	Unit	Quant.	Unit Cost	Total
19	Class "B" or Class "C" Asphaltic Concrete Mixture		Ton	6450	10 50	67,725
20	Asphaltic Cement In Mixture		Ton	420	73 00	30,660
21	Asphalt In Tack Coat		Ton	10	150 00	1500
22	Furnish Pile Driving Equipment		Lump Sum	All	—	5,000 00
23	Furnish HP 12x74 Steel Piling		Lin. Ft.	1302	17 00	22,134
24	Drive Steel Piles		Lin. Ft.	1302	1 50	1953
25	Precast Pile Caps		Each	21	400 00	8400
26	60-inch Sewer Outfall Pipe		Lin. Ft.	160	140 00	22,400
27	10-inch Sewer Pipe		Lin. Ft.	1810	6 50	11,765
28	12-inch Sewer Pipe		Lin. Ft.	490	7 00	3430
29	15-inch Sewer Pipe		Lin. Ft.	825	9 75	8,043 75
30	18-inch Sewer Pipe		Lin. Ft.	1125	14 25	16,031 25
31	21-inch Sewer Pipe		Lin. Ft.	1620	19 25	31,185
32	24-inch Sewer Pipe		Lin. Ft.	700	25 00	17,500
33	27-inch Sewer Pipe		Lin. Ft.	510	33 00	16,830
34	30-inch Sewer Pipe		Lin. Ft.	875	37 00	32,375
35	36-inch Sewer Pipe		Lin. Ft.	690	42 50	29,325
36	42-inch Sewer Pipe		Lin. Ft.	8	48 00	384
37	60-inch Sewer Pipe		Lin. Ft.	43	105 00	4515
38	Extra for Pipe Under Pavement		Lin. Ft.	2,110	8 00	16,880
39	Bedding Material		Cu. Yd.	600	8 00	4800

OREGON STATE HIGHWAY DIVISION
SUMMARY--BID SCHEDULE--COST ESTIMATE

Sheet 3 of _____
Date _____

Section N.W. Kittridge Ave - N.W. 26th Ave. (Portland) County _____

Kind Of Work Grading, Paving, Illumination & Signals Length 1.38 mi. Name _____

No	Item	Code	Unit	Quant.	Unit Cost	Total
40	Extra For Tunneling 12-inch Pipe		Lin. Ft.	64	100 00	6400
41	Extra For Tunneling 18-inch Pipe		Lin. Ft.	187	115 00	21,505
42	Extra For Tunneling 21-inch Pipe		Lin. Ft.	72	125 00	9,000
43	Extra For Tunneling 27-inch Pipe		Lin. Ft.	127	210 00	26,670
44	Extra For Jacking 30-inch Pipe		Lin. Ft.	55	230 00	12650
45	Extra For Jacking 36-inch Pipe		Lin Ft.	36	260 00	9360
46	Standard Manholes		Each	37	2,000 00	74,000
47	Manholes, Type C		Each	1	4,000 00	4,000
48	Manholes, Type G		Each	1	7.600 00	7,600
49	Manholes, Type I		Each	1	10,000 00	10,000
50	Concrete Inlets, Type P		Each	98	250 00	24,500
51	Reinforced Concrete Driveways		Sq. Yd.	1210	15 00	18,150
52	Concrete Walks, Curbs And Surfacing		Cu. Yd.	1110	95 00	105,450
53	Extra For Asphalt Walks		Sq Yd.	2050	1 50	3,075
54	Extra For Asphalt Approaches		Each	23	100 00	2,300
55	Loose Riprap		Cu. Yd.	410	15 00	6,150
56	Filter Blanket		Cu. Yd.	140	10 00	1,400
57	Adjusting Manholes		Each	20	150 00	3,000
58	Adjusting Inlets		Each	1	250 00	250
	1,314,431 00					1,420,131 00

OREGON STATE HIGHWAY DIVISION
SUMMARY--BID SCHEDULE--COST ESTIMATE

Sheet 4 of 4

Date

Section N.W. Kittridge Ave - N.W. 26th Ave (Bid Item)

County

Kind Of Work Grading, Paving, Illumination & Signals Length Name

No	Item	Code	Unit	Quant.	Unit Cost	Total
	ILLUMINATION					
59	Pole Foundations		Lump Sum	All		13,600
60	Roadway Lighting Poles And Bracket Arms		Lump Sum	All		28,550
61	Luminaires And Ballasts		Lump Sum	All		16,450
62	Switching, Conduit, Wiring, Lamps, Etc.		Lump Sum	All		7000
					Sub Total	65,600
	SIGNALS					
63	Traffic Signal Installation, Complete		Lump Sum	All		40,000
64	Commissioners Std. No. 2 Installation, Complete		Lump Sum	All		60,000
65	Commissioners Std. No. 2B Installation, Complete		Lump Sum	All		30,000
					Sub Total	130,000
					Total	$ 615,731

8648

U.S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

11-1-78

FEDERAL AID PROJECT NO. IX-M-9300(3)

STATE PROJECT NO. See below

COUNTY NAME Multnomah

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

FROM:
G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.

ITEM NO. 71445

TO:

Mr. F. B. Klaboe
Asst. Direction for Operations, ODOT
State of Oregon
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
9-16-77	9-28-78	FAU-9300	City Street

GENERAL LOCATION:

N.W. Kittridge Ave.-N.W. 26th Ave. (Portland)

GENERAL DESCRIPTION OF WORK:

Pave shoulder on existing road by City Forces

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION
☐ OTHER (Specify)

☐ ACQUISITION OF RIGHT-OF-WAY
CONTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS
☒ CONSTRUCTION - PROCEED ON ~~AN APPROVED~~ PLANS AND/OR FORCE ACCOUNT BASIS

REMARKS

This will confirm the advance authorization date of 9-28-78, as requested in Mr. Keasey's letter of 10-25-78 as being in the public interest for the use of City Forces to proceed with the above work as represented by State Force Order No. 8 approved for TEC NTE $1,900 - Federal Funds $1,626.

NOTED
F. B. KLABOE

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
11-1-78	G. K. Hansen	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE. 1976--626-787

8648

ROBERT W STRAUB
GOVERNOR

Oregon State Highway Division

July 10, 1978

Cascade Construction Co. Inc.
P.O. Box 4267
Portland, OR 97208

Attention: Jon Morris
Vice President

Re: Contract 8468 and 8650

Gentlemen:

The $1,000.00 securities deposit released on Contract 8468 is being applied to Contract 8650 per your memo of 7-6-78.

Vernon E. Skoog
Controller

by _____
James J. Kinns
Contract Accounting Supervisor

JJK:cw

cc: U.S. National Bank

bc: C.W. Head
~~R. Church~~
C.W. Barrett, Jr. (Att.)

NOTED
C. W. HEAD

Form 81-734-3122

8648

U.S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

3-8-78

FEDERAL AID PROJECT NO.: IX-M 9300(3)

STATE PROJECT NO.: See below

FROM: G. L. Green, Division Administrator, Salem, Oregon

PROGRAM NO.:

ITEM NO.: 71445

COUNTY NAME: Multnomah

PROGRAM STAGE (Check): ☐ 1. ☐ 2.

TO:

Mr. F. B. Klaboe
Chief of Operations, ODOT
State of Oregon
SAlem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER / STATE ROUTE NUMBER
9-16-77	12-20-77	FAU 9300 / City Street

GENERAL LOCATION:

"N.W. Kittridge Ave.- N.W. 26th Ave. (Portland)"

GENERAL DESCRIPTION OF WORK:

Perm. installation of traffic control & parking signs throughout project.

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION
☐ OTHER (Specify)

☐ ACQUISITION OF RIGHT-OF-WAY
CONTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS
☑ CONSTRUCTION - PROCEED ON [redacted]
[redacted]OR FORCE ACCOUNT BASIS

REMARKS

This will confirm the advance authorization date of 12-20-77 as requested in Mr. Keasey's letter of 3-1-78 and based on the data submitted, you are authorized to proceed with the use of City Forces as being in the public interest as represented by State Force Order No. 3 at a total estimated cost not to exceed $1900.00 Federal Funds $1630.00.

NOTED
F. B. KLABOE

Signed
3-13

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
3-8-78	D. K. Hansen	For Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8648

Oregon State Highway Division

HIGHWAY BUILDING, SALEM, OREGON 97310

January 24, 1978

Peter Kiewit Sons' Co.
1000 Kiewit Plaza
Omaha, NE 68131

Attention: Donald E. Baker
Treasurer

Re: Contract 8503

In accordance with your letter of Jan. 16th the $15,000.00 released on this project is being applied to your unallocated account.

Re: Contract 8648

In accordance with your letter of Jan. 16th, $100,000.00 is being applied to this contract from the unallocated account.

The new balance in the unallocated account is $915,000.00

Vernon E. Skoog
Controller

by _____
James J. Kinns
Contract Accounting Supervisor

JJK:cw

bc: C.W. Head
R. Church
C.W. Barrett, Jr. (Att.)

8648

STATE COPY

TO BE COMPLETED BY FHWA: MONTHLY TRANSACTION NO.	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	Oregon
1-70	FEDERAL-AID PROJECT AGREEMENT	County: Multnomah
	1-10-78	Project No.: IX-M-9300(3)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

City St., N.W. Kittridge Ave.-N.W. 26th Ave.(Portland)

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	10-26-77	1.385
OTHER *(Specify)*		

FUNDS Pro rata 85.8%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 2,005,567.00	$ 1,720,775.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E. J. Lantis

Technical Services Engineer
(Title)

By H. S. Coulter

State Highway Engineer
(Title)

By _____

_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By Tony Burrow
(Division Administrator)

For: G. L. Green

Date executed by Division Administrator JAN 10 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtednesss of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

file

Oregon State Highway Division
Salem, Oregon, December 15, 1977

Federal-aid Project
No. IX-M-9300(3)

N.W. KITTRIDGE AVE.-N.W. 26TH AVE.(PORTLAND) SECTION
N.W. FRONT AVE. IN MULTNOMAH COUNTY

Project Agreement Estimate.

Type Code 6201
Grade & Pave (Sta. 128+40 to Sta. 201+50)

Mobilization	All	Required		$ 124,700.00
Temporary Protection and Direction of Traffic	All	Required		27,000.00
Temporary Signs	300	sq.ft.	10.00	3,000.00
Temporary Barricades	16	only	70.00	1,120.00
Flagmen	1,800	hour	13.00	23,400.00
Clearing and Grubbing	All	Required		2,000.00
Removal of Structures and Obstructions	All	Required		4,000.00
General Excavation	16,000	cu.yd.	9.00	144,000.00
Granular Embankment Material	450	cu.yd.	15.00	6,750.00
Trench Excavation	15,300	cu.yd.	7.00	107,100.00
Foundation Fill	1,000	cu.yd.	10.00	10,000.00
Special Backfill	3,000	cu.yd.	8.00	24,000.00
Finishing Roadbed and Slopes	All	Required		3,000.00
Furnishing and Placing Topsoil	310	cu.yd.	10.00	3,100.00
Watering	160	M-gal.	10.00	1,600.00
Bituminous Base Mixture	15,200	ton	12.00	182,400.00
Asphalt in Bituminous Base Mixture	835	ton	80.00	66,800.00
3/4" - 0 Aggregate Base	1,500	ton	10.00	15,000.00
Class "B" or Class "C" Asphalt Concrete Mixture	6,450	ton	13.00	83,850.00
Asphalt Cement in Mixture	420	ton	80.00	33,600.00
Asphalt in Tack Coat	10	ton	162.00	1,620.00
Furnish Pile Driving Equipment	All	Required		1,500.00
Furnish HP 12 x 74 Steel Piling	1,470	lin.ft.	15.00	22,050.00
Drive Steel Piles	1,470	lin.ft.	3.50	5,145.00
Precast Pile Caps	21	only	800.00	16,800.00
60-inch Sewer Outfall Pipe	160	lin.ft.	100.00	16,000.00
10-inch Sewer Pipe	1,810	lin.ft.	8.00	14,480.00
12-inch Sewer Pipe	490	lin.ft.	12.00	5,880.00
15-inch Sewer Pipe	825	lin.ft.	15.00	12,375.00
18-inch Sewer Pipe	1,125	lin.ft.	17.00	19,125.00
21-inch Sewer Pipe	1,620	lin.ft.	21.00	34,020.00

24-inch Sewer Pipe	700 lin.ft.	27.00	18,900.00
27-inch Sewer Pipe	510 lin.ft.	30.00	15,300.00
30-inch Sewer Pipe	875 lin.ft.	46.00	40,250.00
36-inch Sewer Pipe	690 lin.ft.	48.00	33,120.00
42-inch Sewer Pipe	8 lin.ft.	110.00	880.00
60-inch Sewer Pipe	43 lin.ft.	130.00	5,590.00
Extra for Pipe Under Pavement	2,110 lin.ft.	10.00	21,100.00
Bedding Material	600 cu.yd.	13.00	7,800.00
Extra for Tunneling 12-inch Pipe	64 lin.ft.	65.00	4,160.00
Extra for Tunneling 18-inch Pipe	187 lin.ft.	85.00	15,895.00
Extra for Tunneling 21-inch Pipe	72 lin.ft.	100.00	7,200.00
Extra for Tunneling 27-inch Pipe	127 lin.ft.	160.00	20,320.00
Extra for Jacking 30-inch Pipe	55 lin.ft.	225.00	12,375.00
Extra for Jacking 36-inch Pipe	36 lin.ft.	230.00	8,280.00
Standard Manholes	37 only	2,000.00	74,000.00
Manholes, Type C	1 only	5,000.00	5,000.00
Manholes, Type G	1 only	7,000.00	7,000.00
Manholes, Type I	1 only	8,000.00	8,000.00
Concrete Inlets, Type P	98 only	300.00	29,400.00
Reinforced Concrete Driveways	1,210 sq.yd.	19.00	22,990.00
Concrete Walks, Curbs and Surfacing	1,110 cu.yd.	100.00	111,000.00
Extra for Asphalt Walks	2,050 sq.yd.	3.00	6,150.00
Extra for Asphalt Approaches	23 only	150.00	3,450.00
Loose Riprap	410 cu.yd.	16.00	6,560.00
Filter Blanket	140 cu.yd.	12.00	1,680.00
Adjusting Manholes	20 only	200.00	4,000.00
Adjusting Inlets	1 only	300.00	300.00
			$1,506,115.00

Illumination		
Pole Foundations	All Required	$ 18,000.00
Roadway Lighting Poles and Bracket Arms	All Required	14,000.00
Luminaires and Ballasts	All Required	14,000.00
Switching, Conduit, Wiring, Lamps, Etc.	All Required	12,000.00
Signals		
Traffic Signal Installation, Complete	All Required	40,000.00
Commissioner Std No. 2 Installation, Complete	All Required	75,000.00
Commissioner Std No. 2B Installation, Complete	All Required	40,000.00
		$ 213,000.00
		$1,719,115.00

Anticipated Items		
Permanent Pavement Striping (C.F.)	All Required	$ 2,000.00
Temporary Pavement Striping (C.F.)	All Required	2,000.00
Temporary Erosion Control (E.W.)	All Required	1,000.00
On-the-Job Trainees (2 at $800)	All Required	1,600.00
Portland General Electric	All Required	6,384.00
City of Portland (Water)	All Required	50,628.00
		$ 63,612.00
	Subtotal	$1,782,727.00
	Engineering	222,090.00
	Engineering(Signal Controller Testing)	750.00
	Total	$2,005,567.00

Length of Project - - - - - - - - - - - -1.385 miles

Cost of Roadway Per Mile- - - - - - - - -$1,448,062.81

Retain in Program		
Roadside Seeding and Mulching	All Required	$ 1,000.00
Permanent Signing (C.F.)	All Required	4,000.00

SUMMARY OF FUNDS (85.8%)

Description	Total Cost	Federal Funds	State Funds	City Funds
*Roadway IX Funds, G1	$ 608,552.00	$ 522,138.00	$ 43,207.00	$ 43,207.00
Roadway M Funds, G2	1,397,015.00	1,198,637.00	99,189.00	99,189.00
Total	$2,005,567.00	$1,720,775.00	$142,396.00	$142,396.00

*Note: IX Funds are fixed.

Group 1 - 30%; Group 2 - 70%

Contract No. 8648

Prefix: 326-1088

8648

U.S. DEPARTMENT OF TRANSPORTATION · FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

12-19-77

FEDERAL AID PROJECT NO: [illegible]X-M-9300(3)

STATE PROJECT NO.: See Below

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.:

ITEM NO.: 71445

COUNTY NAME: Multnomah

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. F. B. Klaboe
Chief of Operations, Dot
State of Oregon
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER / STATE ROUTE NUMBER
9-16-77	12-19-77	FAU 9300 / City Street

GENERAL LOCATION:

"NW Kittridge Avenue-NW 26th Avenue (Portland)"

GENERAL DESCRIPTION OF WORK:

Utility Adjustment

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☐ ACQUISITION OF RIGHT-OF-WAY

CONTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☒ OTHER (Specify) : (City of Portland-Bureau of Water Works)
TEC NTE $41,101, - F.F. $35,264

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

NOTED
F. B. KLABOE
Swan
12-27

REMARKS

As requested in Mr. Swan's 12-7-77 letter, you are authorized to proceed with the adjustment of the water facilities by the City of Portland, Bureau of Water Works. It should be noted that permit fee of $912.50 and overhead costs of $6,603.66 are non participating costs. Reimbursement on an actual cost basis is approved.

I approved the Agreement with the Bureau of Water Works consisting of the Bureau's letter of 11-17-77, your region utilities specialist's letter of 11-30-77 and the plans and estimate furnished by Mr. Swan's 12-7-77 letter.

Approval and participation for the portion of work authorized above is subject to the provisions of the Federal-aid Highway Program MANUAL

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
12-19-77	D. K. Hansen	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8648

U.S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

12-19-77

FROM: G. L. Green, Division Administrator, Salem, Oregon	PROGRAM NO.	FEDERAL AID PROJECT NO. IX-M-9300(3)
	ITEM NO. 71445	STATE PROJECT NO. See Below
		COUNTY NAME Multomah
		PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. F. B. Klaboe
Chief of Operations, DOT
State of Oregon
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER
9-16-77	12-19-77	FAU 9300
		STATE ROUTE NUMBER: City Street

GENERAL LOCATION:

"NW Kittridge - NW 26th Avenue (Portland) Section"

GENERAL DESCRIPTION OF WORK:

Utility Adjustment

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
- ☐ LOCATION ONLY
- PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
- ☐ PREPARATION

- ☐ ACQUISITION OF RIGHT-OF-WAY
- CONTRUCTION - ADVERTISE FOR RECEIPT
- ☐ OF BIDS

- XX OTHER (Specify) : Utility Adjustment (Portland General Elec) TEC NTE $6,384 - F.F., $5,477
- ☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

Swan 12-27

REMARKS

As requested in Mr. Swan's 12-7-77 letter you are authorized to proceed with the actual adjustment of street light removal by PGE. Reimbursement on an actual cost basis is approved.

I approve the Agreement with PGE consisting of their letter of 2-22-77 your Region Utilities Specialist's letter of 11-30-77 and the plans and estimate furnished by Mr. Swan's 12-7-77 letter.

Approval andparticipation for hte portion of work authorized above is subject to the provisions of the Federal aid Highway Program Manual.

NOT F. B. KLABOE

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
12-19-77	G. K. Hansen	for Diviison Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8648

OREGON STATE HIGHWAY DIVISION

Form A-191—(11-71)
SP*97000-734

Request for Outside Billing

(Or Advice of Cash Transaction)

Address invoice to: Portland, City of
400 SW 6th Avenue
Portland, OR 97204
Attention of John Lang, Highway Coordinator

Request No. (assigned by staff engineer or head of section) CC 1772

Date December 13, 1977

Payer's Order No. (if any)

Highway Div. Order No. (if any)
(Number of "Order to Render Service")

Description and Authority: (Describe the service rendered, stating kind of service, location, etc. Also refer to agreements; letters and orders by which payer authorized the service.)

Itemized Statement: Advance Deposit $135,200.00

Quantity	Unit	Description	Unit Price	Amount
		To be retained in Advance Deposit	$ 33,800.00	
		To be transferred to State Highway Funds for the NW Kittridge Ave.-NW 26th Ave. (Portland) Sect. FAU 9300 Agreement No. 6140		$101,400.00

If payer has made payment for this service, indicate the amount of payment. $

If payer has made a deposit with the Highway Division to guarantee payment, indicate the amount of the deposit. $135,200.00

Is this a partial or final request for billing? Partial

If there have been any previous requests for billing in connection with this same service, indicate the total amount of all previous requests. $

Give the number of the last previous request in connection with this same service.

Credit distribution: 326-1088-295

Submitted by: Fred Hildebrandt
Fred Hildebrandt

Approved:
Regional Engineer

Approved: Gerald W. Wimer
Gerald W. Wimer Section Head or Staff Engineer

Instructions: The original and duplicate copies shall be forwarded through the regional engineer to the staff engineer or section head. Staff engineer or section head will forward original copy to the Accounting Section. Additional copies may be prepared for and retained by the region office and other field offices concerned. If the request is to be accompanied by a payment, an additional copy shall be submitted for the use of the Accounting Section.

8648

ROW 18-4

OREGON STATE HIGHWAY DIVISION

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

December 7, 1977

Mr. Glen L. Green
Division Administrator
Federal Highway Administration
477 Cottage Street N.E.
Salem OR 97310

Water Facilities Relocation
Bureau of Water Works
City of Portland
N.W. Kittridge Ave.-N.W. 26th
Ave. (Portland) Section
N.W. Front Street
Multnomah County
Project No. IX-M-9300(3)

Dear Mr. Green:

Here is a copy of an estimate of cost to adjust the Bureau of Water Works' facilities dated November 17, 1977, and a sketch showing their proposed relocation.

A certification prepared by Ted Inloes as to the Bureau's rights in the land occupied by their facilities is in our files.

Pursuant to the terms of an agreement between the State and the City dated July 21, 1977, it is the City's responsibility to arrange for the relocation of utilities. The City's negotiations were verbal.

The conflict was originally anticipated, therefore, the Bureau was advised verbally of the conflict as soon as it was known. The relocation agreement will, therefore, consist of verbal notification of conflict, the estimate and sketch submitted herewith and our letter authorizing them to proceed with the work.

An appropriate permit for the utility's proposed relocation will not be issued as it is a City owned utility on City right of way.

The State is not entitled to a credit for expired service life under the provisions of Paragraph 9b (1)(b) of PPM 30-4, as the relocation involves a segment of facilities less than one mile in length.

RECEIVED
TECHNICAL SERVICES
DEC 7 '77
REFER TO
FOR

Info	Invest	R/D	D/R	Sign	Act	File

Form 81-734-3123

There will be no betterment derived from the proposed adjustment of the Bureau's facilities.

Your approval of the actual cost agreement, as evidenced above, and authorization to proceed with the work under the provisions of PPM 30-4 and 30-4.1 is requested. Estimated cost to the project is $50,628.

Yours truly,

D. E. Swan
Federal-Aid Engineer

DES:JMC:db
Enclosure
cc: E. S. Hunter
Jack M. Cartwright
Ted Inloes

8648

ROW 18-4

8

OREGON STATE HIGHWAY DIVISION

ROBERT W. STRAUB
GOVERNOR

V. B. KLABOE
Administrator and
State Highway Engineer

December 7, 1977

Mr. Glen L. Green
Division Administrator
Federal Highway Administration
477 Cottage Street N.E.
Salem OR 97310

Street Light Removal
Portland General Electric Co.
N.W. Kittridge-N.W. 26th Ave.
(Portland) Section
N.W. Front Avenue
Multnomah County
Project No. IX-M-9300(3)

Dear Mr. Green:

Here is a copy of an estimate of cost for Portland General Electric Company to remove existing lighting facilities dated February 22, 1977, and a sketch showing the proposed work.

A certification prepared by Ted Inloes as the the Company's rights for reimbursement is in our files.

RECEIVED
TECHNICAL SERVICES
DEC 7'77
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

Pursuant to the terms of an agreement between the State and the City, dated July 21, 1977, it is the City's responsibility to arrange for the relocation of utilities. The City's negotiations have been verbal.

The conflict was originally anticipated. Portland General Electric was advised verbally of the conflict as soon as it was known. The relocation agreement will, therefore, consist of verbal notification of conflict, the estimate and sketch submitted herewith, and the State's and City's letters authorizing them to proceed with the work.

An appropriate permit for the utility's proposed work will not be issued as this is a utility removal.

The State is not entitled to a credit for expired service life as the work is for removal of facilities.

Form 81-734-3123

There will be no betterment derived from the proposed removal of the Company's facilities.

Your approval of the actual cost agreement, as evidenced above, and authorization to proceed with the work under the provisions of PPM 30-4 and 30-4.1 is requested. Estimated cost to the project is $6,384.

Yours truly,

D. E. Swan
Federal-Aid Engineer

DES:[illegible]MC:db
Enclosure
cc: E. S. Hunter
Jack M. Cartwright
Ted Inloes

8648

bc w/att — Jon Rose - Upon receipt of City's check, notify Virgil Boyd at 378-6563, attach a copy of the notification of advance deposit No. AD 339 and submit to Finance Branch.

November 22, 1977

City of Portland
400 S.W. 6th Avenue
Portland, OR 97204

ATTN: John Lang
Highway Coordinator

Gentlemen:

On November 17, 1977, the lowest of 3 bidders on the N.W. Kittredge Avenue - N.W. 26th Avenue (Portland) Section, FAU 9600, was Peter Kiewit Sons' Co., Vancouver, Washington, which bid is approximately 6% greater than our estimate. It will be your responsibility to either accept or reject the project. If the City does decide to proceed with the project, the following advance deposit is required from the City prior to awarding the contract:

Bid Items	$1,719,115.00
Permanent Signing	1,900.00
Permanent Pavement Striping	4,100.00
Temporary Pavement Striping	2,000.00
Temporary Erosion Control	1,000.00
On the Job Trainees	1,600.00
Signal Controller Testing (Engineering)	750.00
Adjust Utilities	
Portland General Electric	6,400.00
City of Portland Water	92,500.00
Roadside Seeding and Mulching	1,000.00
4½% Contingencies	91,518.25
ESTIMATED TOTAL COST	$1,931,687.55

City's Advance Deposit:
7% of $1,931,687.55 = $135,218.13 or say $135,200.00.

Please make your check in the amount of $135,200.00 payable to the Oregon State Highway Division and send it to Mr. Jon Rose, Region 1 Federal Aid Engineer, 5821 N. E. Glisan Street, Portland, Oregon, 97213, prior to December 9, 1977.

Very truly yours,

Robert H. Prange
Local Projects Manager

FH:lml

8648

Salem, Oregon
November 2, 1977

H.S. Coulter
State Highway Engineer

Footpaths and Bicycle Trails
November 17, 1977 Bid Letting

F I L E

NW Kittridge Ave. -
NW 26th Ave. (Portland)

This is an informational report to document the Highway Division's action taken with regard to establishing footpaths and bicycle trails on projects as set forth in ORS 366.514. Bids will be opened November 17 on the following:

1. Wolf Creek Inn, Josephine County

   Building Restoration

   Footpaths or bicycle trails are not incorporated in this project as no new highway construction, reconstruction or relocation is involved.

2. Pacific Highway East at SE River Road (Milwaukie)
   Pacific Highway East (SE McLoughlin Boulevard)
   Clackamas County

   Traffic Signals

   Same as No. 1.

3. Sandy West City Limits-Alder Creek
   Mt. Hood Highway, Clackamas County

   Paving
   Overlay project--4-foot to 10-foot shoulders provided

   Same as No. 1.

4. Warrenton/Astoria Highway Junction
   Oregon Coast Highway, Clatsop County

   Grading, Paving, Signals
   Left turn refuge with 6- to 10-foot shoulders available for bicycle traffic.

   Bike lane striping in this area contemplated at later date.

5. Oregon Coast Highway at Cemetery Road (Millington)
Oregon Coast Highway, Coos County

Grade, Paving. Primarily frontage road improvement.

Footpaths and bicycle trails will not be established under this project as per ORS Chapter 366, Section 2, subsection 2(b) wich states "Footpaths and trails are not required to be established...if the cost of establishing such paths and trails would be excessively disproportionate to the need or probable use.

6. South Umpqua River (Winston) Overflow Channel
Coos Bay-Roseburg Highway, Coos County

Channel Improvement

Same as No. 1.

7. Rhea Road Relocation
Rhea County Road, Gilliam County

Grading, Base
Four-foot shoulders provided

Same as No. 5.

8. Hines-Diamond Avenue (Burns)
Central Oregon Highway, Harney County

Grading, Paving

An 8-foot Class II bikeway will be constructed in conjunction with this project.

9. Pacific Highway-McKenzie Highway (Springfield)
Eugene-Springfield Highway, Lane County

Guard Rail, Signing

Same as No. 1.

10. Pacific Highway East at Irving Road
Pacific Highway East, Lane County

Traffic Signals

Same as No. 1.

11. Rome-Burns Junction
I.O.N. Highway, Malheur County

Paving
Overlay project. Four-foot shoulders provided.

Same as No. 1.

12. Snake River (Adrian) Bridge
Succor Creek Highway (Parma Spur), Malheur County

Bridge Repairs

Same as No. 1.

13. Tunnel Creek-Whitewater Road
North Santiam Highway, Marion County

Grading, Paving
Cutbank Stabilization and Overlay

Same as No. 1.

14. Kings Valley Highway at Main Street (Dallas)
Kings Valley Highway, Polk County

Traffic Signals

Same as No. 1.

15. Newbury and Vermont Streets Viaducts (Portland)
Pacific Highway West, Multnomah County

Structure Repairs

Same as No. 1.

16. NW Kittridge Avenue-NW 26th Avenue (Portland)
FAU 9300 (NW Front Avenue), Multnomah County

Grading, Paving, Signals

Five-foot and 7.5-foot sidewalks will be provided on this project.

17. Murray Boulevard at Butner Road
FAU 9067, Washington County

Traffic Signals

Same as No. 1.

18. Tualatin River-Six Corner
Pacific Highway West, Washington County

Overlay Project
Four-foot to 10-foot shoulders provided

Same as No. 1.

DES:jp

cc Robert Burco
F.B. Klaboe
E.S. Hunter
D.G. Talbot
L.E. George
F.E. Terpin
George Bell
Don Harwell

8648

10-18-79

Mult. County

PROJECT REPORT

N.W. KITTRIDGE AVE. - N.W. 26TH AVE.

PORTLAND SECTION - N.W. FRONT AVE.

MULTNOMAH COUNTY

CONTRACT NO. 8648 PREFIX NO. 326-1088

F.A.P. NO. IX-M-9300(3)

General Progress: The contractor pursued the work in conformance to schedule during the first several months of the project. As delays slowed progress, the original schedule not only became optimistic, but unrealistic with regard to the order of some work items. The contractor opted to use bi-weekly schedules of work, including utility relocation, which proved satisfactory.

Significant difficulty was experienced in coordination of subcontractors, notably concrete work. The prime contractors grading superintendence was poor, causing delay in completion and conflicts with subcontractor scheduling. Generally the quality of grading work was good, although not pursued in as efficient and orderly manner as it might have been. In defense of the contractor it is only fair to point out that traffic, parking and other prime contractors in the area had a significant impact on his efforts.

Construction Problems: The majority of construction problems occurred during Unit 'A' storm sewer work. Unknown underground utilities, including the Texaco Fuel lines covered by Price Agreement No. 11 caused disruption of the work. Poor subsurface soil conditions and groundwater caused excess trench excavation and difficulty in establishing adequate foundation for the storm sewer.

Plan Changes: The sidewalk details used at railroad crossings provided extremely fragile end projections due to the angularity of the walk ends. After finding the problem, the remaining crossings were constructed with ends perpendicular to the curb. Owing to the nature of the grade crossings (flush surface 8'-6" each side of track centerline), they are used as driveways. For this reason we increased the section from 4" to 6" of PCC in these areas.

Difficulty was experienced in relating the separate sets of street and sewer plans. Both sets should be combined, or at a minimum, drawn to the same scale.

Both of the above problems originated with the City of Portland which had the design responsibility. Recommendations have been made to avoid these on future projects.

Time Overruns: Two time extensions have been granted on Unit 'A'. No damages are outstanding.

Versteeg
Anderson
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ROAD DESIGN SECTION

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A Unit 'B' time extension is in process with a recommendation for granting all outstanding calendar days.

Soil Profile: No soil profile has been included herewith since the City of Portland has the ownership and maintenance responsibility for the project.

Prepared By: _____ Date: 10-10-79

Victor F. Rhodes
Resident Engineer

8648 ○ ○ Portland

BURLINGTON NORTHERN

RECEIVED
OCT 11 1977
RR & UTILITY UNIT

ENGINEERING DEPARTMENT
Portland Region

1101 N.W. Hoyt Street
P. O. Box 571
Portland, Oregon 97207
Telephone (503) 221-1300

October 10, 1977

Mr. J. E. Chidsey
Railroad & Utility Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Sir:

Reference is made to your letter of August 17, 1977, enclosing preliminary plans of the N. W. Kittridge Avenue, N. W. 26th Avenue (Portland), Section of FAU 9300 (N. W. Front Avenue) in Multnomah County.

These plans have been reviewed in St. Paul, and the only comment we wish to make is that Class V sewer pipe should also be used for the crossing at station 18 on sheet 5D.

Yours very truly,

C. F. INTLEKOFER
Director, Engineering

By: R. A. Osborne
Staff Assistant

RAO/fc

PORTLAND-1-NP

XC: R.N. BOTHMAN.
J. H. VERSTEEG.

↗ Charge agreed upon & made 10/14/77

Versteeg ✓
Christensen
George
Olson
Terpin
Sullivan JWS
Scott
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J. E. CHIDSEY

8648

OREGON STATE HIGHWAY DIV...
117 DOT Building
Salem, Oregon 97310

9-21-77

Attention: Right-of-Way Section

Subject: Federal Aid Project No. 1X M 9300(3)
Project Name N.W. Kittridge Ave.-N.W. 26th Avenue, Portland

Regarding the above referred to federal aid project, we hereby certify that to the best of our knowledge and belief:

A. Existing Right-of-Way

☐ 1. All construction can be accomplished completely within the existing right-of-way. This existing right-of-way was acquired prior to January 2, 1971.

B. New Right-of-Way

☒ 1. This project required additional right-of-way purchased after January 2, 1971. Right-of-way, easements, or rights-of-entry required for this project have been secured in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and all incidental charges related to the transfer of property will be paid by the city in accordance with said Act.

☒ a. There has been no displacement of persons from residences, farms or businesses.

OR

☐ b. There has been displacement of persons from either residences, farms or businesses and in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, displaced persons, businesses, or farm operations have been provided relocation payments, if eligible, and relocation assistance. Displaced individuals or families have been relocated to decent, safe and sanitary housing or have been offered decent, safe, sanitary and fair housing immediately available on the open market.

C. Utilities

☒ 1. The occupancy and/or adjustment of existing utilities within the right-of-way of the above referred to federal aid project have been authorized by permit, franchise, or other approved procedure.

done 10-7-77 N

cc: D.E.SWAN
C.T.Keasey
J.Chidsey

Signed at Portland, Oregon, this 28th day of September, 1977

City of PORTLAND

RECEIVED
SEP 9 1977
Metro R/W Dept.

Certified By:

Regional Right-of-Way Supervisor
Date Oct 3, 1977

COWLES MALLORY, CITY ENGINEER
9/28/77

N W

Instructions: Complete A or B and C.
R/W File No. _____
Rev. 1/76

8648

THE CITY OF
PORTLAND
OREGON

DEPARTMENT OF
PUBLIC WORKS

CONNIE McCREADY
COMMISSIONER

OFFICE OF
PUBLIC WORKS
ADMINISTRATOR

400 S.W. SIXTH AVE.
PORTLAND, OR. 97204

September 22, 1977

MEMORANDUM

TO: Final Design Section, ODOT

FROM: Victor F. Rhodes, Project Engineer

SUBJECT: Final Plan Revision - NW Front Avenue

The following changes have been made to the mylars for this project:

1) The sewer pipe sizes, connection, and locations have been revised on the roadwork plans and coordinated with the sewer plan sheets.

2) Quantities have been added to the sewer plan sheets as requested.

3) FMC's new spur of approximate station 133+00 on Sheet 3A has been added and the profile grades revised.

4) The profile grades through the spur at station 148+75 on Sheet 3D have been revised since the spur is no longer in services and will be removed at FMC's cost.

5) All stations on the sewer plan sheets have been changed to street stationing with a cross reference to the sewer survey stationing.

6) All appropriate standard plans have been added to the detail sheets and references to them have been added.

7) The pipe data sheets have been revised as requested.

8) In an attempt to make the lettering more legible on the profile grid has been erased.

9) The net quantity changes (from the 8/5/77 Est.) reflected in the alterations are as follows:
#9 Trench Exc. - 45 C.Y. to 775 C.Y.
#19 10" Sewer Pipe - 110 L.F. to 1490 L.F.
#20 Type 'P' Inlets + 1 to 99 each
All other quantity changes were minor (0.5%).

10) The legend for construction staging on Sheet 2H has been revised.

The following changes and additions are requested:

1) ODOT standard plan sheets No. S-1, S-12, 2126-C, and 2105 are required.

2) Change Item #3 on the 8-5-77 estimate from 3/4"-0" rock to 1½"-0" rock. The same price is to be used for alternate curb bedding material.

3) All railroad spurs in the street area, except the FMC spur to be removed, will remain in operation. Tunneling or jacking of sewer pipe will be required. The limits of these operations are shown on the sewer plan sheets.

4) Joint use of the traffic signal poles at the NW Kittridge intersection will be made with illumination. As agreed with our street lighting staff, Rob Edgar will make the necessary graphics changes.

5) Please forward 2 full sets of reduced prints as soon as they are available.

VFR:jt

8648

Portland
Differ

Division of State Lands

1445 STATE STREET, SALEM, OREGON 97310 PHONE 378-3805

Front Ave.
SAK

OREGON STATE LAND BOARD

ROBERT W. STRAUB
Governor

NORMA PAULUS
Secretary of State

CLAY MYERS
State Treasurer

September 20, 1977

City of Portland
Bureau of Sanitary Engineering
Room 355, 400 S.W. Sixth Avenue
Portland, OR 97204

Attention: Mr. Dick Rhodes

Gentlemen:

Re: Material Removal/Fill Permit No. 2612

By this letter we are authorizing the following changes in the above referenced permit.

1. Condition No. 4e, Attachment A, is hereby changed to read:

   "The completed revetment shall have a slope no steeper than 1-1/2:1."

2. The use of 60-inch concrete is permitted instead of 42-inch as indicated on the permit application.

All other conditions of the permit remain in effect. Please attach this letter to the permit.

If you have any questions, please contact this office.

Sincerely,

WILLIAM S. COX
Director

E. R. Schmitz (ph copy)

Eugene R. Schmitz, Supervisor
Environmental Management Unit

ERS:ph

Versteeg
1 Christensen
George
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RECEIVED
SEP 29 1977
ENGINEERING SECTION

ph copy out

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REFERRED TO:
Department of Fish and Wildlife
Department of Environmental Quality
Soil and Water Conservation Commission
Water Resources Department
U. S. Army Corps of Engineers

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BY FINAL DESIGN ENGINEER

re: Front Ave Project
NW 26th Ave - NW Kittridge Ave.

8648

9-16-77

8

U. S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: IX-M-9300(3)

STATE PROJECT NO.: See below

COUNTY NAME: Multnomah

PROGRAM NO.:

ITEM NO.: 71445

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

FROM:
G. L. Green, Division Administrator
Salem, Oregon

TO:

H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
STATE HWY ENGR
SEP 30 '77
REFER TO
Info | Inves | R/D | D/R | Sig | Act | File
FOR Processing

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
9-16-77	9-16-77	FAU 9300	City Street

GENERAL LOCATION:
"N.W. Kittridge Ave. - N. W. 26th Ave. (Portland) Section"

GENERAL DESCRIPTION OF WORK:
Grade, drain, high type pavement and traffic signals (Code 6201 & Y031 Miles 1.78)

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

- ☐ PRELIMINARY ENGINEERING TO DETERMINE LOCATION ONLY
- ☐ PRELIMINARY ENGINEERING FOR SURVEY AND PLAN PREPARATION
- ☐ OTHER (Specify)
- ☐ ACQUISITION OF RIGHT-OF-WAY
- ☐ CONSTRUCTION - ADVERTISE FOR RECEIPT OF BIDS
- ☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

PS&E documents for the subject project have been reviewed and are approved at a total estimated cost of $2,298,000 - federal funds IX-$522,138 and FAU $1,449,546.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
9-16-77	E. J. Valach	for Division Administrator

PR-1240 EXISTING STOCKS OF FORM PR-1240 (REV. 6-68)

☆ U. S. GOVERNMENT PRINTING OFFICE: 1975—631-956

8648

STATE OF OREGO

INTEROFFICE MEMO

TO: DUANE CHRISTENSEN
Final Design Engineer

DATE: September 12, 1977

FROM: Wayne Schulte
WAYNE SCHULTE
Project Coordinator

SUBJECT: N.W. Front Avenue
N.W. Kittridge-N.W. 26th Avenue

During our review of the subject project final plans, you requested a brief status report of permits and right-of-way obligations. The following is a list of these concerns which are, or have been, pursued by the City of Portland during the development process:

1. U.S. Department of Army Permit - This is necessary to allow construction of the large outfall sewer. The permit has been approved and a copy was submitted to Gary Zehner for further handling on September 7, 1977.

2. State Lands Permit - This document is also necessary because of the outfall sewer and was given to Zehner on September 7.

3. Indirect Source Permit - Not required based on DEQ traffic volume criteria. Current ADT on this section of Front Avenue is 8,000. If the I-505 Freeway is built, 1994 ADT on Front is estimated at 6,000. Without I-505, 1994 ADT would be 11,000.

4. PUC Permits - The City submitted applications for the permits on July 7. The permits have not been issued as yet and according to Jim Chidsey are not required prior to the contract bid letting. They should be obtained prior to the start of actual roadway and track revisions in 1978. The initial contract work will involve drainage installations which will not require receipt of the PUC permits.

5. Right-of-Way - A permanent easement is required for the outfall sewer. It is the only R/W involvement on the project. The City has made an offer for the property which is acceptable to the owner. An ordinance authorizing the City to buy the easement should be signed on September 14.

WS/ldo
cc: Jim Chidsey

1 Versteeg
2 Christensen
Gregg
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Turpin
Sullivan COPY
Watt

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SEP 14 1977
ENGINEERING SECTION

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81-125-1387

FROM THE DIVISION OF STATE LANDS

W 26th AVE.-NW KITTRIDGE AVE.
NW Front Ave.
FAUS 9300

ATTACHMENT A

Special Conditions for Material Removal/Fill Permit No. 2612

1. This permit authorizes the removal of up to 100 cubic yards of material, the backfill of up to 80 cubic yards of material and the placement of riprap for the purpose of construction and installation of a storm sewer outfall as outlined in the attached permit application and drawings.

2. The operation shall be conducted in a manner that will prevent a turbidity increase of more than 5 JTU's over background.

3. There shall be no operation of equipment in the active flowing stream from February 15 to May 15 or September 1 through September 30.

4. Riprap shall be placed under these conditions:

   a. Only clean, erosion resistant rock from an upland source shall be used as riprap.

   b. Riprap shall be placed in a manner that does not appreciably increase the upland surface area.

   c. Areas of streambank disturbance not covered by riprap shall be seeded or planted with grass and/or legumes and shrubs.

   d. The riprap rock shall be placed from above the bank.

   e. The completed revetment shall have a slope no steeper than 2:1.

5. Waste materials and spoils shall be placed above Mean Higher High Water.

6. The Division of State Lands retains the authority to temporarily halt or modify the project in case of excessive turbidity or damage to natural resources.

September 8, 1977

Versteeg
Christensen
George
Olson
Tarpin
Sullivan Copy
Scott
Savage

RECEIVED
SEP 09 1977
ENGINEERING SECTION

Trout
Do Not File ☐
Return To
Bring Up / /
Action

STATE OF OREGON
Division of State Lands
1445 State Street
Salem, Oregon 97310
Phone: 378-3059
378-3805

N.W. [illegible]ttridge-N.W. 26th (Portland)
FAUS 9300 (N.W. Front Ave.)
Multnomah County

Permit No. 2612
Permit Type Removal/Fill
Waterway Willamette River
County Multnomah
Expiration Date 5-24-78
c/r PN 002520

CITY OF PORTLAND, BUREAU OF SANITARY ENGINEERING

IS AUTHORIZED IN ACCORDANCE WITH ORS 541.605 TO 541.660 TO PERFORM THE OPERATIONS DESCRIBED IN THE ATTACHED COPY OF HIS APPLICATION, SUBJECT TO THE SPECIAL CONDITIONS LISTED ON ATTACHMENT "A" AND TO THE FOLLOWING GENERAL CONDITIONS:

1. This permit does not authorize trespass on the lands of others. The permit holder shall obtain all necessary access permits or rights-of-way before entering lands owned by another.

2. This permit does not authorize any work that is not in compliance with local zoning or other local, state, or federal regulations pertaining to the operations authorized by this permit. The permit holder is responsible for obtaining the necessary approvals and permits before proceeding under this permit.

3. If removal is from state-owned submerged and submersible land, the applicant must comply with leasing and royalty provisions of ORS 274.530. Creation of new lands upon submerged or submersible lands must comply with provisions of ORS 274.905 et seq.

4. All work done under this permit must comply with Oregon Administrative Rules, Chapter 334; Standards of Quality for Public Waters of Oregon. Specific water quality provisions for this project are set forth on Attachment "A".

5. Violations of the terms and conditions of this permit are subject to administrative and/or legal action which may result in revocation of the permit or damages. The permit holder is responsible for the activities of all contractors or other operators involved in work done at the site or under this permit.

6. A copy of the permit shall be available at the work site whenever operations authorized by the permit are being conducted.

7. Employees of the Division of State Lands and all duly authorized representatives of the Director shall be permitted access to the project area at all reasonable times for the purpose of inspecting work performed under this permit.

8. The Division of State Lands retains authority to temporarily halt or modify the operation if it should cause excessive turbidity or damage to natural resources.

9. Any permit holder who objects to the conditions of this permit may request a hearing from the Director, in writing, within 10 days of the date this permit was issued.

William S. Cox, Director
Oregon Division of State Lands

/s/ Eugene R. Schnitz
Authorized Signature

May 24, 1977
Date issued

ATTACHMENT "A"

Special Conditions for Material Removal/Fill Permit No. 2612

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   d. The riprap rock shall be placed from above the bank.

   e. The completed revetment shall have a slope no steeper than 2:1.

5. Waste materials and spoils shall be placed above Mean Higher High Water.

6. The Division of State Lands retains the authority to temporarily halt or modify the project in case of excessive turbidity or damage to natural resources.

May 24, 1977

SEND TO:

Division of State Lands
1445 State Street
Salem, Oregon 97310

APPLICATION
STATE OF OREGON
REMOVAL-FILL PERMIT
(ORS 541.605 et seq.)

FOR DIVISION USE: 2612
Permit No. [illegible]
Waterway
County
Return by

(Please Print)

1. Applicant's Name City of Portland, Bureau of Sanitary Engineering

   Address 400 S. W. 6th Avenue, Room 355 Phone 248-4172

   City Portland State Oregon Zip 97204

2. Project Supervisor's Name Ronald G. Sunnarborg Phone 248-4605

3. Property Owner's Name A. G. Thies Et Al to Gilmore Steel Corp.

   Address P. O. Box 1888 Phone

   City Vancouver State Washington Zip 98663

4. Waterway affected by project Willamette River Tributary of

   County Multnomah River Mile 8.3 Section 19 Township IN Range IE

   Local name for project location: N. W. Kittridge Outfall - Project # 3289

5. Purpose of project: Construction of a Storm Sewer Outfall

6. Describe your proposed project, including any planned restoration of disturbed areas (attach additional sheet if necessary):

   Construct a pile supported concrete cradle for 42" concrete pipe (Req'd Equipment: Pile driver, crane) Excavation of a trench in the bank, laying 42" concrete pipe, backfilling and placing riprap. (Req'd Equip: Backhoe, crane, dump trucks)

7. When will project start? November 1977 Be completed? February 1978

8. Project will be: removal ____ fill ____ combination X riprap ____

9. Fill will consist of: rock ____ gravel ____ sand X silt ____ other riprap

   Removal will consist of: rock ____ gravel ____ sand X silt X other ____

10. Fill material involved (cu. yds.): annually ____ total project 80 c.y.

    Removal material involved (cu. yds.): annually ____ total project 100 c.y.

11. Where will you place surplus materials? N.A.

Signed J. P. Niehuser Title Chief Civil Engineer Date 4/15/77
J. P. NIEHUSER

CONTINUED ON BACK OF SHEET

141-31-04-77

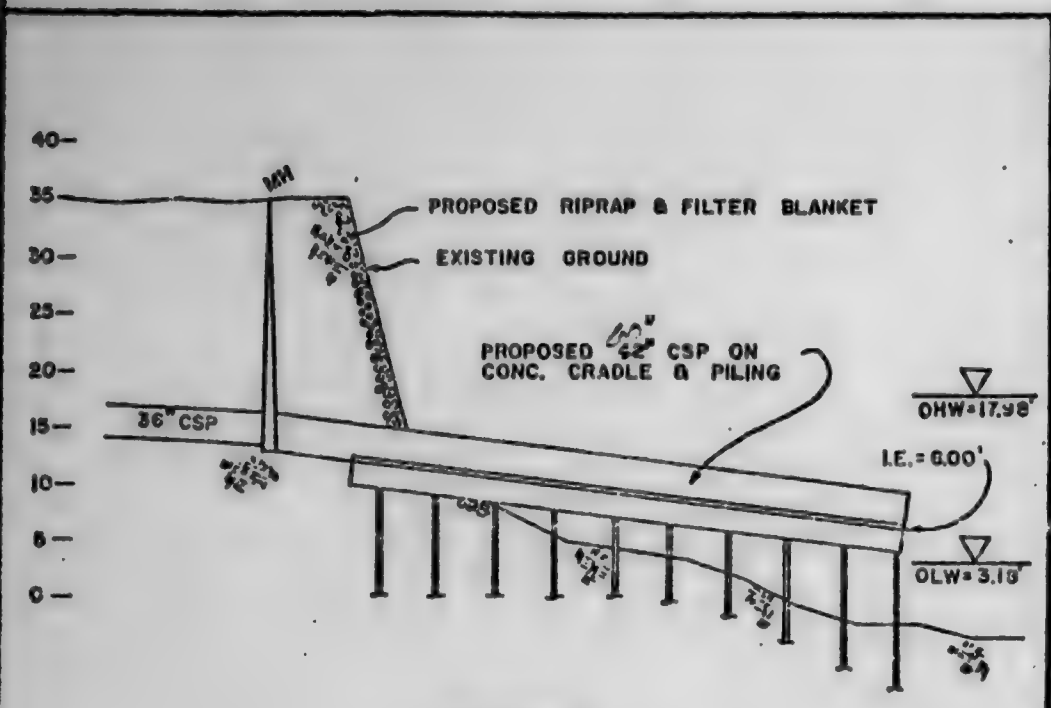
12. List names and addresses of adjoining property owners.

Gilmore Steel Corp
P. O. Box 2760
Portland, Oregon 97208

Gunderson, Inc.
4700 N. W. Front Ave.
Portland, Oregon 97210

13. Remarks:

RECEIVED
APR 17 1977
DIVISION OF STATE LANDS
REMITTANCE $ 50.00



PROFILE

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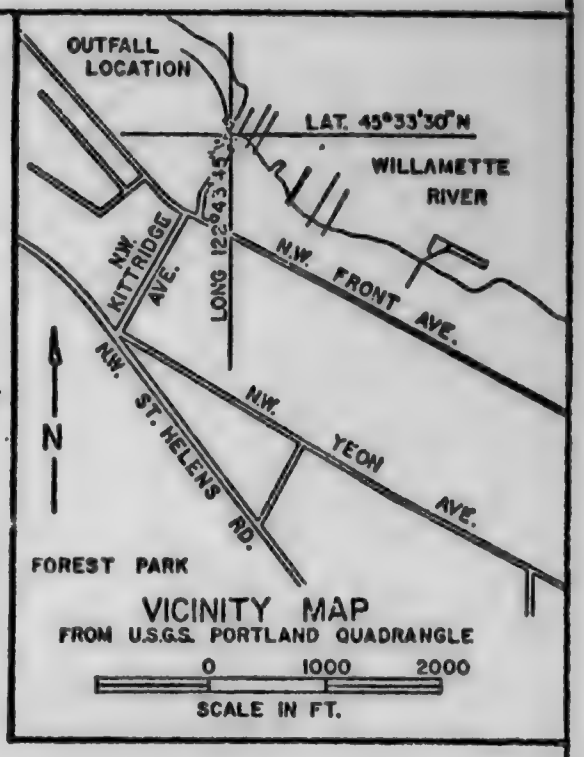

VICINITY MAP

FROM U.S.G.S. PORTLAND QUADRANGLE

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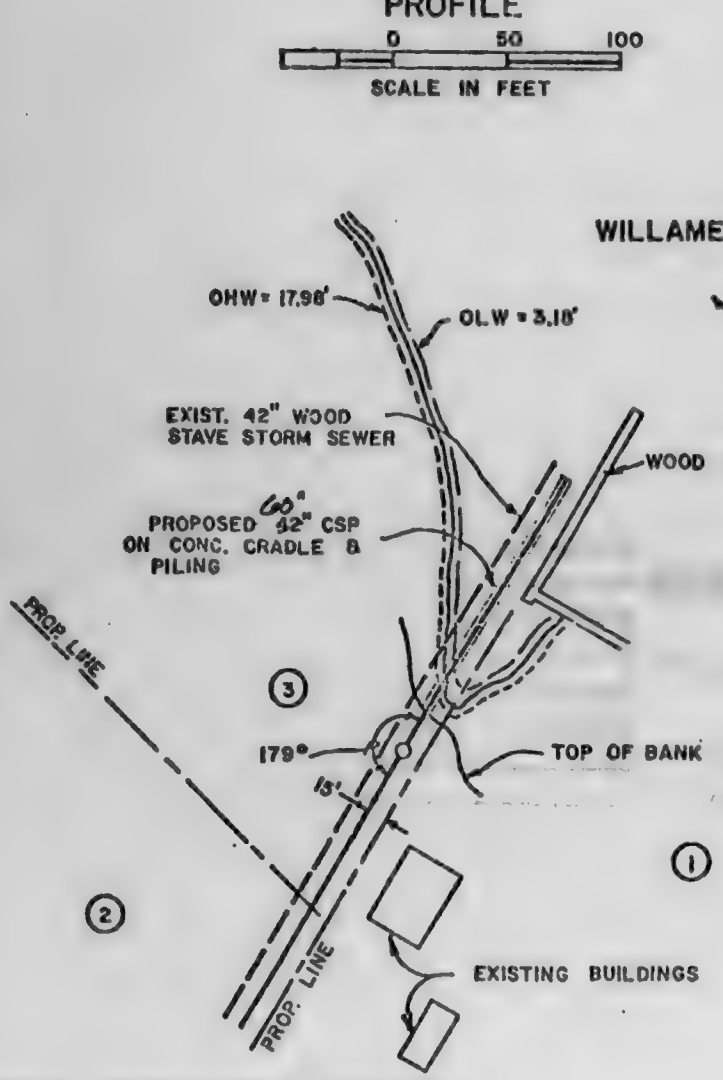
SCALE IN FT.



PLAN

0 100 200

SCALE IN FEET

PURPOSE: CONSTRUCT STORM SEWER OUTFALL

DATUM: CITY OF PORTLAND

ADJACENT PROPERTY OWNERS:

(1) GUNDERSON INC.

(2) GILMORE STEEL CORP.

(3) A.G. TIMES ET AL TO OREGON STEEL MILLS

IN WILLAMETTE RIVER
AT RIVER MILE 8.3
CITY OF PORTLAND
COUNTY OF MULTNOMAH
STATE OF OREGON
APPLICATION BY CITY OF PORTLAND

SHEET 1 OF 1 DATE: 1/28/77

Division of State Lands

1445 STATE STREET, SALEM, OREGON 97310 PHONE 378-3805

OREGON STATE LAND BOARD

ROBERT W. STRAUB
Governor

NORMA PAULUS
Secretary of State

CLAY MYERS
State Treasurer

September 20, 1977

City of Portland
Bureau of Sanitary Engineering
Room 355, 400 S.W. Sixth Avenue
Portland, OR 97204

Attention: Mr. Dick Rhodes

Gentlemen:

Re: Material Removal/Fill Permit No. 2612

By this letter we are authorizing the following changes in the above referenced permit.

1. Condition No. 4e, Attachment A, is hereby changed to read:

   "The completed revetment shall have a slope no steeper than 1-1/2:1."

2. The use of 60-inch concrete is permitted instead of 42-inch as indicated on the permit application.

All other conditions of the permit remain in effect. Please attach this letter to the permit.

If you have any questions, please contact this office.

Sincerely,

WILLIAM S. COX
Director

Eugene R. Schmitz, Supervisor
Environmental Management Unit

ERS:ph

cc: Department of Fish and Wildlife
Department of Environmental Quality
Soil and Water Conservation Commission
Water Resources Department
U. S. Army Corps of Engineers

RECEIVED
SEP 29 1977
ENGINEERING SECTION

Re: Front Ave Project
NW 26th Ave - NW Kittridge Ave.

Application No. 071-OYA-2-002520

Name of Applicant CITY OF PORTLAND

Effective Date 29 August 1977

Expiration Date (If applicable) 31 August 1980

N.W. Kittridge-N.W. 26th
(Portland) Sec.
FAUS 9300 (N.W. Front Ave.)
Multnomah Co.

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 12 April 1977 for a permit to:

( ) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

( ) Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

( ) Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052, P.L. 92-532);

City of Portland
Department of Public Works
1220 S.W. 5th Avenue
Portland, OR 97204

◄ (Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army:

to construct a 60" diameter outfall pipe of which 160 linear feet of the pipe will be supported on piling to get out beyond the ordinary low water line. A portion of the bank around the pipe will be riprapped with approx. 200 cy of Basalt Rock and filter material for protection from erosion.

◄ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in Willamette River Mile 8.3

◄ (Here to be named the ocean, river, harbor, or waterway concerned.)

at Portland, Oregon

◄ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks):

002520(Willamette River-Outfall)

subject to the following conditions:

1. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 36 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not [redacted] completed on or before 31 day of August, 19 80, (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

MAINTENANCE DREDGING: (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for _____ years from the date of issuance of this permit (ten years unless otherwise indicated); and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

II. Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

aa. All construction debris will be disposed of on land in such a manner that it cannot enter into the waterway.

bb. All piling and lumber treated with creosote or other protective material will be completely dry before use in or near the waterway.

cc. Care will be taken to prevent any petroleum products, chemicals or other deleterious materials from entering the water.

dd. Only clean, durable riprap will be used.

ee. Work in the waterway will be done so as to minimize turbidity increases in the water which tend to degrade water quality and damage aquatic life.

ff. Land disposal of dredged material will be accomplished behind adequately maintained protective berms which will prevent the materials from returning to the waterway.

gg. If a bucket dredge of any type, including but not limited to grab or clamshell, dipper, dragline or backhaul bucket, is used, all digging passes of the bucket shall be completed without any material once in the bucket, being returned to the wetted area except as approved.

hh. The permittee agrees to comply with such lawful requirements as are imposed by the Oregon State Division of Lands and/or the State Land Board in the Administration of the General Conditions for Structures as contained in the Permitted Activity Types Section of the Lower Willamette River Management Plan.

CONTINUED ON PAGE 4A

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

J. P. Henderson — 8/25/77

PERMITTEE — DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

29 August 1977

DATE

HARVEY L. ARNOLD, JR.
Colonel, Corps of Engineers
DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

for By A. J. HEINEMAN
Chief, Navigation Division

Transferee hereby agrees to comply with the terms and conditions of this permit.

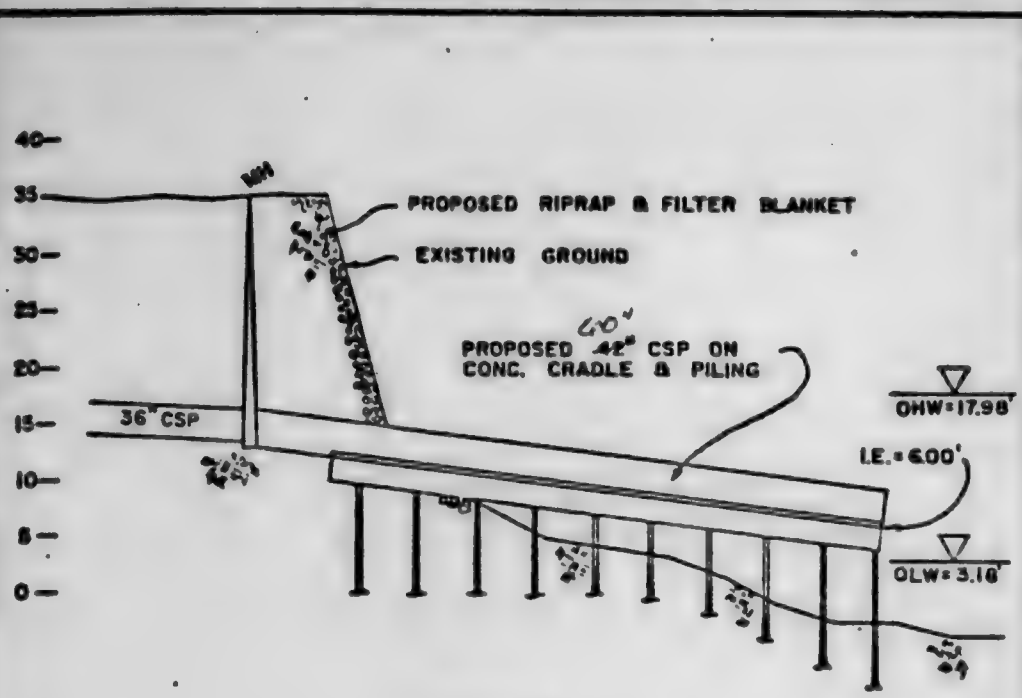
TRANSFEREE — DATE

ii. When the District Engineer has been notified by a fishery agency that a dredging or filling activity is adversely affecting fish or wildlife resources or the harvest thereof and the District Engineer subsequently directs remedial measures, the permittee will comply with such directions as may be received to suspend or modify the activity to the extent necessary to mitigate or eliminate the adverse effect as required.

jj. Work performed under this permit is further subject to such enforcement actions as may be instituted by the State of Oregon or its agencies under the provisions of Division of State Lands Material Removal/Fill Permit No. 2612.

kk. The permittee agrees to comply with such lawful requirements as are imposed by the Oregon State Division of Lands and/or the State Land Board in the Administration of the General Conditions for Structures as contained in the Permitted Activity Types Section of the Lower Willamette River Management Plan.

002520 (Willamette River-Outfall)



PROFILE

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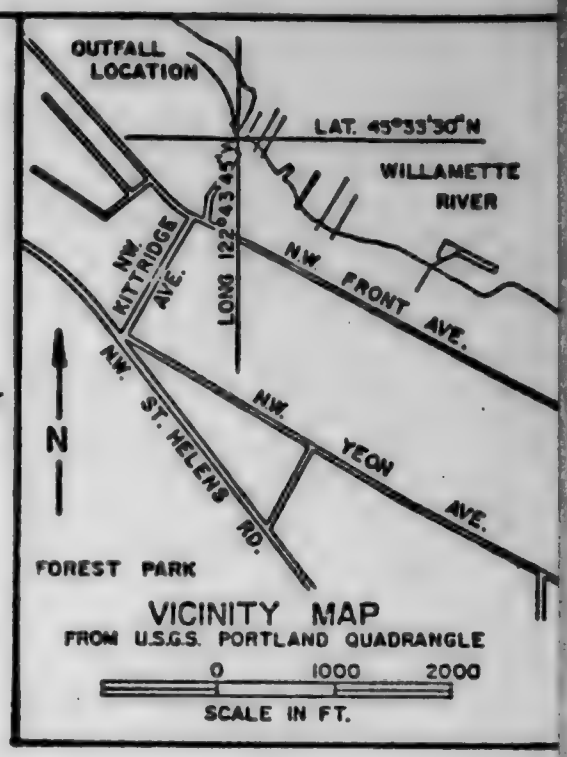
SCALE IN FEET



VICINITY MAP

FROM U.S.G.S. PORTLAND QUADRANGLE

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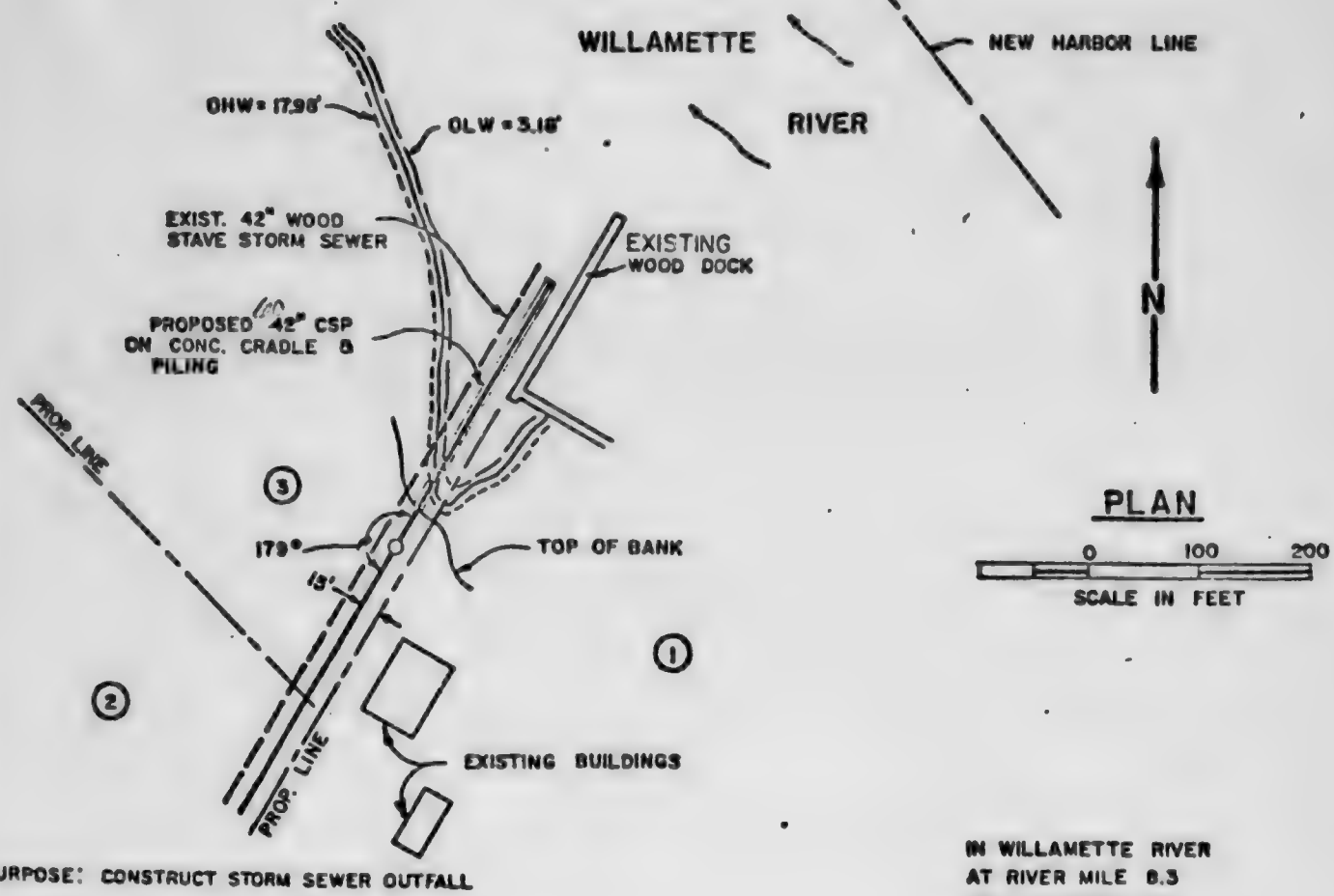
SCALE IN FT.



PLAN

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SCALE IN FEET

PURPOSE: CONSTRUCT STORM SEWER OUTFALL

DATUM: CITY OF PORTLAND

ADJACENT PROPERTY OWNERS:

(1) GUNDERSON INC.

(2) GILMORE STEEL CORP.

(3) A.G. THIES ET AL TO OREGON STEEL MILLS

IN WILLAMETTE RIVER
AT RIVER MILE 8.3
CITY OF PORTLAND
COUNTY OF MULTNOMAH
STATE OF OREGON
APPLICATION BY CITY OF PORTLAND

SHEET 1 OF 1 DATE: 1/26/77

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS

NOTICE OF AUTHORIZATION

29 August 19 77

A PERMIT TO construct a 60" diameter outfall pipe of which 258' linear feet of the pipe will be supported on piling to get out beyond the ordinary low water line.

AT Portland, Oregon

HAS BEEN ISSUED TO City of Portland **ON** 29 August 19 77

ADDRESS OF PERMITTEE 1220 S.W. 5th Avenue
Portland, OR 97204

PERMIT NUMBER
002520(Willamette River-Outfall)

D. H. Sims
FOR A. J. HEINEMAN
for the District Engineer

ENG Form 4336
Jul 70

THIS NOTICE MUST BE CONSPICUOUSLY DISPLAYED AT THE SITE OF WORK.

8648

Portland

STATE OF OREGON

INTEROFFICE MEMO

TO: J. H. Versteeg
Engineering

DATE: September 6, 1977

FROM: Virgil Boyd
Office Manager

SUBJECT: N.W. Kittridge-N.W. 26th Ave.
Front Ave.
City of Portland

In reply to your question on the subject project, FHWA has approved (effective June 29, 1977) a limitation on construction engineering of 15% for urban system projects.

What this means is that for Federal Aid programming purposes, FHWA will allow up to 15% of the bid items and anticipated items for construction engineering. There is no line item for contingencies on the Federal Aid documents.

This, of course, is a different procedure than is used for setting up our internal contract authorization. On our contract authorization we take the total of the bid items and anticipated items and add engineering and contingencies as listed below. (See attached letter from F. B. Klaboe, dated October 3, 1967)

If total of bid items and anticipated items are:

0	to	$ 100,000	use	10% engineering and 4½% contingencies
$100,000	to	$1,000,000	use	9% engineering and 4½% contingencies
$1,000,000	and over		use	8% engineering and 4½% contingencies

In summary the FHWA Engineering percentage is the maximum amount in which the FHWA will participate. It is based upon the final contract cost including unforseen items. There is no additive for contingencies.

VB:dmc
cc: James D. McClure

1 Versteeg ✓
Olson
Christensen
Scott
2 Swenson

RECEIVED
SEP 07 1977
ROAD DESIGN SECTION

Requires Reply
Requires Approval
Receiver Keep
Do not File
Return To
Bring Up
Other

81-125-1387

FORM 2-50 50M 10-65

OREGON STATE HIGHWAY DEPARTMENT

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon 97310
October 3, 1967

SUBJECT:

To: Mr. L. H. Young
Office Engineer
B U I L D I N G

We have recently analyzed the engineering costs on construction projects. It appears evident that some adjustment in the percentages allowed for construction engineering should be made.

Please therefore take whatever steps are necessary to institute the following formulas:

On projects from 0 to $100,000, the engineering allocation will be 10 percent.

On projects from $100,000 to $1 million, the engineering allocation will be 9 percent.

On projects of $1 million and over, the engineering allocation will be 8 percent.

F. B. Klaboe
Assistant State Highway Engineer

FBK:srb

cc: Tom Edwards
Lloyd P. Shaw
Ivan Merchant
F. D. Morgan
H. S. Cox

Nelson
Vance
Brennan
Clark

RECEIVED
OCT 3 1967
OFFICE ENGINEERING

8648 City Specs. 8-29-77

ITS

The sewer portion of the work requires permits from the Oregon State Division of Lands and the Army Corps of Engineers. These permits will be obtained by the City of Portland and will be on file in the Office of the City Engineer. Bidders shall inform themselves of the conditions of these permits prior to submitting bids and the Contractor shall comply with the terms of said permits as though they had been issued to the Contractor. It shall be the responsibility of the Contractor to secure all other permits necessary to complete the work.

404 permit

Environmental mitigation measures in Specs. before PS&E.

Nov. 77 Sked. DON TROUT

8-25-77

Called Max Klotz, told him we need copies of permits to satisfy env. Mit. measures in Specs before we can request PS&E approval from FHWA. He will get with City and send copies of permits to us.

2

8-29-77

Wayne Schulte says City is going to A. Corp. of Engrs. today for revised application for permit and City has indicated one day appr. from Corp. Wayne will bring up w/City again on 9-2., relayed this to Don Trout.

2

8648

STATE OF OREGON

INTEROFFICE MEMO

TO: J. H. VERSTEEG
Road Design Engineer

DATE: August 26, 1977

FROM: JAMES D. McCLURE
Project Development Engineer

SUBJECT: N.W. Kittridge-N.W. 26th Avenue
Front Avenue
City of Portland

The City of Portland requested, through the Highway Division, increasing the limit on construction engineering from the normal 10 percent to 15 percent.

This request was approved by FHWA, effective June 29, 1977, for Urban System projects. Attached is a copy of Mr. G. L. Green's letter and our letter to the City of Portland.

JDM/ldo

Attachments

cc: E. S. Hunter
R. N. Bothman
D. R. Adams

/ Versteeg
Olson
Christensen
Scott
Swenson
Savage
Trout

RECEIVED
AUG 3 1 1977
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep
Do not File
Return To
Bring Up /
Other

81-125-1307

ROBERT W. STRAUB
GOVERNOR

Department of Transportation
METROPOLITAN SECTION
5821 N.E. GLISAN, PORTLAND, OREGON 97213

July 22, 1977

Telephone 238-8250

JOHN LANG, Highway Coordinator
City of Portland
400 Southwest Sixth Avenue
Portland, OR 97204

Subject: Cost Limitation
Construction Engineering
Urban Projects

John:

At a recent meeting, we discussed the possibility of increasing the limit on construction engineering eligible for federal participation. We have received notice from FHWA that effective June 29, 1977, limitation has been increased to 15% where shown to be justified. With this approval, federal participation can be expected in construction engineering costs on Urban, Urban System, Urban Extension and Urban High Density program projects not to exceed 15%. On any projects of this type where final vouchers have not been paid before June 29, the 10% limitation will no longer apply.

If there are any questions on this, please call.

Jon Rose

JON ROSE
Federal Aid Engineer

JR/ldo

cc: Region 1

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem, OR 97308

DATE: June 30, 1977

In reply refer to: HAM.1-OR/120.5

SUBJECT: Construction Engineering Limitation Increase on Urban, Urban System, Urban Extension and Urban High Density Projects

FROM : G. L. Green, Division Administrator

To : Mr. H. S. Coulter, State Highway Engineer
Salem, Oregon

Your letter of June 20, 1977 requested that the 10 percent limitation on Construction Engineering, as claimed on an actual cost basis, be increased not to exceed 15 percent on Urban, Urban System, Urban Extension and Urban High Density Program projects.

Our Regional Office has approved the requested increase pursuant to 23 U.S.C. 121(d) subject to the availability of Federal Funds.

The approved increase limitations is effective June 29, 1977 for future Urban, Urban System, Urban Extension and Urban High Density Program projects, and on these projects for which final vouchers have not been paid as of that date.

for G. L. Green

8648

STATE OF OREGON
DEPARTMENT OF TRANSPORTATION

INTEROFFICE MEMO
METRO

TO: E. S. HUNTER, Manager
Technical Services Branch

DATE: August 24, 1977

FROM: ROBERT N. BOTHMAN
METRO Manager

NOTED
E. S. HUNTER

SUBJECT: NW Kittridge Avenue/NW 26th Avenue
Front Avenue, City of Portland

I have discussed at considerable length, the city approval of the subject project. Perhaps I have been worn down, but I agreed to the registered professional engineer stamp of Mr. Coville as being acceptable. In addition, plans will be signed by both John Lang and Cowles Mallory. The problem is we are running against the procedures of the city in their pursuit of their contracting program.

I have conceded their procedures are adequate.

ebg

cc: J. D. McClure, w/attachment
D. R. Adams

NOTED
J. H. VERSTEEG

RECEIVED
TECHNICAL SERVICES
AUG 26 '77
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

81-125-1387

8648

FORM 61.754.5050

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon

August 12, 15, 1977

FROM: J. H. Versteeg
Head of Engineering

SUBJECT: NW Kittridge Ave.-NW 26th Ave.
Front Avenue
City of Portland

TO: E. S. Hunter
Technical Services Engineer

The NW Front Avenue project is a $2 million grade, paving, drainage and signal project developed by the City of Portland engineering staff. Mr. Bothman's instructions are that the State should advertise the project and award the contract. The project will be on the November 17, 1977, bid letting.

We had requested that the City Engineer approve the project plan with his Registered Professional Engineering stamp. He has delegated this responsibility to Mr. Don Coville, Capital Improvements Supervisor of the City. This might not be that important but I feel that the City Engineer should sign off on the engineering sufficiency of this $2 million highway project.

The City's cost summary includes 15% for construction supervision. This is a Federal-aid project and construction engineering is limited to 10% of project cost. The City should be advised that anything over 10% for construction engineering will be non-participating by both the Federal and the State.

1 Versteeg ✓
2 Olson
3 Christensen
Scott
4 Swenson
Savage
Trout

RECEIVED
AUG 16 1977
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up ___/___/___
Other

JHV:jh

8-15-77

Bob.

~~Ok handle participation~~

All worthy city of engineering limitation. Do you feel that the Coville signing of plans is sufficient?

Ed

RECEIVED
TECHNICAL SERVICES
AUG 15 '77
REFER TO Bothman
FOR

Info	Invest.	R/D	J/R	Sign	Act	File
					✓	

ROJECT
01+50

THE CITY OF
PORTLAND, OREGON

APPROVED: Cowles Mallory 7-14-77
Cowles Mallory, City Engineer DATE
Reg. Prof. Engr. No. 8344

REGISTERED PROFESSIONAL ENGINEER
8455
Donald L. Coville
OREGON
August 22, 1975
DONALD L. COVILLE

OREGON DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

_____ _____

_____ _____

_____ _____

ON

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

APPROVED:

RANSPORTATION

ECTOR FOR OPERATIONS

_____ _____
DISTRICT ENGINEER DATE

8648

ROBERT W. STRAUB
GOVERNOR

Department of Transportation

TRANSPORTATION BUILDING, SALEM, OREGON 97310

August 10, 1977

TO G. L. Green, Division Administrator
Federal Highway Administration

FROM D. E. Swan
Federal Aid Engineer

SUBJECT Project Data Submission
Item No. 80001
Project No. IX-M-9300(3)
NW Kittridge Ave.-NW 26th Ave. (Portland) Section
Multnomah County

Attached is support data for the subject joint funded project.

The use of "Interstate Substitutions General Funded" funds is based on Governor Straub's letter dated August 9, 1977 to Mr. Brock Adams, Secretary of Transportation. The Governor, in his letter, referred to the project as "NW 26th Ave.-NW Kittridge Ave".

JLG:dmc
Attachments
cc: R. N. Bothman (Metro)
E. L. Hardt
Gary Zehner

MONTHLY TRANSACTION NO.

DATE SUBMITTED TO W. O.

FORM PR-1 (REV. 4-61)

Budget Bureau No. 41-R2067; Approval

U.S. DEPART
BUREAU

FEDERAL-AID PROGRAM DATA

(PPM 21-1)

August 10, 1977

CARD	REPORT NUMBER	PROJECT LOCATION (45 typewriter spaces)		PRESENT	FUTURE	YEAR	REGION	STATE NAME	STAT CODE
CARD 2	(18) (80)	City St., NW Kittridge-NW 26th (Portland) 31 38	ADT	6,800	6,000* (66)	97 (70) (71) (73)	10	Oregon	41 (2)

CARD	CHARACTER OF PROPOSED WORK (35 typewriter spaces)	NATL. FOREST	FH ROUTE NO.	SURV AGCY	DA CLASSIF.	DA AREA	EMERG. YR.	PL. AUTH YR	PROJECT NUMBER PREFIX LETTER (S)	NUMBER	SEQ. NO
CARD 3	Gr, Dr, H.T. Pave, Traf Signals 26 62	(63) (65)	(66) (68)	(69)	(70)	(71)	(72) (73)	(74) (75)	IX-M- 14 28	9300 7	(3)

CARD	CLASS OF FEDERAL FUNDS	COUNTY NAME	CODE
CARD 4	Interstate Substitutions General Funded & Urban System	Multnomah	051 (14) (16)

NAME OF URBAN AREA: 17-31 Portland

ROUTE NO. U | FEDERAL-AID 9300 (32) | STATE City St. (36) (37) | U.S. --- (41)

CARD 5	LINE NO.	CHANGE CODE	PROJECT CODE	WORK CLASS	WORK TYPE	STEP	TERMINI (Full description)	MILES	ESTIMATED PROJECT COST BY PHASES: TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS	C P
	(1-4 15)	(18)	41	42	43 46	53		(54) (58)	(59) (66)	(67) (76)			
5					PE								Utilit requi RR Pro as re
5					ROW		"NW Kittridge Ave.- NW 26th Ave. (Portland) Section"						
5					CONST (CODE) Topics 6201 Y031		(IX)	0.47	608,552	522,138			ROW-10 Access Parkin Par
							(M)	1.31	1,689,448	1,449,546	163,158	163,158 (City)	
								1.78	2,298,000	1,971,684	163,158	163,158 (City)	

CARD	CODE	PREPARED BY	PROJECT TOTALS
1	1	JLG	(16) (23) (24) (33)
1	14	PROGRAM APPROVAL DATES	

REMARKS: Additional Data: Item No. 13; Project No. M-9300(1).

*ADT of 11,000 without I-505.

NOTE: Jointly financed utilizing Interstate Transfer and Urban System funds of which the Interstate Transfer funds are firm. Mileage is prorated on basis of funds.

USCOMM

Budget Bureau No. 41-R2067; Approval Expires February 28, 1966

FORM PR-1 (REV. 4-61)

U.S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

FEDERAL-AID PROGRAM DATA

(PPM 21-1)

August 10, 1977

PROJECT LOCATION (45 typewriter spaces)		PRESENT	FUTURE	YEAR	REGION	STATE NAME	STATE CODE	APPN CODE	ITEM NO.
City St., NW Kittridge-NW 26th (Portland)	ADT	6,800	6,000*	97	10	Oregon	41	823 W36	80001

TYPE OF WORK (35 typewriter spaces)	NATL. FOREST	FH ROUTE NO.	SURV AGCY	DA CLASSIF.	DA AREA	EMERG. YR.	PL. AUTH YR	PROJECT NUMBER PREFIX LETTER(S)	NUMBER	SEQ. NO.	I. Projects Only POST MI.	DESIG.
ave, Traf Signals								IX-M-	9300	(3)		

FUNDS	COUNTY NAME	CODE	PROGRAM STAGE
stitutions General Funded & Urban System	Multnomah	051	1 OR 2

ROUTE NO.	FEDERAL-AID	STATE	U.S.
U	9300	City St.	---

WORK TYPE	STEP	TERMINI (Full description)	MILES	ESTIMATED PROJECT COST BY PHASES: TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS	CHARACTER OF PROPOSED WORK (Full description)
PE								Utility adj. as required RR Protective service as required
ROW		"NW Kittridge Ave.-NW 26th Ave. (Portland) Section"						
CONST (CODE) Topics 6201 Y031		(IX)	0.47	608,552	522,138			ROW-100' normal; Access control-partial; Parking Restrictions-Partial.
		(M)	1.31	1,689,448	1,449,546	163,158	163,158 (City)	
	JLG	PROJECT TOTALS	1.78	2,298,000	1,971,684	163,158	163,158 (City)	

APPROVAL DATES

REMARKS Additional Data: Item No. 13; Project No. M-9300(1).

*ADT of 11,000 without I-505.

NOTE: Jointly financed utilizing Interstate Transfer and Urban System funds of which the Interstate Transfer funds are firm. Mileage is prorated on basis of funds.

-over-

USCOMM DUSCOMM-DC 46908-P61

NW KITTRIDGE AVE-NW 26TH AVE (PORTLAND) SECTION
PROJECT NO. IX-M-9300(3)

Remarks-continued

Project Data: The work under this project consists of grade, drain and high-type pave a basic 28-foot curbed roadway accommodating two 14-foot travel lanes with a 7.5 foot walk on the easterly side. The northwesterly 0.20 miles and the southeasterly 0.27 miles consists of a 46-foot curbed roadway accommodating two 14-foot travel lanes with 9-foot parking each side with 5-foot walks on the easterly side. Install illumination, traffic signals and railroad signals. Adjust utilities and railroad facilities as required and perform incidental work common to this type of project.

FHPM 7-7-2 Requirements: Nonmajor action project concurred in by FHWA on January 12, 1977.

FHPM 4-1-4 Requirements:
(a) State Clearinghouse--A-95 review exempt under working agreement.
(b) District 2 Clearinghouse--Satisfied by inclusion in CRAG FY 78 TIP Annual Element.

FHPM 7-7-5 Requirements:
(a) Public Hearings--None required under Oregon Action Plan.
(b) Location/Design--Not a factor in the development of this project.

NOTE: (1) This project will be included in the CRAG FY 78 TIP Annual Element.
(2) The project is in Congressional District No. 1.
(3) On-the-job trainees, as set forth in FHWA order interim 7-2(2), on this project will be determined at PS&E stage and the number stipulated in the PS&E documents.

8648

STATE OF OREGON
Department of Transportation

INTERCHANGE MEMO
Metropolitan Division

TO: J. H. VERSTEEG
Road Design Engineer

DATE: August 10, 1977

FROM: ROBERT N. BOTHMAN
Administrator

SUBJECT: N.W. Front Avenue
Kittridge-26th Avenue
M-9300(1)

Submitted for your review and processing are final design plans and supporting data for subject project. A listing of the documents is as follows:

1. Plans & Profiles
2. Engineer's Narrative
3. Cost Estimate
4. Railroad Flasher Specifications
5. Sewer Specifications
6. Roadwork Specifications
7. Traffic Signal Specifications
8. Illumination Specifications
9. Estimate Calculations
10. Calculations
11. Traffic Report
12. Cross Section Reductions
13. Photographs
14. Survey Notes
15. Design Cross Sections

Preliminary and final design has been performed by the City of Portland. They will also be in charge of construction engineering on the project. Bid letting is scheduled for November 17, 1977, with the State advertising the project and awarding the contract.

You will note that the plans do not include a summary sheet for the bid items. This has been discussed with Bill Sample and Lyle Watson who feel the sheet should be prepared by Final Design after the plans are reviewed. A listing of bid item quantities is included in the supporting data. The City has stated a new detail sheet is being prepared showing a precast concrete cradle for the outfall sewer which will be supported on "H" piles. This drawing should be submitted shortly.

The plans have been signed by Cowles Mallory, City Engineer, and have been stamped by Don Coville, Capital Improvements Section Supervisor, a registered professional engineer.

Your early review of the documents will be appreciated.

WS/ldo
Attachments
cc: Dave Moehring

81-125-1387

ESTIMATE SUMMARY
NW FRONT AVE - NW KITTRIDGE AVE - NW 26TH AVE SECTION
FAU NO. M-9300(1)

CONTRACT ITEMS

Roadwork		$ 634,021.50
Illumination		81,275.00
Traffic Signals		40,000.00
Railroad Flashers		90,000.00
Sewer Work		719,543.50
	Subtotal	$1,564,840.00
Mobilization		X 1.07
	Total Contract Estimate	$1,671,000.00

ANTICIPATED ITEMS

Temporary Traffic Striping	$ 2,000.00
Permanent Traffic Signing, Marking & Striping	6,300.00
Water Relocation	92,275.00
Discontinuance to Portland General Electric Company	6,384.00
Total Anticipated Items	$ 106,959.00

TOTAL PROJECT COST

Contract Items	$1,671,000.00
Anticipated Items	106,959.00
Subtotal	$1,777,959.00
4.5% Contingency	80,000.00
Subtotal	$1,857,959.00
15% Construction Supervision	278,691.00
Total Estimated Project Cost	$2,136,650.00

VFR:lr
8/5/77

8648

ROBERT W. STRAUB
GOVERNOR

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

August 9, 1977

The Honorable Brock Adams
Secretary of Transportation
U. S. Department of Transportation
400 - 7th Street, S.W.
Washington, D. C. 20590

Through: G. L. Green
Oregon Division Administrator
Federal Highway Administration

Dear Secretary Adams:

I request your approval to use Interstate transfer funds for a highway construction project in the Portland area. Funds for this project are available from the withdrawal of the Mt. Hood Freeway from the Interstate Highway System under Section 103(e)(4) of Title 23, U.S.C. and from the regular Federal Aid Urban System.

I concur that this project is a regional priority and has been developed in conformance with the region's continuing, cooperative, comprehensive transportation planning process. Enclosed are copies of a resolution adopted by the Columbia Region Association of Governments covering this request.

The funding will be matched as follows:

		Interstate Transfer Funds	Urban System Funds	Matching Funds
N.W. 26th-N.W. Kittridge (Front Ave., Portland)	Constr.	$522,138	$1,449,546	$326,316

I have directed the Oregon Department of Transportation to process this request with the Federal Highway Administration to obligate these funds.

Sincerely,

Governor

COPY

Enclosures

cc: Columbia Region Association of Governments, w/att.

ROBERT W. STRAUB
GOVERNOR

Department of Transportation

STATE HIGHWAY BUILDING, SALEM, OREGON 97310

August 8, 1977

The Honorable Robert W. Straub
Governor of Oregon
State Capitol
Salem, OR 97310

Dear Governor Straub:

The Columbia Region Association of Governments has approved a resolution (copy attached) covering the use of Mt. Hood Interstate transfer funds for the N.W. 26th-N.W. Kittridge Section of Front Avenue in Portland. I recommend your concurrence in the resolution.

Attached is a draft of a letter to U. S. Secretary of Transportation Brock Adams. I will forward the necessary programming documents to the Federal Highway Administration.

Sincerely,

Robert A. Burco
Director of Transportation

Attach.

cc Columbia Region Association
of Governments, w/att.

bc F. B. Klaboe
H. S. Coulter
R. N. Bothman
D. H. Moehring
L. W. Rulien
Alan Lightner

DES:ljt fn

RECEIVED
DOT OPERATIONS
AUG 9 '77
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CRAG RESOLUTION

BD 770405R

FOR THE PURPOSE OF REVISING BD 770405 WHICH AUTHORIZED THE SUBSTITUTION OF ANY CITY OF PORTLAND ELIGIBLE FAUS PROJECT UNDER 103(e)4 FUNDING IN LIEU OF THE COLUMBIA BOULEVARD PROJECT

WHEREAS, the Board of Directors through BD 770405 authorized the City of Portland to substitute any eligible FAUS project to be funded under 103(e)4 funding in lieu of the Columbia Boulevard project in the amount of $522,138; and

WHEREAS, the City of Portland desires to substitute the N.W. Front Avenue (26th to Kittridge Section) project in this manner in order that this project might proceed to construction; and

WHEREAS, project specific approval of the Board is required before Federal approval of the 103(e)4 funding can be obtained; now therefore be it

RESOLVED, BD 770405 is revised to authorize the City of Portland to specifically substitute the N.W. Front Avenue (26th to Kittridge Section) project to be partially funded under 103(e)4 funding in lieu of any eligible FAUS project in the amount of $522,138.

ADOPTED by the Board of Directors this 23 day of June, 1977.

By Larry Rice
Larry Rice, Executive Director

8648 NW Kittridge Ave-NW 26th Ave 197
(Portland) Section of FAU 9800
(NW Front Ave) (Gr, pave, illum & sig)

C+A 6140 7-26-77
C+A 4956 5-9-74

8648

STATE OF OREGON

INTEROFFICE MEMO

TO: Memo to Files

DATE: July 28, 1977

FROM: Gary E. Zehner
Project Coordinator

SUBJECT: N.W. 26th Ave.-N.W. Kittridge Ave.
N.W. Front Ave., FAU 9300
City of Portland

The City of Portland has requested that the Subject Urban System project be supplemented by $522,138 Federal Interstate Transfer funds withdrawn from the Mt. Hood Freeway. The State will provide match funds as specified in Construction-Finance Agreement No. 6140.

A copy of this memo should be attached to your copy of the agreement for subject project. — done 7-29-77

GEZ:lml

cc: Commission Services
FHWA
Finance
Metro Engineer
Region 1 Engineer
Region 1 Federal Aid Engineer
Region 1 R/W Supervisor
Right-of-Way
Road Design
Traffic
Utilities
Federal Aid Unit

NOTED

81-125.1387

8648

July 26, 1977

City of Portland
City Hall
Portland, OR 97204

MISC. CONTRACTS AND AGREEMENTS No. 6140

Attention: Mr. George Yerkovich
Auditor of the City of Portland

Gentlemen:

Attached for your files are two fully executed copies of an agreement for improvement of the N.W. Kittridge Avenue-N.W. 26th Avenue (Portland) Section of N.W. Front Avenue, FAU 9300, Multnomah County.

We are retaining a fully executed copy of this agreement for the Transportation Commission's files.

Very truly yours,

C. W. Head
COMMISSION SERVICES

kkr

Attachments

bc: Don Harwell (agreement attached)

STATE OF OREGON

8648

INTEROFFICE MEMO

9

TO: DAVE MOEHRING
Program Management Engineer

DATE: June 30, 1977

FROM: R. N. BOTHMAN
Ass't. State Highway Engineer

NOTED
E. S. HUNTER

SUBJECT: Front Avenue
N.W. 26th - N.W. Kittridge
M-9300(1)

Recent action by CRAG permits the City of Portland to allocate $522,138 of 103 (e)4 funds from the Columbia Boulevard project for other eligible projects ready for construction. Since N.W. Front Avenue is scheduled for contract in November, 1977, the City desires to use the $522,138 as a supplement to FAUS construction monies for this project.

In this instance, the (e)4 funds will be matched by the State. A letter from Ted Spence along with copies of various CRAG resolutions documents ODOT's participation. Copies of these data are attached.

Please obtain Governor Straub's concurrence in the use of Mt. Hood Interstate Transfer funds for the project and pursue FHWA programming approval. I have also attached the following items related to this request:

1. Project Assessment and Revisions
2. Updated Project Request
3. City of Portland Ordinance 138110
4. CRAG Resolution 770405R
5. Letter from City Requesting 103 (e)4 Programming

Submittal of this request has been contingent upon receipt of the signed CRAG resolution of June 23. Expeditious programming approval should be obtained in order that construction of the project not be delayed.

WS/ldo

Attachments

cc: F. B. Klaboe
E. H. Hunter
C. T. Christianson

RECEIVED
STATE HWY ENGR
JUL 5 '77
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

8-28-1347

8648 U.S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

6-13-77

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: M-9300(1)

STATE PROJECT NO.: See Below

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.:

ITEM NO.: M-13

COUNTY NAME: Multnomah

PROGRAM STAGE [Check] ☐ 1. ☐ 2.

TO:

Mr. H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
STATE HWY ENGR
JUN 17 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	6-13-77	FAU 9300	City Street

GENERAL LOCATION:

"N.W. Kittridge Avenue-N.W. 26th Avenue (Portland)"

GENERAL DESCRIPTION OF WORK:

Program Change-Acquisition of Right of Way

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☒ OTHER (Specify) Program Change add Right of Way Acquisition

☒ ACQUISITION OF RIGHT OF-WAY
CONTRIICTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☐ CONSTRUCTION - PROCFED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Swan's 6-6-77 letter I approve the program change adding Right of Way Acquisition.

You are now authorized to proceed with the actual acquisition of temporary and permanent easements at a total estimated cost not to exceed $10,000-FF $8,580 subject to your monitoring the city's right of way activities in accordance with State's Right of Way Manual-Chapter 14.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
6-13-77	G. K. Haasner	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8648

8

DATE: May 9, 1977

TO: Oregon Transportation Commission

FROM:
H. S. Coulter
State Highway Engineer

SUBJECT: Federal Aid Urban System Project Requests and Project Cancellation

On the Consent Calendar for the May 17 meeting will be a request to cancel a previously approved Urban System Project and eight requests for approval of Urban System projects.

The request for cancellation is for a previously approved project on S.W. 49th Avenue (Multnomah County) and Kerr Road (Clackamas County).

Medford is requesting a $125,000 traffic signal project on Crater Lake Avenue at the Spring Street and McAndrews Road intersections.

A $2,298,000 project to widen and improve a 1.38-mile section of N.W. Front Avenue is being requested by the City of Portland.

The City of Salem is requesting a $32,000 project to signalize the intersection of S.E. 12th Street and S.E. Madrona Avenue.

The request from Woodburn is for a $436,000 project to reconstruct 0.74 mile of East Cleveland Street between Front Street and Pacific Highway West.

Two project requests were submitted by Lane County. One is a $285,000 project on 5th Street in Springfield. The other is a $550,000 project to widen and improve a 2.42-mile section of Northwest Expressway.

Washington County's two project requests are for a $1,522,000 project on S.W. Barnes Road and a $420,000 project on N.W. 185th Avenue.

Federal Aid Urban System Funds for these projects is estimated at $4,327,420 with the State providing approximately $351,790 in match funds and $988,790 being contributed by the local units of government.

These projects have been investigated and are eligible for funding under the Federal Aid Urban System Program. I recommend your approval of these projects and request authority to sign the project agreements for and on your behalf.

Att.

GEZ:sch ia

bc R. A. Burco
C. W. Head
F. B. Klaboe
E. S. Hunter
R. L. Schroeder
R. N. Bothman
L. W. Rulien
L. E. George
F. E. Terpin
V. E. Skoog
E. L. Hardt
John Sheldrake
Alfred Shirley, Jr.
D. N. Harwell
George Bell
Max Klutz

CITY OF PORTLAND
Proposed Urban System Project

N. W. Kittridge Ave.-N. W. 26th Ave. (Portland) Section
N. W. Front Ave., FAU 9300
Grade, Drain, Pave, Signals, Illumination, RR Crossing Gates,
Signing and Striping
1.38 mile
$2,298,000

This project entails all the work and costs to widen and improve N. W. Front Avenue to a two-lane section with parking. An easement is required for the sewer outfall and will be a participating item of the project.

Preliminary engineering has been accomplished by the City. The City will also perform the construction engineering.

77-d
5/5/77

PROPOSED F. A. URBAN SYSTEM PROJECT

8648

STATE OF OREGON

INTEROFFICE MEMO

TO: GEORGE HOPKINS
Local Government Programs Engineer

DATE: April 19, 1977

FROM: WAYNE SCHULTE
Project Coordinator

SUBJECT: N.W. Front Avenue
26th - Kittridge

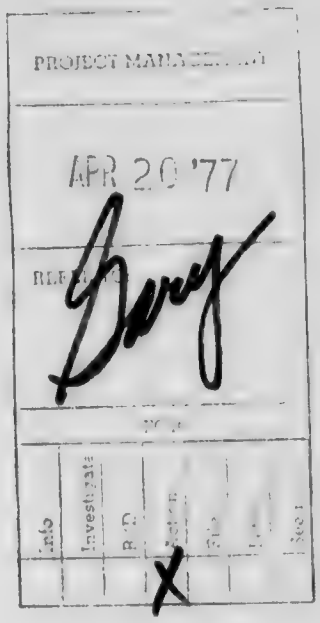
Enclosed is a Federal Aid Project request from the City of Portland for construction of N.W. Front Avenue. Please initiate an agreement covering the outlined work. The proposed bid letting date is October, 1977.

The construction phase of the project will be programmed in the updated CRAG Transportation Improvement Program for FY 1978. It is anticipated formal action on the revised TIP will be taken at the CRAG Board meeting scheduled for April 28. A sheet showing the requested programming change is enclosed.

R/w? → The City is currently preparing final design plans and a rough draft of contract special provisions. They will also acquire the necessary construction and permanent easement for a sewer outfall. The State will award the contract and the City will perform all engineering and construction supervision. Additional responsibilities are listed on enclosure.

Enclosures

cc: Glen Pierce, City of Portland



81-125-1307

IN FEDERAL ($000)

FEDERAL AID URBAN SYSTEM

CITY OF PORTLAND

PROJECT DESCRIPTION / ESTIMATED FEDERAL EXPENDITURES BY OBLIGATION YEAR	PREV	1977	1978	1979	1980	1981	POST	TOTAL COST	-DISTRIBUTION- PORT'L	REGION	--OBLIGATED--- PORT'L	REGION	ADOPTED	*
32 FRONT AVE CONSTRUCTION-26TH TO KITTRIDGE	0	0	1976	0	0	0	0	1976	1976	0	0	0		
33 SW TERWILLIGER @ SAM JACKSON ROAD - SIGNAL	0	45	0	0	0	0	0	45	45	0	2	0		
TO CRAG( ) TO ODOT[01/76] PE OK'D[06/76] CAT'GY[ ] HEAR'G( ) EIS OK'D( ) BID LET( ) COMPL'T( )														
34 SW VERMONT @ SW 30TH - SIGNAL	0	46	0	0	0	0	0	46	46	0	5	0		
TO CRAG[02/75] TO ODOT[01/76] PE OK'D[06/76] CAT'GY[ ] HEAR'G( ) EIS OK'D( ) BID LET( ) COMPL'T( )														
35 GRAND AVENUE - HOLLADAY TO BROADWAY	0	143	0	0	0	0	0	143	143	0	98	0		
TO CRAG[02/75] TO ODOT[04/75] PE OK'D[08/75] CAT'GY[3] HEAR'G(N/A) EIS OK'D(N/A) BID LET(09/77) COMPL'T( )														
36 82ND AVENUE SIGNAL PROGRAM-PRESCOTT TO FLAVEL-13 SIGNALS	0	246	0	0	0	0	0	246	246	0	223	0		*
TO CRAG( ) TO ODOT[04/75] PE OK'D[07/75] CAT'GY[3] HEAR'G(N/A) EIS OK'D(N/A) BID LET(03/77) COMPL'T( )														
37 SYSTEMS PLANNING WORK (USES COLUMBIA BLVD FAU $-SEE INTERSTATE T	0	75	210	237	0	0	0	522	522	0	0	0		*
TO CRAG( ) TO ODOT( ) PE OK'D( ) CAT'GY[ ] HEAR'G( ) EIS OK'D( ) BID LET( ) COMPL'T( )														
TOTAL	4800	2680	2900	5563	5800	1849	1548	25140	23256	1884	3624	1551		
ANNUAL ELE	4800	2680						7480	5596	1884				

SCHEDULE LEGEND:[ACTUAL] (SCHEDULE) (*PAST DUE)

Project N.W. Front Avenue (Kittridge - 26th Avenue)

Agency City of Portland Date April 19, 1977

Type of Project FAUS

The agreement on this project should provide for the following responsibilities where applicable:

	State	Applicant	Consultant
* Field Survey	( )	(XX)	( )
* Soils Investigation	(XX)	( )	( )
* Base Design	(XX)	( )	( )
NA Bridge Design	( )	( )	( )
* Signal Design	( )	(XX)	( )
* Final Design and Specs	( )	(XX)	( )
Acquire R/W	( )	(XX)	( )
Relocate Utilities	( )	(XX)	( )
Construction Engineering	( )	(XX)	( )
* Environmental Statements	( )	(XX)	( )

	State	Applicant	Contractor
Maintenance During Construction	( )	( )	(XX)
Maintenance After Completion - Roadway	( )	(XX)	
Maintenance After Completion - Signals	( )	(XX)	
Power Consumption - Signals	( )	(XX)	
Power Consumption - Lighting	( )	(XX)	
NA Pay for Irrigation Water	( )	( )	

Construction will be by Contract (XX) State Forces ( ) Local Forces ( )

* Advance Deposit for PE Required Yes (XX) No ( )

State will Advertise, Let and Award All Contracts

State will Monitor Preliminary Engineering and Construction Activities for Federal Compliance

*Covered under previously approved preliminary engineering agreement.

THE CITY OF
PORTLAND
OREGON

DEPARTMENT OF
PUBLIC WORKS

CONNIE McCREADY
COMMISSIONER

OFFICE OF
PUBLIC WORKS
ADMINISTRATOR

400 S.W. SIXTH AVE.
PORTLAND, OR. 97204

April 4, 1977

Wayne Schulte, Project Coordinator
Oregon State Highway Division
5821 NE Glisan Street
Portland, OR 97213

Dear Wayne:

Enclosed please find a Federal Aid Project Request for construction of NW Front Avenue, NW 26th to NW Kittridge Section. We are requesting that you initiate preparation of a City-State agreement for this project.

The construction phase of this project is being programmed for the FY 1977-78 Annual Element of the regional Transportation Improvement Program. City matching funds have been identified in this Bureau's FY 1977-78 budget request.

Thanks for your assistance. Please contact Glen Pierce (248-4643) if you have any questions about this application.

Very truly yours,

John M Lang

John M. Lang, Chief
Bureau of Street & Structural Engineering

GRP:jt

Enclosure

Rec'd 4-14-77

FEDERAL AID PROJECT REQUEST

Date April 1, 1977

Applicant Agency City of Portland, Oregon
Request for: Off-System ____, FAS-C ____, FAUS XXX Project
Federal Aid Route No. 1173 Route Name NW Front Avenue
Project Name NW Front Avenue from NW Kittridge Avenue to NW 26th Avenue

Project Length 1.38 Miles Project Location (Attach sketch map)
Project Description Reconstruction of 2 & 4 lane industrial roadway with limited access control, subgrade reconstruction, storm sewers, illumination, traffic control at RR grade crossings

Average Daily Traffic 8150 ADT south end Nov. 1975 Design Speed 40 mph
5550 ADT north end Nov. 1975

Complete Applicable Sections:

I. ROADWAY DATA

1. Existing Roadway: (Attach sketch)

Width 20'-30' Travel Lanes 2 Shoulders none
Medians none Parking on R/W but off street except
Sidewalks none south end of project
Remarks

2. Desired Roadway Cross Section: (Attach sketch)

Width 28' & 46' Travel Lanes 2 Shoulders 0' & 9'
Medians none Parking on 46' sections only
Curbed both sides Length Curb Radii 75' minimum
Sidewalk/Bikeway 5'
Remarks

II. RIGHT-OF-WAY DATA

1. Existing Right-of-Way:

General Width 100' Minimum 100' Maximum 100'

2. Has right-of-way been acquired for this project subsequent to January 2, 1971?
Yes ____ No xx

3. Will additional right-of-way be needed? Yes xx No ____
If answer is "yes," will cost of right-of-way be subject to Federal reimbursement? Yes xx No ____
Remarks Easement required for sewer outfall. Estimated cost - $30,000

III. TRAFFIC CONTROL DATA

1. Existing Signalization and Location:

None

2. Proposed Signalization:

Location NW Front & Kittridge. All spur line crossings.

Type NW Front & Kittridge - fully actuated with RxR preemption/All others manual.
Phases
Type of Suspension Span wire at Kittridge. All others mast arm.
Interconnected No
Remarks

3. Permanent Signing:

Include in project or by applicant? In project

4. Permanent Striping:

Include in project or by applicant? In project

IV. ILLUMINATION DATA

1. Existing Illumination and Location:

Mercury vapor - random spacing.

2. Proposed Illumination:

Location North side of NW Front. Pole spacing to be approximately 193'.
Type 400 watt high pressure sodium vapor.
Remarks

V. STRUCTURE DATA

1. Existing Structure:

Location
Type
Approach Roadway Width Shoulder Width
Length Width
To remain in place?

2. Proposed Structure:

Location

Approximate Size: Length Width

Are sidewalk/bikeways desired: _____

Are any utilities to be attached to structure? _____

Are provisions for illumination desired? _____

Are there any unusual or complicating conditions? _____

Remarks _____

VI. RAILROAD DATA

1. Are there any railroad crossings? Yes xx No _____

   Name of Railroad Burlington - Northern

   Existing Crossing Protection RxR cross bucks, advance warning signs, multiple track signs, either singly or in combination at 9 RR spur crossings

2. Will existing railroad crossing be altered? Roadway will be realigned in 28' street section.

   Remarks Grade crossing applications will be submitted to the Oregon P.U.C.

VII. ACTION PLAN REQUIREMENTS

During project development for Category 1, 2, and 3 projects, the city or county shall perform and document responsibilities as found indexed in the Oregon Action Plan, particularly Citizen Involvement and Participation; Environmental Aspects; and Public Hearing Requirements.

The OSHD Region Engineer will provide assistance, liaison and monitoring for these activities.

Responsible local office and party to be contacted for the following activities:

1.	Citizen Involvement	City of Portland Office
2.	Environmental	Bureau of Street & Structural Engineering Office
3.	Public Hearing	400 SW 6th Avenue, Portland, OR 97204 Office
		Attention: Glen R. Pierce (248-4643)

Remarks _____

VIII. GENERAL INFORMATION

1. Project preliminary engineering to be performed by: completed

   Applicant _____ State _____ Consultant _____

2. Project construction engineering to be performed by:

Applicant xx State _____ Consultant _____

3. Will applicant perform any work prior to or after award of contract?
Yes xx No _____
If "yes," describe briefly: All engineering and construction supervision.

4. Applicant's estimate of cost for requested project:

Roadway Work	$ 759,700
Right-of-way costs (if participating)	30,000
Traffic control	86,000
Illumination	72,300
Structures	-0-
Railroad	-0-
Other Mobilization	123,740
Sewer work	849,660
Water Relocation	92,275
Construction Supervision	$ 283,713
Project Total	$ 2,297,388

Remarks _____

THIS APPLICATION IS AN OFFICIAL REQUEST FROM:

CITY OF PORTLAND and/or _____ COUNTY

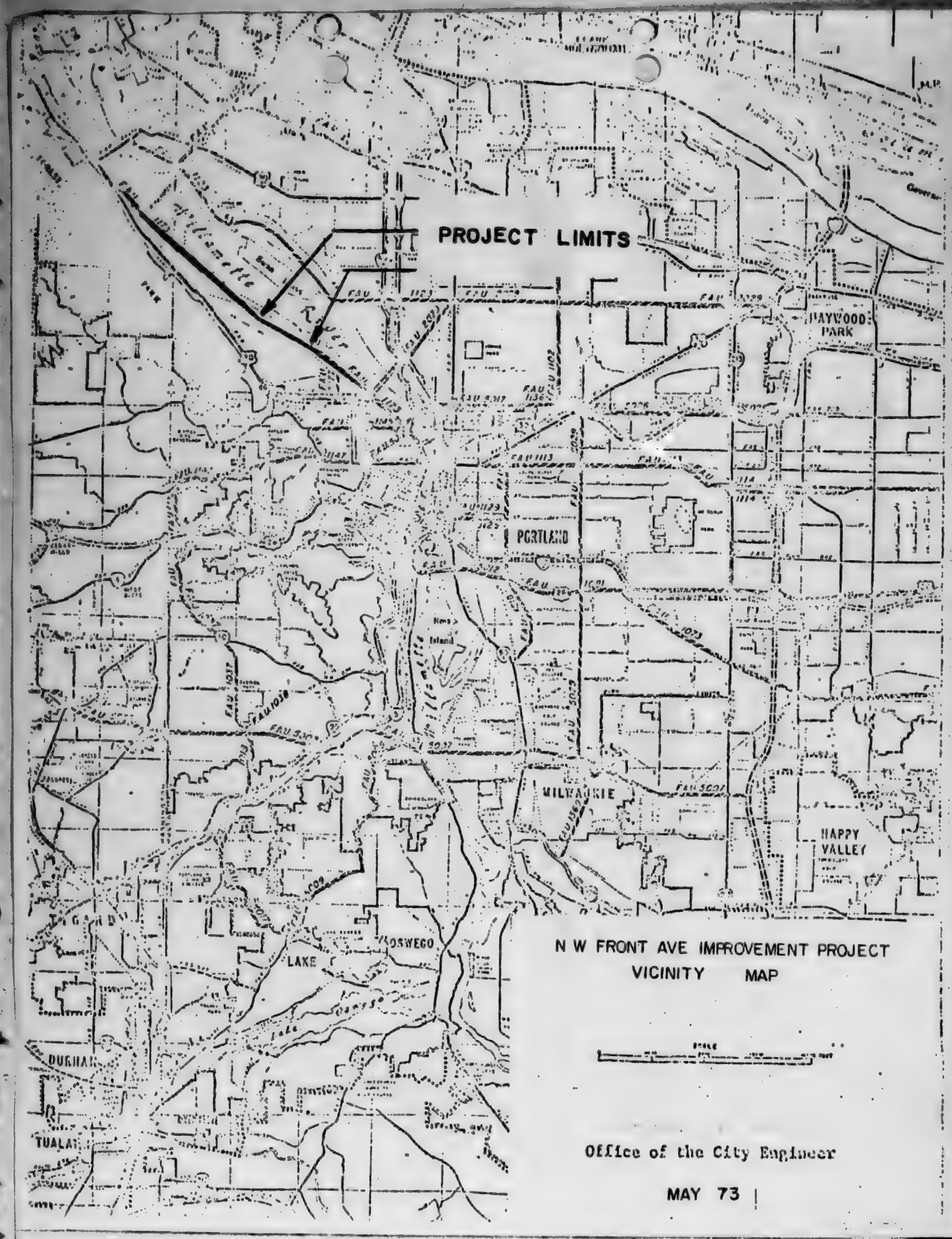
By _____
City Engineer

By _____
Commissioner of Public Works

By _____

By _____

By _____



N W FRONT AVE IMPROVEMENT PROJECT
VICINITY MAP

SCALE

Office of the City Engineer

MAY 73

8648

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
March 30, 1977

FROM: J. H. Versteeg
Road Design Engineer

TO: R. N. Bothman
Assistant State Highway Engineer

SUBJECT: Title Sheets
26th Ave.-Kittridge Section
Front Avenue Project
City of Portland

NOTED
E. S. HUNTER

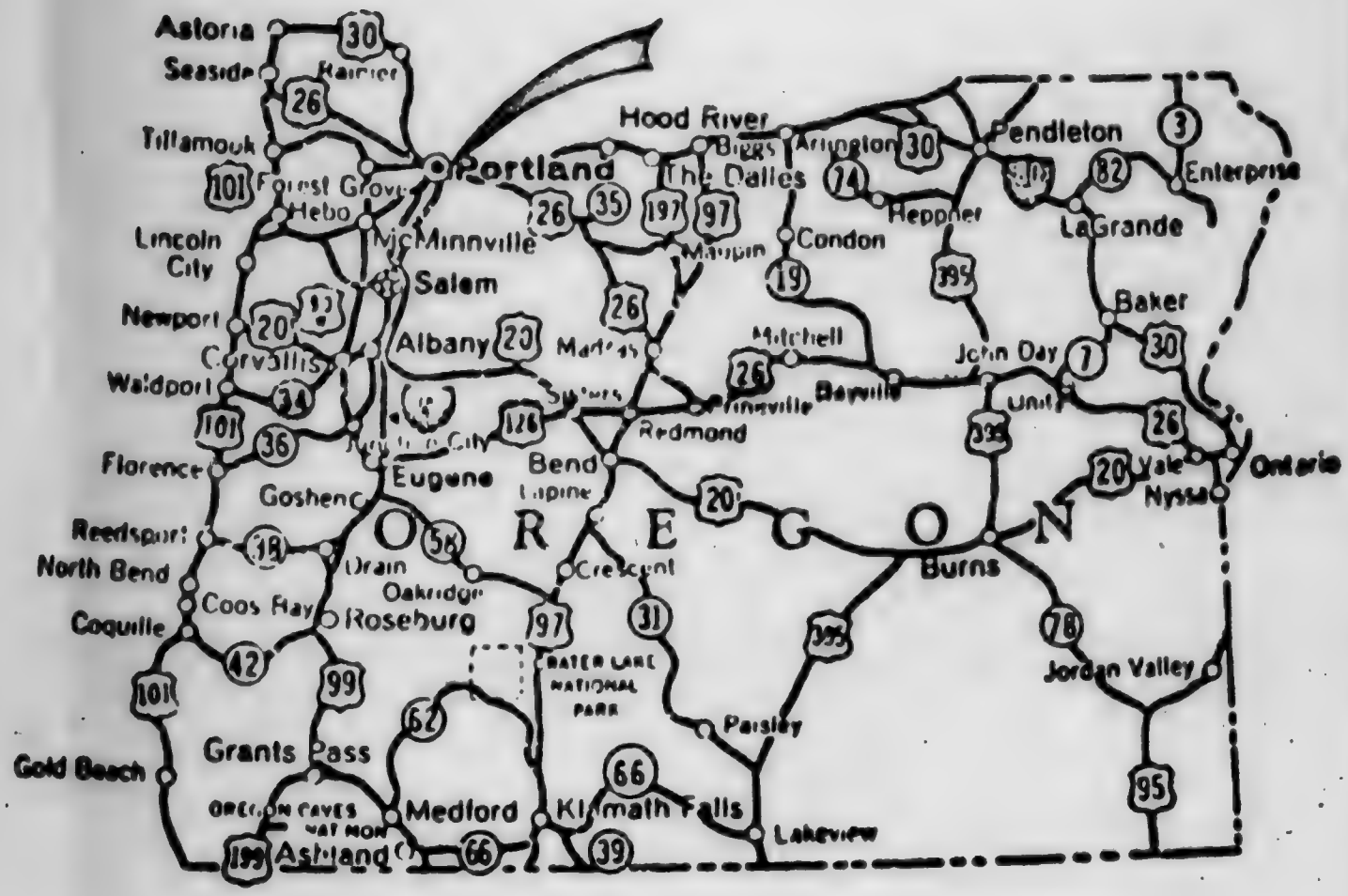
Transmitted is a print of a portion of a title sheet for the Front Avenue Project for the City of Portland. This will require the City Engineer is place his professional engineering stamp on the contract plans for this project.

Spaces are provided for signatures of the appropriate highway representative indicating that this is a valid federal aid project eligible for federal funds.

JHV:jh
Attachment
cc: E. S. Hunter

RECEIVED
STATE HWY ENGR
MAR 31 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

				SHEET No. 1
FED. ROAD Div No.	STATE	PROJECT NUMBER	FISCAL YEAR	TOTAL SHEETS
10	OREGON			*See Index*



THE CITY OF
PORTLAND OREGON

APPROVED:

Cowles Mallory
CITY ENGINEER

DATE

OREGON DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

H. S. Coulter
STATE HIGHWAY ENGINEER

E. S. Hunter
DEPUTY STATE HIGHWAY ENGINEER

R. N. Bothman
ASSISTANT STATE HIGHWAY ENGINEER

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

APPROVED:

DISTRICT ENGINEER — DATE

OREGON TRANSPORTATION COMMISSION

Glenn L. Jackson	CHAIRMAN
Gordon Coleman	COMMISSIONER
Michael P. Hollern	COMMISSIONER
Peter J. Brix	COMMISSIONER
Tom Walsh	COMMISSIONER
Robert A. Burco	DIRECTOR OF TRANSPORTATION
Fred B. Klaboe	ASSISTANT DIRECTOR FOR OPERATIONS

8648 3-21-77

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

STATE COPY
NOTED
E. S. HUNTER

CC: Keasey, OSHD
√Coulter, OSHD M. Craft, OSHD (Milwaukie)

INSPECTION REPORT

REGION NO.	REPORT ON	DIVISION
10	Meeting with City of Portland	Oregon
DATE OF INSPECTION	**INSPECTION MADE BY**	**PROJECT NO.**
3-29-77	C. T. Christianson, Area Engineer	M-0929(1)
IN COMPANY WITH		

REMARKS

The purpose of this meeting was to discuss project development and contract administration with the representatives from the Portland City Engineer's office who will be involved in the engineering work on the Kitridge-26th Section of Front Ave. The City has just completed work on a project on Columbia Blvd. where several problems were encountered resulting in relatively high engineering costs.

Having gone through one complete project, handling their own contract administration, the City had several members of their engineering and survey staff in attendance at this meeting. The principal discussion centered around documentation, procedures, materials testing and contract administration. Emphasis was placed on contract compliance requirements. The City was somewhat mystified by the total engineering charges to the project over which they had no control.

Several various procedures and documentation techniques were discussed and, generally speaking, the City will be following procedures outlined by the State for their own projects. In some areas the City indicated a desire to maintain their own procedures for purposes of internal coordination between various City bureaus. They were advised that any understandable procedure was acceptable as long as it could be interpreted by an outside reviewer.

Some discussion was devoted to the mechanics of job layout, surveying techniques, etc. that would be required as a minimum for job control and pay quantity measurements. The City will be able to adjust some of their field practices to become more efficient.

The City was advised that normal State procedures are to assign a project monitor, usually a resident engineer in the area, to assist the City's engineering staff in their contract administration duties. Charges are made against the project (by the State) for the monitor and also for laboratory fees, inspections and other project related costs. These charges are generally 15 to 20 percent of the total engineering and are beyond the control of project level.

The City indicated a desire to obtain copies of the State's construction manual and inspector's manual and definitely to be placed on the mailing list for updates and modifications to those manuals. The State indicated they are in the process of revising the construction manual and it should be completed by early fall of this year.

- more -

RECEIVED STATE HWY ENGR APR 12 '77 REFER TO FOR Invest R/D D/R Sign Act Info

☆ GPO: 1970 O-387-254

I believe this was a very productive meeting from the standpoint of discussing procedural problems that had been encountered by the City under on-the-job conditions. This provided an excellent format for discussing more efficient operating procedures. The City had a significant portion of their engineering staff at the meeting and were very anxious to discuss acceptable procedures that would help them become more efficient in their operations.

8645

STATE OF OREGON

INTEROFFICE MEMO

TO: MEMO TO THE FILE

DATE: March 21, 1977

FROM: ROBERT N. BOTHMAN
Ass't. State Highway Engineer

NOTED
E. S. HUNTER

SUBJECT: NW 26th Avenue/NW Kittridge - Front Avenue

Wayne Oberding contacted me to review the progress on the subject project. He has a conflict in the processing of the project from the design phase to the construction phase. He has been made responsible for accomplishing the construction. In a series of correspondence with John Lang, he has indicated he can't accomplish this with the present structure of organization in the city.

The problem with the city is a continuation of their problem on Columbia Boulevard. The problem exists with the structure of the city government, where several bureaus are responsible for a portion of construction of the project. They have a series of inspectors, one from each bureau, and it is an impossible task coordinating the staking and construction of the various bureau responsibilities when dealing with a single project.

Oberding feels the final design plans, which have been completed by the city, are inadequate to construct the project. His problems are those as earlier defined by Versteeg and others in working with the city's preliminary work.

In the case of Columbia Boulevard, it was necessary for the state to "loan" an office engineer to manage the project. The engineering overrun is about 100 per cent. The quality of the final product is questionable.

The design of the sewer work and the design of the road work are accomplished by separate identities. Prior to approval of the final design by the city, I will require the entire project be stamped by the City Engineer for his professional approval. The approval of the bureau chiefs will not satisfy my requirement. As I explained to Wayne, I plan to place the total professional responsibility for this project on the City Engineer. The state's responsibility will be in the form of approving what the city has accomplished, with competent people doing the work, and assuming the responsibility. Our approval will be in the form of a rubber-stamp APPROVED, with a name; likely mine.

The problem in proceeding with construction with decentralized control is one of prime responsibility. It cannot be dispursed among inspectors reporting to various bureau chiefs. The inspection procedures must be acceptable to the state, as they have developed over the years working with FHWA. There must be documentation for the various procedures to assure compliance with the specifications; e.g., note-taking inspection reports, etc. Finally, the reporting procedures must document the processing and management of the project to our satisfaction, and to FHWA's satisfaction.

3-28-77

NOTED
E. S. HUNTER

Bob This is an important point and you must maintain this position. I have, some time back, had a little short drafted which removes my stamp and provides for the City Engr. instead. Ed.

cy Versteeg

01-125-1307

A major problem exists within the city regarding cost overruns in engineering which are non-participating, as well as some of the work which is non-participating. This is not our problem; it is the city's.

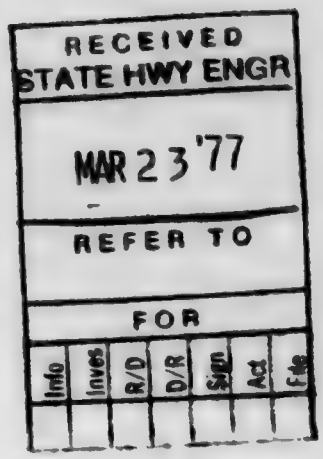
In the approach I am pursuing on Front Avenue, the project will be planned, designed, and built by the city. The city has two choices; one, to follow ODOT procedures which have been worked out with FHWA, or, two, provide ODOT with city procedures which will be reviewed to gain FHWA approval. One of the two clear-cut methods of managing the project has to be established and agreed upon before we proceed.

Front Avenue is different in that in other projects the state has accomplished the final design, and in doing so had control over the project.

In the several series of letters between Oberding and Lang, Oberding has concluded by recommending the state assume the final design and construction responsibilities on Front Avenue.

ebg

cc: [redacted]
J. H. Versteeg



8648 3-18-77

U. S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: M-9300(1)

STATE PROJECT NO.: See below

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.:

ITEM NO.: M-13

COUNTY NAME: Multnomah

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
STATE HWY ENGR
MAR 24 '77
REFER TO
Rulien
FOR

Info	Inves	R/D	D/R	Sign	Act	File

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	3-18-77	FAU 9300	City Street

GENERAL LOCATION:

"N.W. Kittridge Ave. - N.W. 26th Ave. (Portland)"

GENERAL DESCRIPTION OF WORK:

Preliminary engineering and program change.

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
☒ PREPARATION including utility preparatory work.

☒ OTHER (Specify) Program change.

☐ ACQUISITION OF RIGHT-OF-WAY

CONSTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Rulien's 2-25-77 letter, I approve the program change to revise project data as follows:

"Work under this project consists of preliminary engineering all phases including preliminary engineering by utility and railroad forces as required for the future construction necessary to widen N.W. Front Avenue to a basic 28-foot curbed roadway for two 14-foot travel lanes with a 7½ foot sidewalk on the left. The northwesterly 1,060 feet and the southeasterly 1,400 feet will consist of a 46-foot curbed roadway for two 14-foot travel lanes with 9-foot parking each side and 5-foot sidewalks."

You are authorized to proceed with the work as shown above.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
3-18-77	G. K. Hoesner	Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
March 17, 1977

FROM: J. H. Versteeg
Road Design Engineer

SUBJECT: 26th Avenue-Kittridge Section
Front Avenue Project
City of Portland

TO: F. B. Klaboe
Chief of Operations

The attached title sheet is proposed for the Front Avenue Project being prepared by the City of Portland and is being submitted for your approval. The engineering stamp on the title sheet of either the City Engineer or the Bureau Chief would be satisfactory.

JHV:jh
cc: Duane Christensen

RECEIVED
DOT OPERATIONS
MAR 17 '77
REFER TO
FOR
Info | Issue | R/D | D/R | Sign | Act | File

1 Versteeg
Olson
Christensen
Scott
Swenson
Savage
Trout

RECEIVED
MAR 22 1977
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File
Return To
Bring Up 1
Other

orig Versteeg
cy Coulter
3-21

APPROVED
F B Klaboe
CHIEF OF OPERATIONS
DATE: 3-21-77

THE CITY OF
PORTLAND OREGON

APPROVED:

Cowles Mallory
CITY ENGINEER

DATE

John M. Lang, BUREAU CHIEF
BUREAU OF TRANSPORTATION ENGINEERING

DATE

OREGON DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

R. N. Bothman
ASSISTANT STATE HIGHWAY ENGINEER

DATE

H. S. Coulter STATE HIGHWAY ENGINEER

E. S. Hunter DEPUTY STATE HIGHWAY ENGINEER

SION

ER
ER
ER
ER
TRANSPORTATION
DIRECTOR FOR OPERATIONS

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

APPROVED:

DISTRICT ENGINEER

DATE

8648

Portland

ORIGNAL SIGNED
DUANE O. CHRISTENSEN

Salem, Oregon
March 11, 1977

Duane O. Christensen
Final Design Engineer

R. N. Bothman
Assistant State Highway Engineer

N. W. Front Avenue
N. W. 26th Avenue-N. W.
Kittridge Section
M-9300(1)

We have reviewed the plans on this project and are returning them to you along with the documents which we received. Following is a list of our comments regarding this project.

1. It was noted that there is some orientation difficulty in going from the roadwork plans to the storm sewer plans or vice versa. This is due to each set of plans having its own stationing with no correlation shown between the two. This is accentuated by the two plans being on different scales. A suggestion to help remedy this situation is to flag each manhole on the roadwork plans with its storm sewer plan stationing.

2. The earthwork, trench excavation, topsoil and crushed rock embankment quantities are not indicated on the plan sheets. These quantities are only shown in the summary. It is our suggestion that for clarification of the plans and the work to be done these items be included with the construction notes on the plan sheets.

3. Oregon law requires that sidewalk ramps be placed at approximately two per block for new curb and walk construction. These locations need to be shown on the plans.

4. On the storm sewer plan sheets there will need to be a title placed in the upper right hand corner of each sheet. This is illustrated in red pencil on Sheet No. 2 of 11. Note that a three-inch space will need to be reserved for a file number to the right of the title, which will be added by Final Design.

5. The storm sewer sheets will need to be added to the index of sheets as shown in red on the title sheet. The title sheet for the storm sewer plan sheets is not required and may be deleted.

6. Our contracts are advertised for bidding on net quantities, therefore, the allowance column and the total quantity column will need to be taken off the summary sheet (Sheet 2G). Note that on the street work portion of the summary the item of trench excavation appears twice.

7. Clarence Gregg has reviewed the base design for this project. He cannot justify a "CBE" requirement of more than 22". The "CBE" proposed by the City of Portland calculates to be 24". The FHWA will approve only 22". If the City of Portland wants 3" of asphaltic concrete to be placed in two lifts of 1-1/2" each, this can be accomplished by using 9" of P.M.B.B. and 3" of A.C. The "CBE" for this figures to be 22.2". This will be acceptable to the FHWA.

8. References were made in the narrative that several permits and easements will be required. These acquisitions will need to be finalized before the project can be advertised.

9. The Cost Accounting Section is reviewing the unit prices. They will be submitted at a later date.

The following data is being returned:

1	Roll	Roadwork plans (Sheets 1 through 30) and Storm Sewer plans (Sheets 1 through 11)
1	Roll	Prints of Cross Sections
1	Envelope	Environmental Assessment
1	Envelope	Photographs Calculations Cost Estimates (City of Portland) Survey Notes Cross Section Reductions Property Owner Correspondence Technical Advisory Committee Traffic Report

LKW:jh
cc: Wayne Schulte

1 Versteeg ✓
2 Olson all
Scott
3 Swenson
Savage
Trout

RECEIVED
MAR 11 1977
ROAD DESIGN SECTION

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Requires Approval ☐
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Bring Up
Other

8648

PRO 6-2

Department of Transportation

STATE HIGHWAY BUILDING, SALEM, OREGON 97310

February 25, 1977

TO G. L. Green, Division Administrator
Federal Highway Administration

FROM L. W. Rulien
Program Management Engineer

SUBJECT Minor Program Change
Item No. M-13
Project No. M-9300(1)
N.W. Kittridge Ave.-N.W. 26th Ave. (Portland) Sec.
Multnomah County

The proposed improvement of the above section of N.W. Front Avenue has been changed from a proposed four-lane facility to a two-lane facility which resulted in a reassessment as a non-major action (Category 3 project) approved by your letter of January 12, 1977.

We hereby request your approval of a minor program change to revise the project data on the subject project to read as follows:

> "Work under this project consists of preliminary engineering all phases including preliminary engineering by utility and railroad forces as required for the future construction necessary to widen N.W. Front Avenue to a basic 28-foot curbed roadway for two 14-foot travel lanes with a 7-1/2 - foot sidewalk on the left. The northwesterly 1,060 feet and the southeasterly 1,400 feet will consist of a 46-foot curbed roadway for two 14-foot travel lanes with 9-foot parking each side and 5-foot sidewalks".

Note: City of Portland will perform the preliminary engineering with review and contracting by State forces.

We further request authorization to proceed with preliminary engineering necesary to obtain P.S.& E. approval at an estimated total cost of $10,000 with an obligation of $7,810 in federal funds.

CL:ljt

cc: E. E. Zehner

HAL-FRED

NOTED
MANNOR C. HOLMES

8648

2-15-77

Hopkins
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ENGINEER'S NARRATIVE
NW FRONT AVE - NW KITTRIDGE AVE TO NW 26th AVE
FAU NO. M-1173(1)

This documentation is intended to serve as a guide to the conception and design of NW Front Avenue from NW Kittridge Avenue to approximately 816 feet north of NW 26th Avenue. An historical background has been included herein due to the extensive negotiations which were conducted with the abutting property owners and which have had a notable affect on the roadway alignment.

Proposal

The City of Portland has found it desirable to reconstruct this section of roadway to eliminate high maintenance costs and numerous traffic accidents. Maintenance costs for this section are increasing at the rate of 30% per year and will exceed $6,000 for FY 1976-77. The accident rate is 3.7 accidents per million vehicle miles which compares unfavorably with similar arterial streets. A large percentage of these accidents can be directly attributed to the uncontrolled angle parking throughout the westerly 5,000 feet of the project.

By providing a safer, more adequate arterial with good ride characteristics, the City will be achieving its stated goal of enhancing opportunity for economic development while providing for the safe and efficient transport of persons, goods, and services. These considerations have weighed heavily in the conception of the alignment of the proposed physical improvements.

Alignment

The right-of-way of NW Front Avenue is 100 feet wide throughout the project. The section is tangent with the exception of one 2,050 foot radius curve right beginning at Sta. 195+16.61. Through a negotiation process a 28 foot roadway has been aligned on an offset centerline from Sta. 142+97.42 to Sta. 182+00 to provide an area in the easterly portion of the right-of-way which is capable of accomodating the existing parking demand of 1,000 vehicles. It is the City's intent to either issue a revocable use permit or lease this area to the abutting property owners for employee parking. The remaining roadway sections will be 46 feet wide, centered in the right-of-way, with the exception of two 397.42 foot transitions on each end of the 28 foot offset section.

Traffic Design

Traffic volume projections indicate an ADT of 6,000 vehicles in 1994 if I-505 is constructed. Should I-505 not become a reality, the ADT is expected to increase to 11,000. Since this section will operate under essentially continuous non-interupted flow conditions the roadway will have sufficient capacity in the judgment of the City Traffic Engineer.

By virtue of the controlled access to employee parking a significant reduction in the accident rate is expected. Should unexpected operational problems develop at the access points, the City and industry would jointly pursue signalization of one or more of them to provide adequate gaps and vehicle platoons.

The existing 85 percentile speed is 37 mph. Consequently, all geometric design is based on a design speed of 40 mph. The current zoned speed is 40 mph by Resolution No. 2623 dated January 21, 1976.

Manually activated traffic signals are proposed for all railroad spur crossings in the project except for the northerly crossing which will be a railroad preemption device interconnected with the proposed signal at NW Front Avenue and NW Kittridge Avenue. These provisions have been made at the request of the Public Utility Commissioners staff.

Traffic (Train) Signals

Traffic signals will be installed on all spur crossings within the limits of the project. The signals will be manually activated, except at NW Kittridge Avenue and NW Front Avenue, by railroad company personnel. The controller is to be key operated and the cabinet will be mounted on the main line side of the crossing. The signal indication, normally in a green rest will immediately upon activation change to a four second yellow, then to a red rest. The signal will return to green rest upon switch turn-off or after timing out fifteen minutes. The timing feature is required since switchmen tend to forget about turning off the signal. A neon sign will also be used with the message "Stop Train."

The signal display will consist of two heads with 8 inch green, 8 inch yellow, and 12 inch red lenses on each approach. The heads and overhead neon signs will be mounted on varying sizes of mast arms to avoid conflict with existing railroad messenger lines on the southerly property line.

During final design an additional detail sheet(s) will be added with individual designs for each spur and the NW Kittridge Avenue intersection. Questions regarding the detailed construction of the signals should be addressed to James K. Wilson, Signal Engineer, at 248-4295.

Design

Beginning at Sta. 128+40 to 139+00 NW Front Avenue is to be reconstructed to a 46 foot roadway, centered in the right-of-way, with 5 foot combination Portland Cement Concrete curb and sidewalk on both sides. The entire intersection of NW Front Avenue and NW Kittridge Avenue is to be reconstructed to provide more adequate surface drainage and pavement base. Seven inch curb exposure (gutter) is to be used throughout the project. The new roadway will replace a deteriorated asphalt concrete pavement the width of which varies from 20 to 30 feet. Grade for this section was determined by use of existing ground profiles 33 feet from centerline. The established gutter grade reflects an approximate slope of ¼ inch per foot from the 33 foot profile to the top of the proposed curb. The gutter grades have been

forced to meet the existing railroad spur and provide longitudinal drainage away from the trackage. A parabolic section has been chosen for the project with an 8 inch crown height in the 46 foot sections. This crown will provide cross slopes of 1.48% and 4.32% on the inner and outer chords respectively. Sta. 139+00 is the beginning of a 397.42 transition section to a 28 foot roadway with a centerline 18 feet north of and parallel to the south property line. All stationing, as noted on the plans, remains on the tangent projection of the centerline of NW Front Avenue right-of-way. This has been done to avoid needlessly complicating the stationing in the transitions, the curb lines of which are not concentric. The detailed calculations involved in determining the transition alignment are included in the calculation package submitted herewith. AASHTO standards were used so far as they were applicable.

A 5 foot combination Portland Cement Concrete curb and sidewalk is to be constructed on the right to Sta. 142+20. Beginning at Sta. 138+90 a 7.5 foot Portland Cement Concrete curb and sidewalk section is proposed on the left. This section consists of two curbs separted by a 6.5 foot wide sidewalk. It was chosen that this section not be monolithic to allow for good compaction and lower cost due to the attainability of a neat section. Grade for the left gutter of this section was established by holding the curb top at the back of walk approximately 0.5 feet above the existing ground. The back curb is intended to serve as a wheel stop for the proposed parking area and with vehicle overhang guarantee a 5 foot clear sidewalk for pedestrian and bicycle useage. The sidewalk is to slope at the rate of ½ inch per foot to the street. Grade at the right gutter was held even with the left gutter unless this caused an adverse condition. Both gutter grades were forced to meet the existing railroad spur. The location of the transition has been the result of negotiations involving the City, PUC, and industry (FMC).

From Sta. 142+97.42 to Sta. 182+00 a 28 foot roadway is to be constructed on a centerline 32 feet south of the centerline of the right-of-way (18 feet north of the south property line). A Portland Cement Concrete, Type "C", curb is to be constructed on the right with no sidewalk. On the left the combination double curb and sidewalk section as was used in the transition is continued. Grades in this section were established using the same criteria as in the transition. The ground profile left, shown on the plans, is the existing ground of the back of the walk, i.e. 7.5 feet behind the face of the left curb. A parbloic section is to be constructed with a 6 inch crown. This crown will provide cross slopes of 1.79% and 5.29% on the inner and outer chords respectively.

Sta. 182+00 is the beginning of a 397.42 transition from the 28 foot roadway to a 46 foot roadway centered in the right of way. This section is a mirror image of the previously described transition. The only difference in horizontal or surface features is the lack of a sidewalk on the right.

From Sta. 185+97.42, end of transition, to Sta. 200+00 a 46 foot roadway is to be constructed centered in the right of way. As in the previous 46 foot section, grades were set based upon ground profiles 33 feet right and left. In some areas the 33 foot line fell in an existing roadway gutter and

appropriate correction was made in the grades established. Gutter grade was forced to meet and slope away from all railroad spurs.

Methodology

The grades established for this project are not less than 0.40%, except one tangent of 0.38%, which was defined as being the minimum acceptable longitudinal slope for drainage. As is current City practice, vertical curves are not used unless the break exceeds 3% or occurs on a spur track. By avoiding long vertical curves with small middle ordinates the drainage, i.e. sag points will be more closely controlled and be more forgiving to the instability of the heaving soil structure in the project area.

With the exception of the transition sections, and adjacent spur crossings, earthwork, pavement and concrete quantities were determined with the aid of the City's IBM 1130 and "Quantities" program. Correction factors were computed and applied to the computer output to compensate for the unusual left curb and sidewalk design from Sta. 142.97.42 to Sta. 186+00. All other quantities were calculated manually by planimetering cross sections and the plan view.

Excavation Classification

All excavation quantities are defined as unclassified since they will include existing AC as well as earth and crushed rock. The regional geologist has taken core samples along the project and these will be plotted in final design to aid prospective bidders and hopefully reduce the project cost. The samples will also be available for viewing at the regional office.

Base Design

Based upon soil tests and analysis the OSHD recommended a 22 inch Crushed Base Equivalent and the following section:

2 inches of asphalt concrete class "B" on
10 inches of plant mix bituminous base.

The City has modified this design as follows:

1½ inches of asphalt concrete class "C" on
1½ inches of asphalt concrete class "B" on
10" of plant mix bituminous base.

This design yields a CBE of 23 inches and should provide for a smoother wearing surface and better ride characteristics.

Specifications

State standards and specifications are to be used on this project with the exception of the following:

-commercial concrete driveways
-combination sidewalk and curb
-curb ramps
-concrete sidewalk scoring plans

Construction

During the final design process the City will coordinate with all concerned agencies and the property owners to establish the appropriate construction stages and time limits. Traffic control procedures will be established and specified for the construction stages and time limits. A bid item will be included in the final estimate for the required temporary control devices and flagging. Temporary control will be as specified in the Manual on Uniform Traffic Control Devices.

PUC Grade Crossing Applications

As agreed with Wayne Schulte, OSHD project coordinator, the OSHD will complete and submit formal grade crossing applications for all spur tracks within the limits of the project. A preliminary meeting with Don Still, Richard Mather, and John Barker of the PUC staff was held 12-21-76 and the scope of the project discussed. The proposed traffic signals and walkway clearance shown represent the agreements reached with the staff. The transition section beginning at 139+00 crosses a spur track serving FMC. Although not considered ideal, this alignment has been preliminarily approved by Don Still, providing the City maintains painted tog lines at 14 feet from the centerline.

Illumination

The street lighting design calls for 37 poles and luminaires mounted at heights of 30 and 35 feet on the 28 and 46 foot roadway sections respectively. The luminaires are to be 400 watt high pressure sodium vapor and will maintain 1.1 footcandles at the street surface. This level of illumination exceeds the I.E.S. standard of 0.9 footcandles for arterial streets. Pole spacing is 193 feet.

Electrical

PGE will relocate all lines and poles in conflict with the proposed improvements with no cost to the project. The direct burial underground 11 KV cable in the vicinity of Sta. 172+00 to 190+00 is not presently in use. This cable is privately owned and a decision regarding abandonment will be made prior to completion of final design.

Telephone

Pacific Northwest Bell has decided to go underground on this project. The design is not yet complete and is being handled by Pettyjohn Engineering.

Water

The alignment will require relocation of the 12 inch main in the area of Sta. 192+00 to 200+00. Additionally, all hydrants will be relocated to the new curb.

Gas

Some relocation of gas mains will be required and completed by Northwest Natural Gas Company at no cost to the project.

Railroad

During final design the City will require the necessary replacement and maintenance on spur lines. The spurs at Sta. 145+50 and Sta. 162+50 will require regrading to provide a smooth street grade. These are shown on the plans at present grade. Guard rails will be installed for all crossings.

All railroad construction or maintenance will be competed at the railroad's and/or property owner's expense. The only cost to the project, as agreed with Wayne Schulte, OSHD, will be for the new asphalt concrete between the rails and any excavation associated therewith.

Food Machinery Corporation (FMC) is planning a plant reorganization concurrent with this project. Prior to construction, if FMC does not alter its plans, the spur at Sta. 148+50 will be removed and a new spur installed at Sta. 132+50. During final design necessary changes will be made if FMC commits to the reorganization. The City has agreed to fund the traffic signal for the new crossing if the old spur is removed. This funding is to be a project cost.

Sewers

The proposed improvement of NW Front Avenue will require the construction of new storm sewers to adequately serve the street. The existing street is served by a variety of private and City owned sewers. Many of the private lines are located in areas that are impossible to maintain and they are undersized to adequately serve the new street. The City sewers that are to be abandoned as a part of this project are relatively small and cannot handle the additional runoff from the entire service area.

The City is proposing to construct four new storm sewers and connect them to three outfalls. Two of the outfalls (the 66" wood stave pipe and the 90" concrete pipe) are existing and are owned and maintained by the City. Both have adequate capacity to receive the additional flow from Front Avenue. The third outfall to the river at NW Kittridge will be constructed and is included as a part of this project. The outfall is designed to serve NW Front Avenue from 1,000 feet easterly of Kittridge to approximately 1,500 feet westerly. This outfall is needed because the existing 42" line is heavily overloaded and should not receive any runoff from NW Front Avenue. To build this line a

50 foot permanent easement, a 20 foot construction easement on one side, a Corps permit, and a State Division of Land permit will be required.

The City's present easement over the existing outfall is for repair and maintenance only. The construction of a new line will require another easement. The final location of this easement and the actual length of the outfall will depend upon the success or failure of the property owner's plans to fill the area around our existing outfall.

The Corps permit and the State permit require 6 months to process. These permits may contain conditions that will influence a contractor's method of construction and subsequently, his estimated cost to construct the outfall.

The proposed storm sewers in Front Avenue consist of approximately 7,100 linear feet of pipe varying in size from 15 inches to 42 inches. The design is based on the Rational Formula (Q=C1A) and Mannings Equation ($Q=\frac{K}{n}$ d8/3 S½). The runoff calculations are for a 10 year design storm. The service area is about 230 acres and the coefficient of runoff varies from 0.35 for the railroad property to 0.90 for industrial properties.

The peak design flows to the three outfalls are: 53 cfs to the 42 inch pipe, 80 cfs to the 66 inch wood stave pipe, and 55 cfs to the 90 inch storm sewer.

All inlets serving the new street will be connected to the proposed storm sewers. These connections are normally made at manholes unless the pipe size is 36 inches in diameter or larger.

The soil conditions may require tight sheet shoring, dewatering, pipe stabilization, and select backfill. These conditions have significantly increased the cost of construction in this area.

Victor F. Rhodes, P.E.
Project Engineer

VFR:jt

8648 Portland

STATE OF OREGON

INTEROFFICE MEMO

TO: FRANK TERPIN
Location Engineer

DATE: February 10, 1977

FROM: ROBERT N. BOTHMAN
Ass't. State Highway Engineer

SUBJECT: N.W. Front Avenue
Kittridge - 26th Avenue
M-9300(1)
26-1904

Preliminary design work has been completed by the City of Portland on subject project. Submitted for your review and approval are plans and supporting data derived from this effort. The attached letter from the City includes a comprehensive list of these documents.

Final design and construction engineering for the project will be performed by the City. It is suggested the City also obtain the necessary easements and permits to construct the outfall sewer at Kittridge. This would be the only right-of-way negotiations on the project.

I will send you a project schedule as soon as received from the City. It is anticipated that construction bid letting will occur in October 1977 when sufficient FAUS funds become available.

Additional comments are as follows:

1. Plan sheets - Sepias are being submitted. City is retaining mylars for their final design use.

2. Plan frontal sheet - A revised sheet is currently being prepared for this project by Bill Sample.

3. Surfacing design - The Highway Division suggested design was for 10" of P.M.B.B. topped by a 2" Class "B" or "C" A.C.W.S. The City has chosen to increase the asphaltic concrete thickness to 3" which includes a 1½" Class "C" wearing surface. They feel this will result in a smoother wearing surface and better ride characteristics. This reasoning is questionable.

4. Mobilization - This activity is not included in the list of bid items. The City states they have never included this work in any previous projects but are considering the addition in the future. They desire not to include mobilization in this contract.

5. Traffic control - Temporary protection of traffic and flagging are not included at this time. City says they will address these items during final design phase and include in final estimate.

Your early review of the documents will be appreciated.

WS/ldo
Enclosures
cc: Larry Rulien

Wirfs
Olson
Scott
Swenson
Savage
Trout

RECEIVED
Feb 18
1977
ROAD DESIGN SECTION

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Other

81-125-1367

THE CITY OF
PORTLAND
OREGON

DEPARTMENT OF
PUBLIC WORKS
CONNIE McCREADY
COMMISSIONER

OFFICE OF
PUBLIC WORKS
ADMINISTRATOR

400 S.W. SIXTH AVE.
PORTLAND, OR. 97204

February 4, 1977

R.N. Bothman, Metropolitan Engineer
5821 NE Glisan Street
Portland OR 97213

SUBJECT: NW Front Avenue - NW Kittridge Avenue to NW 26th
FAU No. M-1173(1)

Dear Bob:

The City of Portland has completed the preliminary design phase of NW Front Avenue. Enclosed for your review and approval are the following documents:

1. Street Plan and Profiles
2. Sewer Plan and Profiles
3. Cost Estimate
4. Engineer's Narrative
5. Survey Notes
6. Technical Advisory Committee Documentation
7. ~~Project Schedule~~
8. Photographs
9. Property Owner Correspondence
10. Environmental Assessment & Correspondence
11. Traffic Report
12. Calculations
13. Cross-Section Reductions
14. Cross-Section Plots

In order to keep our planned schedule we request that your agency and the FHWA grant final design approval on or before March 4, 1977. Any assistance you can render in expediting this procedure will be appreciated.

We are looking forward to the final design process and want to express our appreciation to your staff for their continued assistance. Wayne Schulte's efforts as Project Coordinator have been outstanding and my staff is anxious to work with him during the completion of this project.

If there are any questions or additional materials needed, please don't hesitate to call Vic Rhodes, Project Engineer, at 248-4655.

Sincerely,

John M Lang

JOHN M. LANG, CHIEF
Bureau of Street & Structural Engineering

VR:jb

8648 2-7-77

PRELIMINARY

ESTIMATE SUMMARY

N.W. Front Avenue from N.W. Kittridge Avenue to N.W. 26th Avenue
FAU No. M-1173(1)

ITEM	ESTIMATED COST (includes contingency)
STREET IMPROVEMENT	$869,894.00
SEWER	$907,127.00
SEWER EASEMENT	$ 30,000.00
ILLUMINATION	$203,841.00
TRAFFIC SIGNALS	$ 94,600.00
WATER RELOCATION	$206,000.00
ESTIMATED CONSTRUCTION COST	$2,311,462.00

VFR/2-7-77

DEPARTMENT OF PUBLIC WORKS
OFFICE OF CITY ENGINEER

FAU NO. M-1173(1)

PRELIMINARY ESTIMATE

STATEMENT of the various kinds of work required in the improvement of NW FRONT AVE. FROM NW KITTRIDGE AVE TO 800± FEET WESTERLY OF NW 26th AVE.

pursuant to Resolution No. _____. Bidders on this work must refer to Ord.No. _____

ALL QUANTITIES ARE MORE OR LESS

	ITEMS OF WORK AND MATERIALS	TOTAL QUANTITIES		UNIT PRICE	TOTALS DOLLARS	TOTALS CENTS
1						
2	Excavation, ~~Earth~~ Unclassified	13,600	Cu. Yds.	10.00	136,000	
3			"			
4	Excavation, Conc.; S.W.; Curb	365	"	20.00	7,300	
5	" Trench	772	"	14.00	10,808	
6	Embankment, Granular	650	Cu. Yds.	12.00	7,800	
7	Embankment, Topsoil	240	Cu. Yds	7.00	1,680	
8	Embankment, 3/4"-0" Crushed Rock	40	Cu. Yds	10.00	400	
9	Concrete Sidewalk, ~~Corners, Driveway Connections~~	42,100	Sq. Ft.	1.50	63,150	
10						
11	Driveway, Concrete, 6" Thick with steel	1,020	Sq. Yds.	15.00	15,300	
12	Driveway, Concrete, 6" thick connection	620	Sq. Yds	12.00	7,440	
13	Curb, Concrete	16,500	Lin. Ft.	3.00	49,500	
14						
15						
16						
17	8-inch Concrete Pipe		Lin. Ft.			
18	-inch Concrete Pipe		" "			
19	8-inch Corrugated Culvert Pipe		" "			
20	10" C.S.P. (ASTM C-14, Class III)	1,485	Lin. Ft	11.00	16,335	
21						
22	Standard Sump		No. of			
23						
24						
25	Catch Basins (Bottomless)		No. of			
26	Inlets	86	"	300.00	25,800	
27	Seal & Abandon Inlet Leads	18	"	100.00	1,800	
28	Moving Inlets		"			
29	Adjusting Manholes & Inlets	43	No. of	200.00	8,600	
30	Crushed Rock _____" Thick (1½"-0)		Cu. Yds.			
31						
32	Plant Mix Bituminous Base	16,320	Tons	20.00	326,400	
33	Asphalt Concrete, Class B, ~~___"-Thick~~	2,500	Tons	20.00	50,000	
34	Asphalt Concrete, Class C, ~~___"-Thick~~	3,125	Tons	20.00	62,500	
35	Skinpatch					
36	Asphalt Concrete Driveway Connections					
37						
38						
39						
40						
					790,813.00	
				+ 10% Contingency	79,081.00	
					$869,894.00	

STREET CONSTRUCTION ESTIMATE = $869,900.00

VFR 2/7/77

Asphalt concrete class "C" ____ inches thick on
asphalt concrete class "B" ____ inches thick on
a crushed rock base ____ inches thick.

NOTE – All Materials will be paid for in place and all work and material will be computed by horizontal measurements.

TRAFFIC SIGNAL ESTIMATE

NW FRONT AVE - NW KITTRIDGE AVE TO NW 26th AVE
FAU NO. M-1173(1)

Item	Quantity	Unit Price	Total
Manually Activated Signal	7 each	$ 8,000.00	$56,000.00
R.R. Preemption Signal (front & Kittridge)	1 each	30,000.00	30,000.00
		TOTAL	$86,000.00

February 3, 1977
VR:jt

STREET LIGHTING ESTIMATE

NW FRONT AVE - NW KITTRIDGE AVE TO NW 26th AVE
FAU NO. M-1173(1)

Item	Quantity	Unit Price	Total
1) Luminaire	37 each	$ 350.00	$ 12,950.00
2) Pole	37 each	300.00	11,100.00
3) Pole Base	37 each	150.00	5,550.00
4) Lamp	37 each	60.00	2,220.00
5) Service Cabinet	2 each	1,000.00	2,000.00
6) Wire #6 A.W.G.	24,000 Lin. Ft.	0.116	2,784.00
7) 1½" Rigid Conduit	8,000 Lin. Ft.	0.795	6,360.00
8) Trenching/Backfill	8,000 Lin. Ft.	10.00	80,000.00
9) Labor	1,300 hr.	35.00	45,500.00
			$168,464.00
		+ 10% Overhead	16,846.00
		TOTAL	$185,310.00

February 3, 1977

VR:jt

STATE OF OREGON

INTEROFFICE MEMO

TO: E. S. Hunter
Deputy State Highway Engineer

DATE: January 19, 1977

FROM: L. W. Rutten
Program Management Engineer

SUBJECT: PROJECT ASSESSMENT
N.W. 26th Ave.-Kittridge Ave.
N.W. Front Avenue
Multnomah County

Versteeg
Olson
Swanson

RECEIVED
JAN 20 1977
ROAD DESIGN SECTION

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Attached for your information is an assessment, concurred in by the Federal Highway Administration.

Program Management classifies this section as a Category 3 project of NON-MAJOR action.

Your approval will place this project in our Project Management System and allow its development in accordance with Action Plan procedures.

BLG:dpy

Attachment

cc: J. B. Boyd (3)
L. E. George
W. J. Hart
C. T. Keasey
J. H. Versteeg (4)
F. E. Terpin (2)
G. A. Potter (2)
George Bell
R. E. Royer
Surfacing Design - Lab Bldg.
B. L. Gifford
Region Metro: R. N. Bothman
District 2: W. W. Getbel
Region Metro Geologist: Dan Gano

APPROVED
DEPUTY STATE HIGHWAY ENGINEER
Date 1-18-77

RECEIVED
STATE HWY ENGR
JAN 18 '77
REFER TO
FOR
Info | Lawes | R/D | D/R | Sec | Acq | Ltr

81-128-1387

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: January 12, 1977

In reply refer to: 1041EC.1

SUBJECT: Oregon Project M-9300(1)
NW. 26th Ave.-Kittridge Ave.
NW. Front Ave.
Multnomah County
Project Reassessment

FROM : G. L. Green, Division Administrator

TO Mr. H. Scott Coulter, State Highway Engineer
Salem, Oregon

The subject project reassessment submitted with Mr. Rulien's December 13 letter has been reviewed. We concur with your recommendation that the classification of the subject project be changed from a Category 3, Major, non-significant action to a Category 3, non-major action.

In reviewing our files on this project we noted that the existing City-State agreement does not reflect these changes. We recommend that the agreement be so revised.

William A. Kappus
for G. L. Green

cc:
OSHD (Potter)
OSHD (Laux)
Geoff Kaiser, Reg Env

BEN GIFFORD

RECEIVED
STATE HWY ENGR
JAN 13
REFER TO
Rulien
FOR
Info | Invest | R/D | D/R | Sign | Act | File

Oregon State Highway Division

PROJECT ENVIRONMENTAL ASSESSMENT

CATEGORY 3 PROJECT
Non-Major
M-9300(-)

Date March 21, 1975

A. PROJECT IDENTIFICATION

Name of Project NW 26th Avenue -- NW Kittridge Avenue (Section) FAU Project No. M-1173(1)

Location of Project - NW Front Avenue (Highway Name) FAUS Route 1173 (Highway No., US - ORE)

Portland (City) Multnomah (County) Metro/Region I (Region)

Program Federal Aid Urban System (Funding) $1,600,000 (Estimated Cost) 26-1904 (901) (Prefix)

B. PURPOSE AND ORIGIN OF PROJECT

Purpose: To widen NW Front Avenue from the existing two lane facility to four lanes to smooth rush hour traffic flow and reduce maintenance costs. (See B1 in Addendum)

Origin and History: The City of Portland requested FAUS funding from CRAG in July of 1973. Approved by CRAG in Oct. 1973. Approved by OTC March 27, 1974. City-State agreement entered in April 1974. City received authorization to begin P.E. on July 24, 1974.

C. DESCRIPTION OF PROJECT (PROSPECTUS)

Length 1.78 miles

Termini From approximately NW 26th Avenue on the south to NW Kittridge Avenue on the north.

Alignment (new or existing) Same as existing roadway.

Description of Project (cont.)

Right-of-Way (acreage and type of land use) All improvements to be made within the existing 100 foot right-of-way.

Typical Section Presently proposed are: 4 travel lanes within a 44 foot roadway (subject to change).

Bikeway None

Structures None

Additional Facilities See C1 in Addendum.

Access Control A 4 foot curbed median will separate travel lanes from parking areas. Entrance to parking areas via concrete driveways.

Materials

Borrow and Waste Disposal Borrow from Portland Area. Waste disposal responsibility of Contractor.

Special Construction Methods None

Characteristics (ADT) Current ADT is 8,148 north of 26th Avenue, and 5,538 south of Kittridge. 1994 ADT is estimated at 6,000. Without I-505, 1994 ADT is estimated at 11,000.

Other General Information (or Supplemental information to items)

Project Sketch Map is Attached: [x] Yes [ ] No

See Figure 1

D. LOCATION AND/OR DESIGN ALTERNATIVES (IDENTIFY AND DESCRIBE)

1. 44 foot roadway (4 travel lanes), plus two rows of angle parking separated from the roadway by a 4 foot divider.
2. 4 travel lanes, turning median, 2 parking lanes
3. 2 travel lanes, turning median, plus two rows of angle parking, separated from the roadway by a 4 foot divider.
4. No build

E. PUBLIC PARTICIPATION AND INTERAGENCY COORDINATION

Public Input to Date (hearing held, etc.,) Contact with industries along Front Avenue.

Public Hearing(s) Schedule: ☐ Not Required ☒ Required

Type Combined location/design Tentative Date(s) September, 1975

A-95 Review: ☐ Not Required ☒ Required

Date Submitted March, 1974 Date Received

Expected Coordination with Local, State and Federal Agencies Utilities, Tri-Met, CRAG, S. P. & S. Railroad, OSHD, FHWA

Expected Coordination with Individuals, Groups, and Organizations During EIS Preparation Northwest Industrial Neighborhood Association and individual industries abutting Front Avenue.

F. STATUS OF PROJECT DEVELOPMENT

OSHD			FHWA	
Status		Date	Status	Date
[x]	Survey Authorization	7-24-74	[ ] Systems Planning	
[ ]	Reconnaissance		[ ] Prel. Engineering	
[ ]	Field Location		[ ] Corridor Approval	
[ ]	Office Location		[ ] Design Approval	
[ ]	Field Prel. Design		[ ] Plans, Specifications and Estimates Approval	
[ ]	Office Prel. Design			
[ ]	Final Design			
[ ]	Contract Plans			

G. BRIEF ENVIRONMENTAL SETTING OF PROJECT AREA

Natural (Topography, Flora, Fauna, Soils, Water Features, Drainage, etc.) Front Avenue is located in NW Portland and serves the industries lining the Willamette River. Little flora or fauna remain since the area is heavily industrialized. The area is a floodplain with some fill material dredged from the Willamette River. Annual precipitation is 42 inches, while annual snowfall is approximately 9 inches. Flooding was experienced in 1964.

Environmental Setting (cont.)

Cultural (Land Use, Noise, Air Esthetics, Utilities, etc.) All of the land adjacent to Front Avenue is zoned M1 which allows heavy industry. Industry is located between Front Avenue and the Willamette River, while a railroad yard is located west of Front Avenue. Because of the industrial nature of the area the air quality is lower and the noise level higher than other areas of Portland.

H. PRELIMINARY ASSESSMENT OF ENVIRONMENTAL IMPACTS

1. Estimated Right-of-Way Requirements: None

Consequences:

2. Estimated Changes in Traffic Patterns:

Curbs will restrict the current unlimited access by vehicles parking adjacent to the roadway. Travel lanes will be increased from two to four.

Consequences:

Left turn accidents should be reduced since autos will no longer have unlimited access to parking. Widening to four lanes will smooth traffic flow during rush hours.

Preliminary Assessment of Impacts (cont.)

3. Estimated Changes in Land Use: None

   Consequences:

4. Expected Adverse Effects on Natural Ecological Resources: None

   Consequences:

5. Expected Adverse Effects on Cultural and Scenic Resources: None

   Consequences:

6. Preliminary Identification of Areas of Critical Environmental Concern:

   See H6 in Addendum

7. Potential for Controversial Issues:

   Parking capacity reduction of 25 per cent should be the only controversial issue. Steps to minimize any adverse impacts will be the subject of negotiations between the City and affected industries.

8. Potential Consistency of Proposal with (complete when applicable):

a. Clean Air Implementation Plans

Smoother traffic flow will reduce certain elements of exhaust pollution. The project will not generate additional auto traffic.

b. Noise Standards

Vehicular noise not expected to be a problem.

c. Water Quality Standards

I. HIGHWAY DIVISION STAFF REQUIREMENTS TO COMPLETE ENVIRONMENTAL IMPACT STUDIES AND DOCUMENTATION

ENVIRONMENTAL SECTION -

PERSONNEL	EFFORT REQUIRED*		
	Minimum	Average	Maximum
Biologist			
Urban Economist			
Water Quality Spec.			
Acoustical Engineer		x	
Air Quality Engineer		x	
Cultural Geographer			
Urban Planner			
Geologist			

Provided by the City of Portland Staff.

Assistance may be required from O.S.H.D.

* For the sake of clarification and mutual understanding the terms minimum, average and maximum effort have been defined as follows:
  MINIMUM - Research and Project Management Staff consultation. No formal typewritten report.
  AVERAGE - Routine analysis. Short to medium length report including consideration of existing setting, probable impact, and steps to minimize harm.
  MAXIMUM - Special detail of analysis. Comprehensive technical report.

Staff Requirements (cont.)

LOCATION SECTION -
(Location, Hydraulics, Photocopy, Photogrammetry)

DESIGN SECTION -
(Preliminary Design/Final Design, Specifications)

PROJECT MANAGEMENT SECTION -
(Typing, Graphics)

REGION -
(Environmentalist, Resident Engineer)

OTHER -

MAJOR ACTION __X__ NON-MAJOR ACTION _____

J. PROJECT (ACTION PLAN) CLASSIFICATION:

☐ Category 1 ☐ Category 2 ☒ Category 3 ☐ Category 4

K. TYPE OF DOCUMENTATION RECOMMENDED

☐ Draft EIS
☐ Final EIS
☐ Supplemental Draft EIS
☐ Supplemental Final EIS
☐ Section 4(f)
☒ Negative Declaration
☐ State-Wide Negative Declaration
☐ Preliminary EIS
☐ Other _____

According to Chapter I of Title 23 CFR, Part 771, this project is deemed a major action which is anticipated not to have a significant effect upon the quality of the human environment of the magnitude to require the processing of an EIS.

ADDENDUM

B. PURPOSE AND ORIGIN OF PROJECT

1. Purpose

NW Front Avenue is an arterial serving the Northwest Industrial area along the Willamette River frontage. The present roadway varies in width from 20 feet to 51 feet, within an existing 100 foot right-of-way. The purpose of this project is to widen NW Front Avenue from the present two lane, variable width facility, to a constant width, four lane roadway. This will serve to relieve peak hour traffic congestion, which occurs during the afternoon shift change at FMC Corporation when the Level of Service is reduced to F. It will also reduce excessive maintenance costs which have been caused by roadway settlement and poor drainage.

C. DESCRIPTION OF PROJECT

1. Additional Facilities

Angle parking to be provided on the east side of right-of-way. Two rows of parking and a one-way aisle will require 49 feet (See Figure 2).

On the north end of the project, there are buildings at the property line on both sides of the right-of-way. To obtain sufficient clearance of the buildings on the west it will be necessary to shift the roadway alignment to the east 12 feet and eliminate one row of parking (See Figure 3).

H. PRELIMINARY ASSESSMENT OF ENVIRONMENTAL IMPACTS

6. Preliminary Identification of Areas of Critical Environmental Concern

Employees of FMC Corporation and American Ship Dismantlers, Inc. currently use the area between the curb and property line for parking. Double, triple, and mostly perpendicular parking occurs, with approximately 1,000 autos parking off the roadway but on City right-of-way. The City granted FMC Corporation (formerly Gunderson Bros.) a revocable permit for this use in September of 1968.

The proposed 49 foot parking area, which accomodates two rows of angle parking, will provide parking for approximately 75 per cent of the vehicles now parking on Front Avenue right-of-way. The 25 per cent reduction in parking capacity will be of concern to the affected industries since it could have an adverse impact on employees of these industries.

Steps to minimize this adverse impact will be the subject of negotiations between the City and the affected industries. Possible solutions to be discussed include (1) optimization of parking on private property, (2) increased emphasis on carpools, and (3) expanded service by Tri-Met.

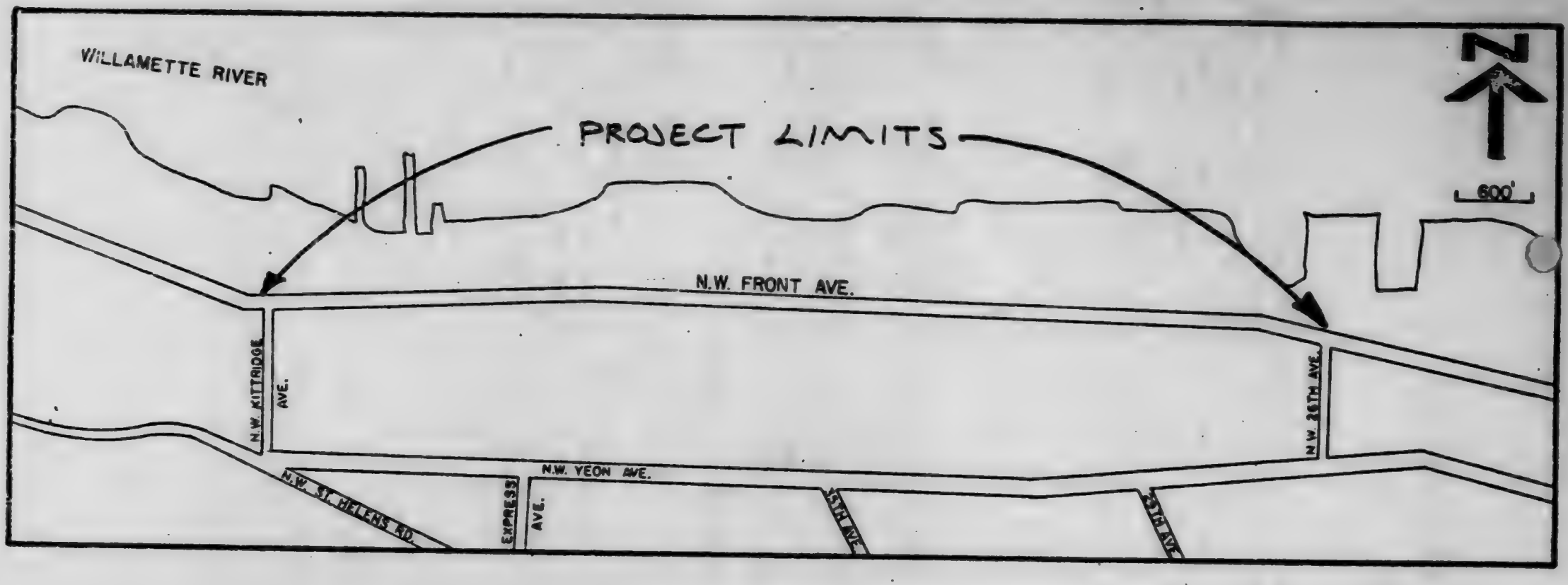


FIGURE 1

N.W. FRONT AVE.

CITY OF PORTLAND, OREGON
OFFICE OF THE CITY ENGINEER

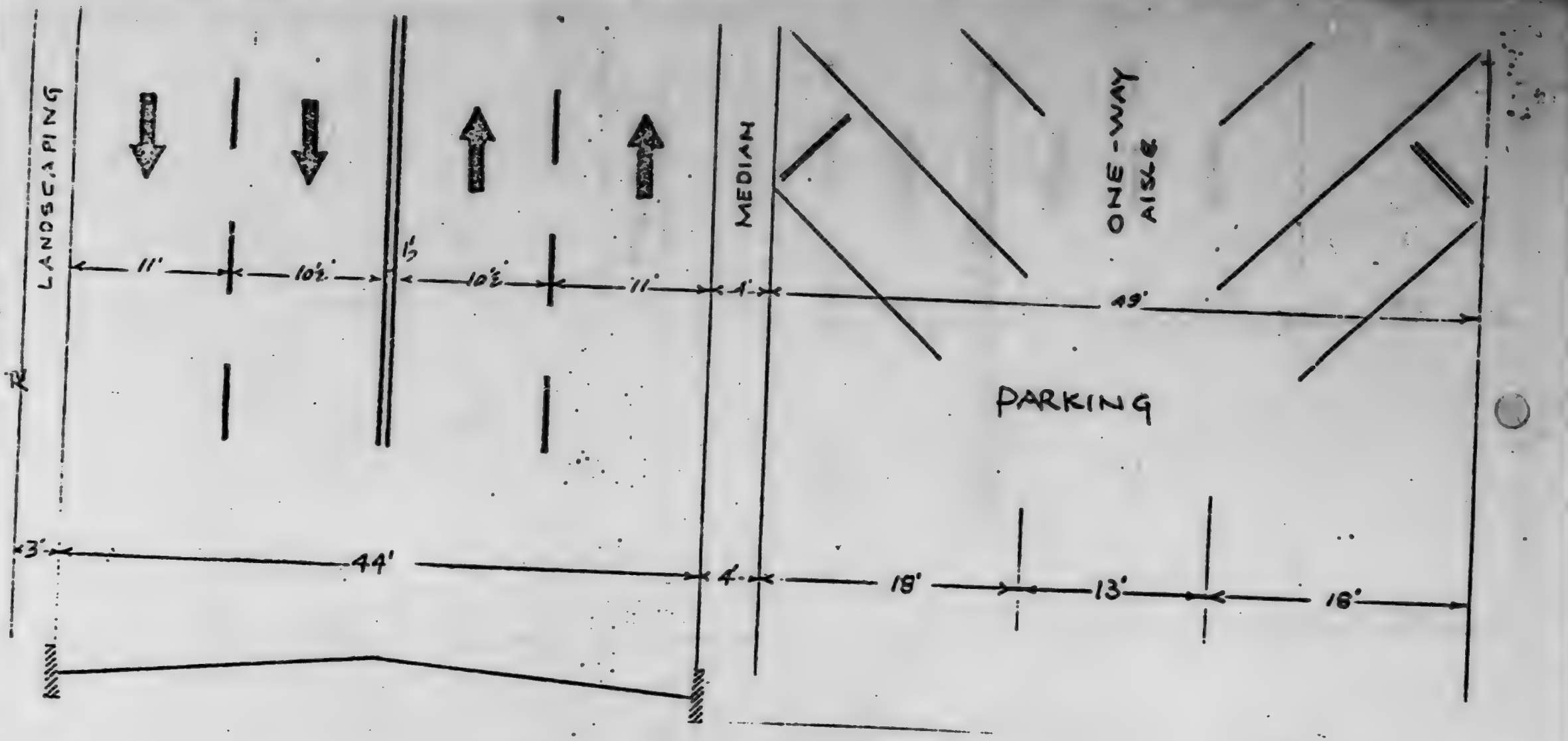
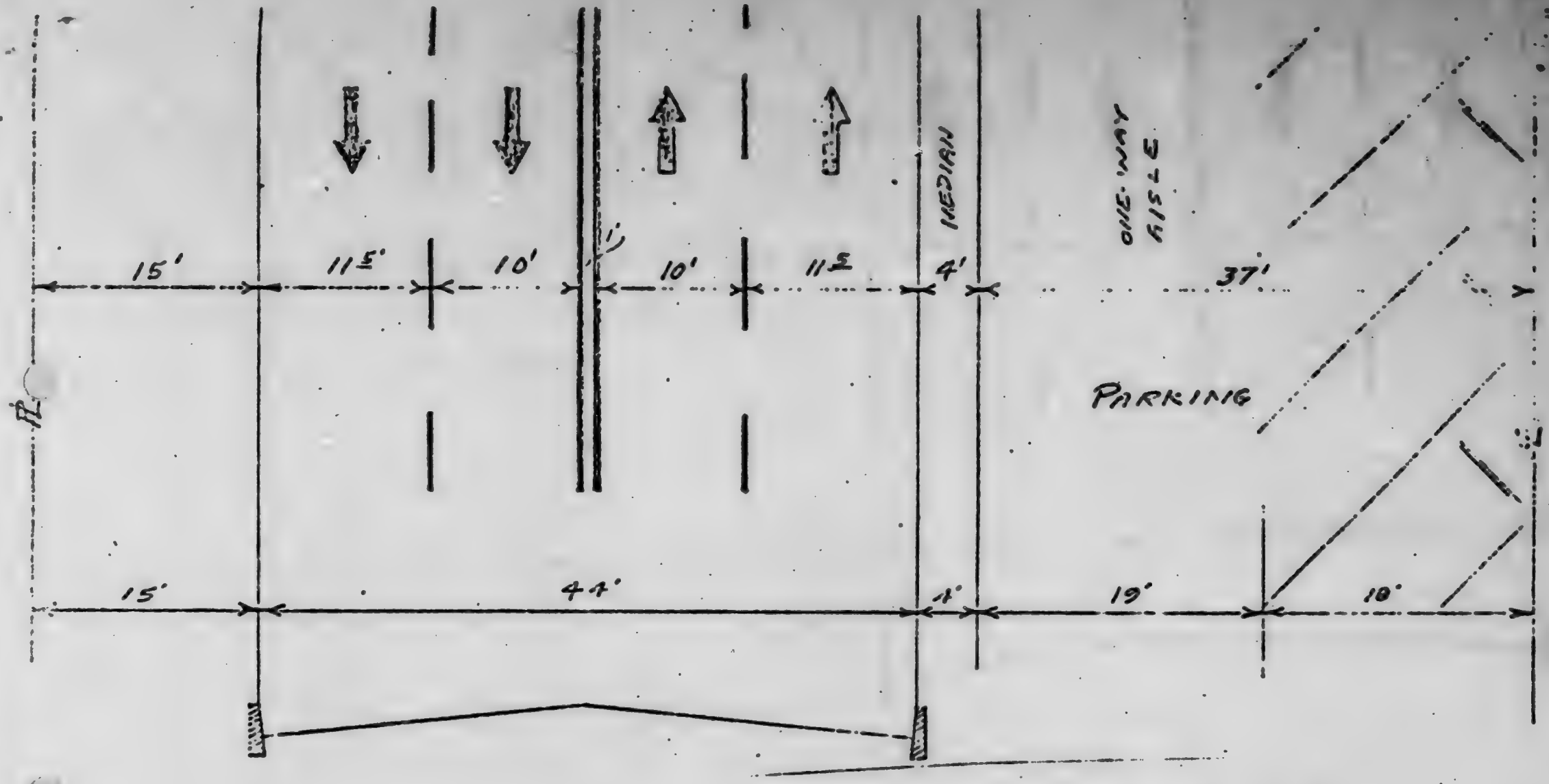
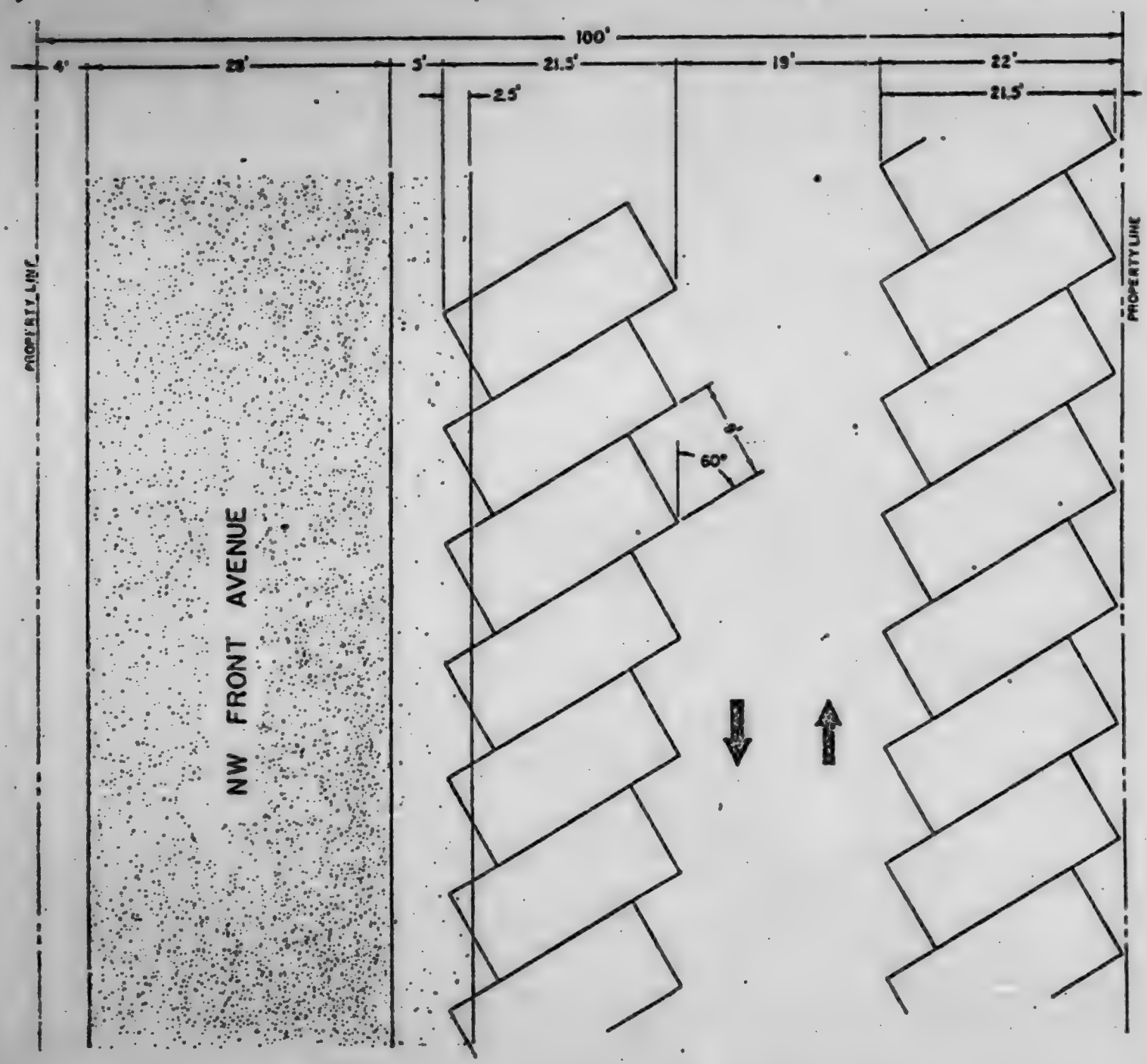

LANDSCAPING
11'
10½'
1½'
10½'
11'
MEDIAN
1'
ONE-WAY AISLE
49'
PARKING
3'
44'
4'
18'
13'
18'
N.W. FRONT AVE.
F.A.U. NO. 1173 (1)

FIGURE 2



N. W. FRONT AVE. F. A. U. NO. 1173(1)

FIGURE 3



N

NW FRONT AVE.
ALIGNMENT PROPOSAL

DEPARTMENT OF PUBLIC WORKS
CITY OF PORTLAND

DRAWN BY:	DATE:	SCALE:	SHEET NO.
VFR	10/8/76	1" = 10'	1 of 1
APPROVED: Walter M Lang BUREAU CHIEF		JOB NO. 12334	

Revised 10/14/76 E.R./VR

8648

fana 9300

REVISED

OREGON STATE HIGHWAY DIVISION
Location Section

Section: N. W. Front Ave. N.W. 26th Ave.-N.W. Kittridge Ave.

Highway: F.A.U.S. 1173 9300

County: Multnomah

Prefix: 26-1904

Res. Engr: K. D. Limbocker

Date January 13, 1977

Ten Year Traffic Coefficient 9.4

18 kip s.a. per day 366.3

R value 50

Frost Penetration - - - -

CBE Total Requirement 22.0"

STRUCTURAL SECTION
NEW WORK

ACTUAL THICKNESS	COMPONENT	CREDIT
2.0"	A.C.W.S.	4.0
10.0"	P.M.B.B.	18.0
12.0"		22.0"

1.0"	Asphaltic Concrete Wearing Surface & Base	=2.0" Aggregate Base
1.0"	Cement Treated Base	=1.8" Aggregate Base
1.0"	Plant Mix Bituminous Base	=1.8" Aggregate Base
1.0"	Emulsion Treated Wearing Surface & Base	=1.8" Aggregate Base
1.0"	Soil Cement (Existing Roadway Material)	=1.5" Aggregate Base
1.0"	Oil Mat	=1.1" Aggregate Base
1.0"	Lime or Cement Treated Subgrade	=1.0" Aggregate Base
1.0"	Aggregate Subbase	=0.8" Aggregate Base

Above Factors apply to materials that comply with Standard Specifications and Special Provisions.

F.H.W.A.
~~Associate Highway Engineer~~
Location Engineer
Construction Engineer
Region Engineer
Resident Engineer
Specifications Engineer
Final Design Engineer
Regional Geologist
Materials
County-City

Hopkins
Harwell √
Holmes
Prange R
Unrein

RECEIVED
JAN 14 197
COUNTY
CITY
UNIT

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up / /
Other AR

8648

2

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

SUBJECT: Oregon Project M-9300(1)
NW. 26th Ave.-Kittridge Ave.
NW. Front Ave.
Multnomah County
Project Reassessment

DATE: January 12, 1977

In reply refer to: 1041EC.1

FROM : G. L. Green, Division Administrator

TO Mr. H. Scott Coulter, State Highway Engineer
Salem, Oregon

NOTED
E. S. HUNTER

The subject project reassessment submitted with Mr. Rulien's December 13 letter has been reviewed. We concur with your recommendation that the classification of the subject project be changed from a Category 3, Major, non-significant action to a Category 3, non-major action.

In reviewing our files on this project we noted that the existing City-State agreement does not reflect these changes. We recommend that the agreement be so revised.

William A. Kappus
for G. L. Green

cc:
OSHD (Potter)
OSHD (Laux)
Geoff Kaiser, Reg Env

RECEIVED
STATE HWY ENGR
JAN 13 '77
REFER TO
Rulien
FOR
Info | Invest | R/D | D/R | Sign | ... | ...

8648

8

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Portland, OR 97213

December 13, 1976

FROM: WAYNE SCHULTE
Project Coordinator

SUBJECT: N.W. Front Avenue
26th Avenue-Kittridge
TAC Meeting

TO: MEMO TO THE FILE

I attended a Technical Advisory Committee meeting for subject project held at the City of Portland Engineer's Office on November 19. Minutes of the meeting, prepared by the City, are attached. Several items not included in their documentation are mentioned below.

Don Coville stated they have contacted all businesses along the route and have received a favorable response for the project. There are no residences involved and no additional right-of-way will be required.

The planned project has been reduced from a four-lane to a two-lane facility in order that adequate space for off-street parking can be retained by FMC. They have a permit from the City to utilize a portion of the Front Avenue right-of-way for this purpose. Approximately six driveway approaches will control vehicle access instead of indiscriminate access which exists today. Improvements to the parking area will be an obligation of FMC.

Due to the down-scoping of the project, a request has been initiated to recategorize it from a category 3 major-action to a non-major, requiring an assessment only. A letter from Gary Potter to Larry Rulien dated December 7, 1976, addresses this issue.

The City does not anticipate holding a public hearing for the project. They will hold an additional Citizens/Technical Advisory Committee meeting after their design is more complete.

The project is presently listed in the CRAG Transportation Improvement Program for construction in FY 1981. Current scheduling anticipates construction in July 1977. Glen Pierce of the City will be responsible to make the proper application for a TIP adjustment.

ldo

Attachments

cc: F. B. Klaboe
H. S. Coulter
G. A. Potter
L. W. Rulien

RECEIVED
STATE HWY ENGR
DEC 15 '76
REFER TO
FOR

MINUTES FOR
NW FRONT AVENUE
TECHNICAL ADVISORY COMMITTEE
11-19-76

The purpose of the TAC meeting was to provide an opportunity for concerned technical persons to express their ideas and discuss potential problem areas of the project. Don Coville, project manager, explained the City's interest in pursuing the project to eliminate high maintenance costs and traffic hazards.

The proposed horizontal alignment was presented showing a 28 foot roadway adjacent FMC and American Ship to provide parking for employees. The remainder of the project will be a 46 foot roadway centered in the right-of-way. The pavement design, completed by the OSHD, was also explained.. A 6" cement treated sub-base will be topped with 6" of plant mix base sealer, 1½" of Class "B" asphalt concrete, and 1½" of Class "E" asphalt concrete. Class "E" is an open graded mix having better load bearing capabilities and hydroplaning characteristics than Class "C".

As requested, Wayne Schulte, OSHD, has investigated the possibility of funding reconstruction of railroad spur lines through the FAU program. This has been determined to be a non-reimbursable expenditure and such work would have to be done at the served property owner's expense. As discussed at the meeting, the City expects to meet the existing spur lines with no reconstruction being required.

Concern was expressed by the abutting property owners about parking and traffic management during construction. It was agreed that the traffic engineer would be requested to assist in this matter and that close coordination between the City and industries was required.

TAC ROSTER
NW Front Avenue

Name	Address	Phone	Representing	Capacity
Don Coville	400 SW 6th Ave. Portland, Ore 97204	248 4651	City of Portland	Supervisor
Wayne Fretwell	" Rm 553	248 4671	" " Street Lighting	Supervisor Tech.Serv. Division
Bruce Harmon	4700 NW Front Portland	228 9281	FMC	Manager Pub. Relations.Advtg.
T.V. Neely	420 SW Main	248 4290	City Traffic Engineer	Traffic Engineer
Dick Osborne	1101 NW Hoyt Street	221-1300 X 319	BN Inc.	Staff Asst.
Frank Pfersch	400 SW 6th	248 4116	City of Portland	Utility Coordinator
John Phipps	400 SW 6th	248 4642	City of Portland	Street Design Supervisor
Glen Pierce	400 SW 6th	248 4643	City of Portland	Program Management
Vic Rhodes	400 SW 6th	248 4655	City of Portland	Design Engr. CIP Design
Wayne Schulte	5821 NE Glisan	238 8244	Ore. Hwy Div.	Project Coordinator
R.L. Thomas	Rm 202 Union Station	223 9489	PTRR	Engineer
H.M. Widetick	4700 NW Front	228-9281 X 112	FMC Corp.	Manager Plant Engineering
Not in Attendance				
Carl Jensen	400 SW 6th Ave.	248 4189	City of Portland	Sanitary Engineering
Mike Walker	1800 SW 6th Ave.	248 4408	City of Portland	Water Engineering
Ernie Munch	424 SW Main	248 4254	City of Portland	Transportation Planning
Gary Ross	4700 NW Front	228 9281	FMC	Facility Engineering

8648

Form 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

December 7, 1976
Salem, OR 97310

FROM: Gary A. Potter, Manager
Environmental Section

GAP

TO: L. W. Rulien
Program Management Engineer

SUBJECT: Project Re-assessment
NW 26th Ave.-Kittridge Ave.,
NW Front Ave.
Multnomah County, Oregon
FAUS No. M1173(1)
FAU-9300

Recent changes in the subject project proposal have necessitated a re-evaluation of its environmental effects. The March 1975 assessment (attached) called for a negative declaration due to the impending reduction of parking for industries adjacent to the project. Through negotiations with the property owners these concerns have been eliminated. NOTE

By a utilization of both private and public lands the existing 1000 parking spaces will be retained. The agreed to proposal consists of a 28 foot roadway to be constructed 4 feet from the westerly right of way line in the sections adjacent to FMC and American Ship. (See attached plan). A five foot sidewalk will be provided on the easterly side leaving the remaining 63 feet of right of way for parking use under a revocable permit and/or lease arrangement. Access to the parking area will be centralized by construction of concrete driveways thereby reducing the incidence of left turn and parking related accidents. The remaining roadway sections will be 46 feet on centerline of the right of way with a 5 foot sidewalk on the easterly side.

Based on the information above, it is recommended that the classification of the subject project be changed from a Category 3, Major, Non-significant action, to a Category 3, Non-major action.

GAP:ss

Attachment

cc: E. S. Hunter
R. N. Bothman w/attach
Jef Kaiser w/attach

1 Versteeg
2 Olson
Scott
Swenson
Savage
Trout

RECEIVED
JAN 21 1977
ROAD DESIGN SECTION

Requires Reply
Requires Approval
Receiver Keep
Do not file
Return to
Bring up
Other

Ltr 3 Non Major Rec'd

1/20/77

BEN GIFFORD

Please attach this to the correspondence sent to you on January 19, concerning the subject project.

PROJECT MANAGEMENT
DEC - 7 '76
REFER TO:
FOR

8648

SUMMARY SHEET - SERVICES, RAILROAD & UTILITY INVOICES

OREGON STATE HIGHWAY DIVISION — Salem, Oregon — July 29, 19 75

Payable To: City of Portland — City Treasurer
203 City Hall — Portland, Oregon 97204

Project: 1(2) Front Ave. from NW 26th Ave. to N.W. Railroad Ave. — Hwy. Agr. No.: —

Contractor: — Contract No.: —

Agreement or Work Order No.: Jobs 12334 + 23289 — Estimate No.: 2

Period Covered: January 1 - May 28, 1975 — Project No.: FAU M-1173(11)

Invoice or Billing #	Description	Total Amount To Date	Previous Amount	Present Amount
15678	Engineering Costs	11,772.81	11,772.81	
75-0011	" "	5,044.33		5,044.33
Totals		16,817.14	11,772.81	5,044.33
Retained 0 %				
Total Payments		16,817.14	11,772.81	5,044.33

(70) # 5,044.33

Prepared & Approved by:
/Jean Thiessen
Auditor

Approved by:
R P Nacht
Responsible Supervisor

Charge: 26-1904-9019 5,044.33

Charge: NOTED J. E. CHIDSEY

Charge:

Charge:

Charge:

Credit:

RECEIVED
COUNTY & CITY SECTION
JUL 30 1975
ENGR. COOR. CE AE UE
OPE CE RE RPE.

Form 81-734-1359 (11-73)

City of Portland

Bureau of Financial Affairs
Phone: 248-4030

INVOICE No.
No. 75-0011

TO:
State of Oregon
Department of Transportation
Highway Division
435 State Highway Building
Salem, Oregon 97310
Attn: Gene Hickam

DATE: June 30, 1975

$ _____
AMOUNT ENCLOSED

PLEASE MAIL THIS STUB WITH CHECK

PLEASE PAY TO: CITY TREASURER
203 CITY HALL
PORTLAND, OREGON 97204

DESCRIPTION	AMOUNT DUE
FAU 1173 NW Front Ave from NW 26th Ave to NW Kittridge Ave. Wider pave, construct curb - Job 12334 4000.43 Design Storm Sewer - Job 23289 1043.90 Contract #14175	5044.33

PURSUANT TO SEC. 5.48.040 OF THE CITY CODE, ACCOUNTS NOT PAID WITHIN THIRTY (30) DAYS AFTER THE DATE OF INVOICE, SHALL BE FORWARDED TO THE CITY ATTORNEY FOR COLLECTION.

CUSTOMER'S COPY

INVOICE No. 75-0011

NW Front Ave — NW 26th Ave to NW Kittridge
Widen, Pave & Construct Curb — FAU 1173
Job 12334

	Initials	Date
Prepared By		
Approved By		

	Accounting Periods	(1) Labor	(2) Equip	(3) Services Matl Supplies	(4) Total
1					
2	2/6/75 - 3/5/75	94397	560	24570	119527
3					
4	3/6/75 - 4/2/75	155046	2800	912	158758
5					
6	4/3/75 - 4/30/75	119518	2240		121758
7					
8	5/1/75 - 5/28/75				
9					
10		368961	5600	25482	400043
11					
12					
13					
14					
15					
16	Design Storm Sewer		Job 23289		
17					
18					
19	1/9/75 - 2/5/75	8883			8883
20					
21	2/6/75 - 3/5/75	24675			24675
22					
23	3/6/75 - 4/2/75	20234			20234
24					
25	4/3/75 - 4/30/75	14718			14718
26					
27	5/1/75 - 5/28/75	35680		200	35880
28					
29		104190		200	104390
30					
31					
32					
33					
34	Total Jobs 12334 & 23289	473151	5600	25682	504433
35					
36					
37					
38					
39					
40					

Burroughs — Form H554 Staff - Form G554 Green

FOR Widen, Cure and Construct Curb on NW Front Ave. between NW 26th & Kittridge JOB NO. 12334

DIVISION Street & Structural Engineering ACCTNG. PERIOD: FROM Feb 6 19 75 TO March 5 19 75 ACT. NO.

NAME / EQUIPMENT		6	7	8	9	10	11	12	13	14	15	16	17	18	19	2 WEEK TOTAL	20	21	22	23	24	25	26	27	28	1	2	3	4	5	2 WEEK TOTAL	TOTAL TIME	RATE	AMOUNT
RU 157																																		
K. C. Miller	80068	8	8			8	8	5	2	8				8	8	63		4			4										8	71	9.81	696.51
T. L. Bray	80078																	4						1	1						6	6	9.87	59.22
H. L. Laugherg	80080																	8													8	8	11.09	88.72
RU 156																																		
J. A. Buchman	80063									4						4																4	7.73	30.92
G. B. Wood	80062									4						4																4	7.08	28.32
M. T. Voelker	80038									4						4																4	10.07	40.28
VEHICLE # 60499 Survey Truk										4						4																4	1.40	5.60
VEHICLE #																																		
VEHICLE #																																		
VEHICLE #																																		

LABOR	943.97	RU 156	99.52
EQUIP	5.60	RU 157	844.45
MAT'L.	245.70		943.97
TOTAL	1195.27		

MATERIALS

DATE	AUTH NO	BUDGET CODE	EXP / REV CODE	COMMODITY / DESCRIPTION	AMOUNT
				Blueprinting / Microfilm	24 57 70

FOR Widen, Pave & Construct Curbs on NW. Front Ave bet. NW 26th & NW. Kittitas ave JOB NO. 12334

DIVISION Street & Structural Engineering ACCTNG. PERIOD: FROM March 6 1975 TO April 2 1975 ACT. NO.

NAME / EQUIPMENT RH 157		6	7	8	9	10	11	12	13	14	15	16	17	18	19	2 WEEK TOTAL	20	21	22	23	24	25	26	27	28	29	30	31	1	2	2 WEEK TOTAL	TOTAL TIME	RATE	AMOUNT
Glen R. Prince	80080												4	4		8	2													3	5	13	10.66	138.58
K.C. Miller	80068	1						1	8	4			8	8	8	38	8	2			4	8	8	8	8			8			54	92	9.77	898.84
Larry Nordholm	80078																	4													4	4	10.06	40.24
T.L. Berry	80078																							4							4	4	9.77	39.08
RH 156																																		
M.T. Voelker	80038																											8	4	8	20	20	9.99	199.80
R.L. Krummenn	80063																											8	4	8	20	20	7.70	154.00
J.W. Walker	80038																													8	8	8	9.99	79.92
VEHICLE # Survey Truck	60499																											8	4	8	20	20	1.40	28.00
VEHICLE #																																		
VEHICLE #																																		
VEHICLE #																																		

LABOR	1550.46
EQUIP.	28.00
MAT'L.	9.12
TOTAL	1587.58

RH 156 # 433.72
RH 157 # 1116.74
1550.46

MATERIALS

DATE	AUTH NO	BUDGET CODE	EXP / REV CODE	COMMODITY / DESCRIPTION	AMOUNT	DATE	AUTH. NO.	BUDGET CODE	EXP. / REV. CODE	COMMODITY / DESCRIPTION	
2/5 - 2/11				Blueprints	9 12						

FOR Widen Pave & Construct Curbs on NW Front Ave bet NW 26th Ave & NW Kettleigh JOB NO. 12334

DIVISION Street & Structural Engineering ACCTNG. PERIOD: FROM April 3 19 75 TO April 30 19 75 ACT. NO.

NAME / EQUIPMENT		3	4	5	6	7	8	9	10	11	12	13	14	15	16	2 WEEK TOTAL	17	18	19	20	21	22	23	24	25	26	27	28	29	30	2 WEEK TOTAL	TOTAL TIME	RATE	AMOUNT
Rg 157																																		
K.C. Miller	80068									8			8	4	8	28	8	8			6	3									25	53	9.77	517.81
T.L. Bray	80018		1													1																1	9.77	9.77
D.R. Pleiss	80080	6					3	3								12																12	10.66	127.92
John E. Englell	80067																	6													6	6	8.92	53.52
																																		709.02
Rg 156																																		
J.A. Buchanan	80063	8	8													16																16	7.70	123.20
R.L. Kammann	80063	8	8													16																16	7.70	123.20
M.T. Voelker	80038	8	8													16																16	9.99	159.84
L.W. Walker	80038	8														8																8	9.99	79.92
																																		486.16
VEHICLE #	60499	8	8													16																16	1.40	22.40
VEHICLE #																																		
VEHICLE #																																		
VEHICLE #																																		

LABOR	1195	18
EQUIP.	22	40
MAT'L.		
TOTAL	1217	58

FOR Design Storm Sewer - NW Front Ave NW 26th to NW Kittitas Ave JOB NO. 23289

DIVISION Sanitary Engineering ACCTNG. PERIOD: FROM January 9 19 75 TO Feb 5 19 75 ACT. NO.

NAME / EQUIPMENT	9	½	1	½	2	½	3	½	4	½	5	½	6	½	7	½	8	½	9	½	2 WEEK TOTAL	23	½	24	½	25	½	26	½	27	½	28	½	29	½	30	½	31	½	1	½	2	½	3	½	4	½	5	2 WEEK TOTAL	TOTAL TIME	RATE	AMOUNT
Lee A. Klinger 80078																																			2													7	9	9	9.87	88.83

FOR Design Storm Sewer - NW Front Ave - NW 26th - NW Kittridge area. JOB NO. 23289

DIVISION Sanitary Engineering ACCTNG. PERIOD: FROM Feb 6 19 75 TO Mar 5 19 75 ACT. NO.

NAME / EQUIPMENT	6	7	8	9	10	11	12	13	14	15	16	17	18	19	2 WEEK TOTAL	20	21	22	23	24	25	26	27	28	1	2	3	4	5	2 WEEK TOTAL	TOTAL TIME	RATE	AMOUNT
Lee A. Klinger 80078																	8						4	4				6	3	25	25	9.87	246.75
VEHICLE #																																	
VEHICLE #																																	
VEHICLE #																																	
VEHICLE #																																	

LABOR	246.75
EQUIP.	
MAT'L.	
TOTAL	

FOR Design Storm Sewer - NW Front Ave - NW 26th - NW Kittridge Ave. JOB NO. 23289

DIVISION Sanitary Engineering ACCTNG. PERIOD: FROM March 6 19 75 TO April 2 19 75 ACT. NO.

NAME / EQUIPMENT	6	7	8	9	10	11	12	13	14	15	16	17	18	19	2 WEEK TOTAL	23	24	25	26	27	28	29	30	31	1	2	2 WEEK TOTAL	TOTAL TIME	RATE	AMOUNT
Lee A. Klinger 80018		3			6	5	3	3	.5						20.5													20.5	9.87	202.34

FOR Design Storm Sewer - NW Front Ave - NW 26th - NW Kittridge Aves JOB NO. 23289

DIVISION Sanitary Engineering ACCTNG PERIOD: FROM April 3 19 75 TO April 30 19 75 ACT. NO.

NAME / EQUIPMENT	3	4	5	6	7	8	9	10	11	12	13	14	15	16	2 WEEK TOTAL	17	18	19	20	21	22	23	24	25	26	27	28	29	30	2 WEEK TOTAL	TOTAL TIME	RATE	AMOUNT
W H. Brown, Jr. 80067									4			6			10						3.5	4								6.5	16.5	8.92	147.18

FOR Design Storm Sewer - N.W. Front Ave - NW 26th to NW Kittridge Ave JOB NO. 23289

DIVISION Sanitary Engineering ACCTNG PERIOD: FROM May 1 19 75 TO May 28 19 75 ACT. NO.

NAME / EQUIPMENT	1	2	3	4	5	6	7	8	9	10	11	12	13	14	2 WEEK TOTAL	15	16	17	18	19	20	21	22	23	24	25	26	27	28	2 WEEK TOTAL	TOTAL TIME	RATE	AMOUNT
William H. Brown Jr. 80067																8					8	8	8						8		40	40	8.92	356.80

MATERIALS

DATE	AUTH. NO	BUDGET CODE	EXP / REV CODE	COMMODITY / DESCRIPTION	AMOUNT
4/2/75	Str -	Str Engr	Blueprinting		2.00

8648

OREGON STATE HIGHWAY DIVISION

Form A-191—(7-68)
SP*82423-734

Request for Outside Billing

(Or Advice of Cash Transaction)

Address invoice to: City of Portland
400 SW 6th Avenue, Room 411
Portland, Oregon 97204
Attention of Mr. John M. Lang, State Highway Coordinator

Request No. (assigned by staff engineer or head of division) CC 1512

Date July 24, 1975

Payer's Order No. (if any)

Department Order No. (if any)
(Number of "Order to Render Service")

Description and Authority: (Describe the service rendered, stating kind of service, location, etc. Also refer to agreements, letters and orders by which payer authorized the service.)

Urban System Project M-0929(1)
Kittridge Avenue - 26th Avenue Section
NW Front Avenue, FAU 0929
City of Portland

Itemized Statement:

Advance Deposit $7,150.00

Quantity	Unit	Description	Unit Price	Amount
		Partial transfer of advance deposit for preliminary engineering for subject project.		
		Amount to be transferred		$6,150.00
		To be retained		$1,000.00

If payer has made payment for this service, indicate the amount of payment. $

If payer has made a deposit with the Department to guarantee payment, indicate the amount of the deposit. $7,150.00

Is this a partial or final request for billing? Partial

If there have been any previous requests for billing in connection with this same service, indicate the total amount of all previous requests. $

Give the number of the last previous request in connection with this same service.

Credit distribution:
26-1904-299

Submitted by:
Gary E. Zehner
Gary E. Zehner, Urban Program Engineer

Approved:
Division Engineer

Approved:
Department Head or Staff Engineer

Instructions: The original and duplicate copies shall be forwarded through the division engineer to the staff engineer or division head. Staff engineer or division head will forward original copy to the Accounting Division. Additional copies may be prepared for and retained by the division office and other field offices concerned. If the request is to be accompanied by a payment, an additional copy shall be submitted for the use of the Accounting Division.

MONTHLY TRANSACTION NO.

DATE SUBMITTED TO W.O.

FORM PR-9 (REV. 4-61)

Budget Bureau No. 41-R2068; A

U.S.

REQUEST FOR APPROVAL OF INDIVIDUAL PROJECT PROGRAM CHANGE (PPM 21-1 AND 22-1)

CARD 2	REPORT NUMBER (19)-(20)	PROJECT LOCATION (45 typewriter spaces) 21-65: City St. NW Kittridge-NW 26th (Portland)	ADT	13,000	FUTURE 8,000* (66)	YEAR 94 (70)(71)	REGION 10 (72)(74)	STATE NAME (75): Oregon			
CARD 3	CHARACTER OF PROPOSED WORK (35 spaces) 28-62: Preliminary Engineering	NATL. FOREST (63)-(65)	FOR MISCELLANEOUS FUNDS ONLY: FH ROUTE NO (66)-(68)	SUPV AGCY 69	DA CLASSIF. 70	DA AREA 71	EMERG. YR. 72-73	PL AUTH YR 74-75	PROJECT NUMBER: PREFIX LETTER(S) 14-23: M-	NUMBER-AGR. NO 7: 0929(1)	
CARD 4	CLASS OF FEDERAL FUNDS [1]: Urban System						COUNTY NAME: Multnomah				
	NAME OF URBAN AREA 17-31: Portland	F.A. SYSTEM: Urban System					RTE NO. U	FEDERAL AID 0929	STATE (32): City St		

CARD 5	LINE NO.	CHNG CODE	PROJECT COUNT	WORK CL	WORK TYPE	STEP	STATUS	ITEM NUMBER	PROJECT NUMBER	TERMINI	MILES	PROJECT COST: TOTAL COST	FEDERAL FUNDS	STATE FUNDS	
1	(1-4)	16	41	42	43-46	53					(54) (58)	(59) (66)	(67) (76)		
5					PE ROW CONST		ITEM AS NOW PROGRAMED Stage 2	13	M-1173(1)	City St. NW Kittridge Ave.-NW 26th Ave. (Portland) on NW Front Ave.	1.78	65,000	50,790	7,105(City) 7,105	Prelim all ph
										PROJECT TOTAL	1.78	65,000	50,790	14,210	
5					PE ROW CONST		REQUESTED REVISION Stage 2	13	M-0929(1)	City St. NW Kittridge Ave.-NW 26th Ave. (Portland) on NW Front Ave.	1.78	65,000	50,790	7,105(City) 7,105	Prelim all ph
										PROJECT TOTAL	1.78	(18) (23) 65,000	(24) (59) 50,790	14,210	

CARD 1	A form PR-1 or PR-9 has been submitted within the last 7 days. Yes ☐	PROJECT WITHDRAWN YES ☐	
1	COLUMN 14 ⟶ CODE 11	CODE 2	

REASON FOR CHANGE: To change the project number and federal-aid route number to co present approved urban system route.

*Future ADT based on I-505 being in operation.

NOTE: Projects splitting into two or more projects. Prepare a form PR-1 for all new projects resulting from such action.

DATE OF INITIAL APPROVAL: July 18, 1974	PROGRAM REVISION REQUESTED	RECOMMENDED	APPROVE
OTHER: July 31, 1974	DATE: July 14, 1975	DATE	DATE
	SIGNATURE	SIGNATURE	SIGNATURE
	Project Management Engineer	TITLE	TITLE

[1] If revision includes transfer from one class of project to another, or covers joint financing, show both classes of funds involved.

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE AFTER 7-1-61

7-14-75

8248

Budget Bureau No. 41-R2068; Approval Expires February 28, 1966

FORM PR-9 (REV. 4-61)

U.S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

REQUEST FOR APPROVAL OF INDIVIDUAL PROJECT PROGRAM CHANGE (PPM 21-1 AND 22-1)

PROJECT LOCATION (45 typewriter spaces): City St. NW Kittridge-NW 26th (Portland)

ADT: 13,000 | FUTURE ADT: 8,000* | YEAR: 94 | REGION: 10 | STATE NAME: Oregon | STATE CODE: 41 | APPN. CODE: W36 | ITEM NO.: 13

PROPOSED WORK (35 spaces): nary Engineering

NATL. FOREST:

FOR MISCELLANEOUS FUNDS ONLY: FM ROUTE NO. | SUPV AGCY | DA CLASSIF. | DA AREA | EMERG. YR. | PL AUTH YR

PROJECT NUMBER: PREFIX LETTER(S): M- | NUMBER-AGR. NO.: 0929(1)

I PROJECTS ONLY: POST MI. | DESIG.

FUNDS: Urban System

COUNTY NAME: Multnomah | CODE: 051

A: Portland | F.A. SYSTEM: Urban System | RTE NO.: U | FEDERAL AID: 0929 | STATE: City St. | U.S.: --

WORK TYPE	STEP	STATUS	ITEM NUMBER	PROJECT NUMBER	TERMINI	MILES	PROJECT COST: TOTAL COST	FEDERAL FUNDS	STATE FUNDS	CHARACTER OF PROPOSED WORK
E		ITEM AS NOW PROGRAMED	13	M-1173(1)	City St. NW Kittridge Ave.-NW 26th Ave. (Portland) on NW Front Ave.	1.78	65,000	50,790	7,105(City) 7,105	Preliminary engineering all phases.
ONST		Stage 2			PROJECT TOTAL	1.78	65,000	50,790	14,210	
E		RE-QUESTED REVISION	13	M-0929(1)	City St. NW Kittridge Ave.-NW 26th Ave. (Portland) on NW Front Ave.	1.78	65,000	50,790	7,105(City) 7,105	Preliminary engineering all phases.
ONST		Stage 2			PROJECT TOTAL	1.78	65,000	50,790	14,210	

has been submitted Yes ☐ | PROJECT WITHDRAWN YES ☐

CODE 11 | CODE 2

to two or more projects. Prepare a form PR-1 for all ing from such action.

REASON FOR CHANGE: To change the project number and federal-aid route number to correspond to the present approved urban system route.

*Future ADT based on I-505 being in operation.

L:	PROGRAM REVISION REQUESTED	RECOMMENDED	APPROVED
, 1974	DATE: July 14, 1975	DATE:	DATE:
, 1974	SIGNATURE:	SIGNATURE:	SIGNATURE:
	Project Management Engineer	TITLE:	TITLE:

rom one class of project to another, or covers joint financing, show both classes of funds involved.

FORM ARE OBSOLETE AFTER 7-1-61

USCOMM-DC 40088-P61

8648

City of Portland

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

RECEIVED
STATE HWY ENGR
APR 8 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: April 4, 1975

In reply refer to: 1041DA.6

SUBJECT: Oregon M-1173(-)
N. W. 26th-N. W. Kittridge
N. W. Front Avenue
Project Assessment

FAU 1173

FROM : G. L. Green, Division Engineer

TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer
Salem, Oregon
Attention: Mr. L. W. Rulien, Project Management Engineer

This will confirm prior verbal agreement with the "Major-Nonsignificant" classification and concurrence in the type of environmental document (negative declaration) required. The project assessment was submitted for concurrence under Mr. Rulien's letter dated April 1, 1975.

The assessment makes reference to a 44-ft. roadway. This detail has not been agreed upon. A minimum lane width of 11 ft. seems necessary and 2-ft. offsets to the curb is desirable. This results in a desirable 48-ft. section with 46 ft. being the minimum. It is also noted that borrow and waste disposal are the responsibility of the contractor. These items must have controls placed upon them and be discussed in the Environmental Statement.

It is noted that the route number under the new Urban System will be 0929. This will change the project number to M-0929(1).

William H. Kappus
for G. L. Green

cc:
OSHD (G Potter)

agreement was 78' curbed section
original – 32' e to c. measured 4' inside of 14' curb lines

1 Versteeg ✓
2 A. Olson asd.
copy Terpin
Scott
copy Swenson
R. Olson
copy Trout

RECEIVED
APR 10 1975
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up ___/___/___
Other

NOTED
E. S. HUNTER
CC Rulien
Jenstrup
4-10-75

RECEIVED
APR 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

TRANSACTION NUMBER 7-28

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

TRANSMITTAL AND REQUEST FOR INITIAL PROGRAM APPROVAL OF PROJECTS

(PPM 21-1)

STATE HIGHWAY DEPARTMENT: OREGON

DATE: 7-18-74

BY (Signature): L. W. RULIEN'S JULY 10, 1974 LETTER

TITLE: PROJECT MANAGEMENT ENGINEER

CLASS OF FEDERAL FUNDS: ☐ FAI ☐ FAP ☒ FAU ☐ FAS ☐ OTHERS

STAGE 1 * ITEM NOS. _____ THRU _____

STAGE 2 ITEM NOS. 13 THRU _____

ITEM NO.	PROJECT NOS.	LENGTH (Miles)	TOTAL ESTIMATED COST	FEDERAL FUNDS	OTHER IDENTIFICATION AND/OR REMARKS (State) LOCATION	WORK
13	M-1173(1)	1.78	65,000	50,790	N. W. KITTRIDGE AVE. - N. W. 26TH AVE. (PORTLAND) SECTION. MULTNOMAH COUNTY STATE OF OREGON.	PRELIMINARY ENGINEERING

RECEIVED
STATE HWY ENGR
JUL 2274
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Att | File

Orig - Hunter

REMARKS (Division)

YOU ARE AUTHORIZED TO PROCEED WITH ALL PHASES OF PRELIMINARY ENGINEERING NECESSARY TO OBTAIN LOCATION/DESIGN APPROVAL.

RECOMMENDED		APPROVED	
DATE	SIGNATURE AND TITLE	DATE	SIGNATURE AND TITLE
		7-18-74	for G. L. GREEN, DIVISION ENGINEER

* Program approval and any authorization to proceed with a Stage 1 project shall not constitute any commitment of Federal funds nor shall it be construed as creating in any manner, any obligation on the part of the Federal Government to provide Federal funds for the undertaking.

FORM PR-48 (Rev. 8-71)

GPO 915-890

July 10, 1974

TO Executive Department
Federal Aid Coordination Unit
240 Cottage Street, S.E.
Salem, OR 97310

FROM L. W. Rullen
Project Management Engineer

SUBJECT Federal-aid Funding Application

In compliance with step 7 of Procedure 13-020-02 of Executive Memorandum 02-270-20, we are submitting one copy of the completed application for Federal-aid funding of the following Urban System project:

Item No.	Project No.	Section Name and PHRS No.
13	M-1173(1)	N.W. Kittridge Ave.-N.W. 26th Ave. (Portland) Section PHRS No. 7404-2-560

RNC:bb
Enc.

cc: R. H. Chase
B. L. Gifford

8648

July 10, 1974

TO G. L. Green, Division Engineer
Federal Highway Administration

FROM L. W. Rullen
Project Management Engineer

SUBJECT Program Data Submission
N.W. Kittridge Ave.-N.W. 26th Ave.
(Portland) Section
Project M-1173(1)

We are submitting program data for one Urban System preliminary engineering project Item No. 13, Project M-1173(1), "N.W. Kittridge Avenue-N.W. 26th Avenue (Portland) Section", which we desire to have included in the Federal-aid Urban System Highway Program.

Enclosed are copies of State and District 2 Clearinghouse letters of approval dated May 17, 1974 and June 24, 1974.

We hereby request your authorization for the State and city of Portland to proceed with the phases of preliminary engineering necessary to obtain Location/Design approval.

A State-City agreement is being processed to provide for certain portions of the preliminary engineering phase to be accomplished by the city of Portland's engineering forces with such work being eligible for Federal participation. FHWA Memorandum of August 11, 1972 concurred that the city of Portland was adequately staffed and capable of performing said engineering.

We will request further authorization to proceed with PS & E phase of preliminary engineering for the project as soon as Location/Design approval is granted.

RNC:bb
Enclosures

COLUMBIA REGION ASSOCIATION of GOVERNMENTS

6400 S.W. CANYON COURT
PORTLAND, OREGON 97221

(503) 297-3726

June 24, 1974

N.W. KITTRIDGE AVE - N.W. 26th AVE.
MULT. Co.

L.W. Rulien
State Highway Building
Salem, Oregon 97310

SUBJECT: N.W. FRONT AVENUE

Gentlemen:

The above-described project application has been reviewed for compliance with the Interim Regional Development Plan and for coordination with plans of appropriate local jurisdictions and agencies.

Having met the necessary requirements, the Columbia Region Association of Governments endorses the application and recommends its approval by the proper federal funding agency.

Sincerely,

AMRich

A. McKay Rich
Assistant Director

AMR/plr
6/26/74
cc: G. L. Green, FHWA
E. S. Hunter
R. L. Schroeder
Victor D. Wolfe
J. B. Boyd
R. E. Royer
J. H. Versteeg
Gary Potter
B. L. Gifford
R. N. Chase
W. D. Albright
R. C. Blensly
R. N. Bothman
M. J. Klotz
E. L. Hardt
H. S. Cox

RECEIVED
JUN 2 6 1974
PROJECT MANAGEMENT SECTION
6-15-74
BEN GIFFORD

NOTED
R. N. CHASE

CLACKAMAS COUNTY
Canby
Gladstone
Happy Valley
Lake Oswego
Milwaukie
Oregon City
Sandy
West Linn
Wilsonville

CLARK COUNTY
Camas
Vancouver
Washougal

COLUMBIA COUNTY
Clatskanie
Columbia City
Prescott
Rainier
Scappoose
St. Helens
Vernonia

MULTNOMAH COUNTY
Fairview
Gresham
Portland
Troutdale
Wood Village

WASHINGTON COUNTY
Beaverton
Cornelius
Durham
Forest Grove
Hillsboro
North Plains
Sherwood
Tigard
Tualatin

MONTHLY TRANSACTION NO.

DATE SUBMITTED TO W. O.

FORM PR-1 (REV. 4-61)

7-10-74

FEDERAL-AID PROGRAM DATA

(PPM 21-1)

CARD									
2	REPORT NUMBER: 1	PROJECT LOCATION (45 typewriter spaces): City St., NW Kittridge-NW 26th (Portland)	ADT	PRESENT: 13,000	FUTURE: 8,000*	YEAR: 94	REGION: 10	STATE NAME: Oregon
3	CHARACTER OF PROPOSED WORK (35 typewriter spaces): Preliminary Engineering	NATL. FOREST	FH ROUTE NO.				EMERG. YR.	PL. AUTH YR	PROJECT NUMBER: PREFIX LETTER(S): M- NUMBER: 1173
4	CLASS OF FEDERAL FUNDS: Urban System						COUNTY NAME: Multnomah		CODE: 051
	NAME OF URBAN AREA: Portland						ROUTE NO. U	FEDERAL-AID: 1173	STATE: City St. / U.S.: --

CARD 5	LINE NO.	CHANGE CODE	PROJECT CODE	WORK: CLASS	WORK: TYPE	STEP	TERMINI (Full description)	MILES	ESTIMATED PROJECT COST BY PHASES: TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS
1	(1418)	(16)	41	42	43 46	53		(54) (58)	(59) (66)	(67) (76)		
5					PE		City St., NW Kittridge Ave.-NW 26th Ave. (Portland) on NW Front Ave.	1.78	65,000	50,790	7,105	7,105 (City)
5					ROW		"NW Kittridge Ave.-NW 26th Ave. (Portland) Section"					
5					CONST (CODE)			(1.78)	(1,542,000)			
							PROJECT TOTALS	1.78	65,000	50,790	7,105	7,105 (City)

CARD 1	CODE 1	PREPARED BY
1	14	PROGRAM APPROVAL DATES

REMARKS

*This ADT based on I-505 being i

Budget Bureau No. 41-R2067; Approval Expires February 28, 1965

FORM PR-1 (REV. 4-61)

7-10-74

FEDERAL-AID PROGRAM DATA

(PPM 21-1)

U.S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

PROJECT LOCATION (45 typewriter spaces): City St., NW Kittridge-NW 26th (Portland)

ADT: PRESENT 13,000 | FUTURE 8,000* | YEAR 94

REGION: 10

STATE NAME: Oregon | STATE CODE: 41

APPN CODE: W36 | ITEM NO.: 13

PROPOSED WORK (35 typewriter): ineering

NATL. FOREST:

FA ROUTE NO.:

SUFX ABBR.:

FA CLASSIF.:

FA AREA:

EMERG. YR.:

PL. AUTH YR.:

PROJECT NUMBER: PREFIX LETTER(S): M- | NUMBER: 1173 | SEQ. NO.: (1)

I. Projects Only: POST MI.: | DESIG.:

SYSTEMS: Urban System

COUNTY NAME: Multnomah | CODE: 051

PROGRAM STAGE: [ ] 1 OR [X] 2

Portland

ROUTE NO. U | FEDERAL-AID: 1173 | STATE: City St. | U.S.: --

WORK TYPE	STEP	TERMINI (Full description)	MILES	TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS	CHARACTER OF PROPOSED WORK (Full description)
PE		City St., NW Kittridge Ave.-NW 26th Ave. (Portland) on NW Front Ave.	1.78	65,000	50,790	7,105	7,105 (City)	Preliminary Engineering, all phases (for future 4-lane facility with 14' median and 8' parking lanes)
ROW		"NW Kittridge Ave.-NW 26th Ave. (Portland) Section"						
CONST (CODE)			(1.78)	(1,542,000)				ROW-100' normal; Access control-none; Parking restrictions-none.
BY		PROJECT TOTALS	1.78	65,000	50,790	7,105	7,105 (City)	

APPROVAL DATES

REMARKS

*This ADT based on I-505 being in operation.

-OVER-

USCOMM BUSCOMM-DC 45900-P61

N.W. KITTRIDGE AVE.-N.W. 26TH AVE. (PORTLAND) SECTION
PROJECT M-1173(1)

Existing Facilities: Existing pavement on Front Avenue varies in width from 20' to 51'. Portions of existing street is curbed, balance has variable width shoulders.

Project Data: The work consists of all phases of preliminary engineering, i.e., such as engineering studies, surveys, preliminary plans and estimates, environmental statement, and final PS & E preparation. (For future construction of N.W. Front Avenue to a 78' curb-to-curb street section with four 12' travel lanes, two 8' parking lanes, and a 14' median. Construct two 6' sidewalks and provide landscaping. Improve storm drainage and provide illumination. Perform other minor work.

City of Portland will perform bulk of preliminary engineering. State will review and prepare final plans and specifications.

System Action, Airports, Water Development, Historical and Recreational Areas: None involved.

Railroad Data:

Name of Railroad	Burlington Northern
Number of Tracks	One to Two*
Number of Trains	One to Eight*
No. of High Speed Trains	None
Existing Protection	X-Bucks, Illumination and Adv. Warning
Proposed Protection	Same as existing
Railroad Benefits	None

*RAILROAD DATA

Location (from ℄ Nicolai)	No. of Tracks	Angle of Intersect.	Sight D North
1. 2,650'	1	80°	.5 mile
2. 2,920'	2	90°	.5 mile
3. 3,200'	1	80°	.5 mile
4. 4,700'	1	30°	.25 mile
5. 5,700'	1	30°	.5 mile
6. 6,000'	1	30°	.5 mile
7. 6,100'	1	30°	.5 mile
8. 7,350'	1	30°	.5 mile
9. 8,900'	1	60°	.5 mile
10. 9,150'	1	45°	.5 mile
11. 9,700'	1	60°	.5 mile
12. 10,750'	1	25°	.5 mile
Total	13		

State Clearinghouse Approval: Received under let

District 2 Clearinghouse Approval: Rece ved unde 1974.

Data for PR-37 Form:

Field Engineering
PS & E Preparation

Total P.E.

NOTE: This project is in Congressional District

GE AVE.-N.W. 26TH AVE. (PORTLAND) SECTION
PROJECT M-1173(1)

es: Existing pavement on Front Avenue varies in
51'. Portions of existing street is curbed,
ble width shoulders.

e work consists of all phases of preliminary
, such as engineering studies, surveys, prelimi-
timates, environmental statement, and final PS & E
r future construction of N.W. Front Avenue to a 78'
et section with four 12' travel lanes, two 8' park-
14' median. Construct two 6' sidewalks and provide
rove storm drainage and provide illumination. Per-
ork.

vill perform bulk of preliminary engineering. State
epare final plans and specifications.

rports, Water Development, Historical and Recreational
ved.

	Burlington Northern
	One to Two*
	One to Eight*
d Trains	None
ion	X-Bucks, Illumination and Adv. Warning
ion	Same as existing
s	None

*RAILROAD DATA

Location (from ℄ Nicolai)	No. of Tracks	Angle of Intersect.	Sight Distance North	Sight Distance South	No. Trains Per Day
1. 2,650'	1	80°	.5 mile	.25 mile	1
2. 2,920'	2	90°	.5 mile	.25 mile	1
3. 3,200'	1	80°	.5 mile	.5 mile	1
4. 4,700'	1	30°	.25 mile	.5 mile	8
5. 5,700'	1	30°	.5 mile	.5 mile	8
6. 6,000'	1	30°	.5 mile	.5 mile	8
7. 6,100'	1	30°	.5 mile	.5 mile	8
8. 7,350'	1	30°	.5 mile	.5 mile	8
9. 8,900'	1	60°	.5 mile	.25 mile	8
10. 9,150'	1	45°	.5 mile	.25 mile	8
11. 9,700'	1	60°	.5 mile	.25 mile	8
12. 10,750'	1	25°	.5 mile	.25 mile	6
Total	13				

State Clearinghouse Approval: Received under letter dated May 17, 1974.

District 2 Clearinghouse Approval: Received under letter dated June 24, 1974.

Data for PR-37 Form:

Field Engineering	$55,000
PS & E Preparation	10,000
Total P.E.	$65,000

NOTE: This project is in Congressional District No. 1.

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

Local Government Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Bill Kramer, Supervisor Ph: 378-3732

MULT. CO.
FAUS 1173

STATE A-95 REVIEW CONCLUSIONS

APPLICANT: Highway Division

PROJECT TITLE: N.W. Kittredge Avenue - N.W. 26th Ave

DATE: May 17, 1974

The state has reviewed your project and reached the following conclusions:

5-22-74
cc: G. L. Green, FHWA
E. S. Hunter
R. L. Schroeder
Victor D. Wolfe
J. B. Boyd
R. E. Royer
J. H. Versteeg
Gary Potter
H. S. Cox
B. L. Gifford
R. N. Chase
W. D. Albright
R. C. Blensly
R. N. Bothman
M. J. Klotz
E. L. Hardt

[XX] No significant conflict with the plans, policies or programs of state government have been identified and your proposal is endorsed as presented.

[ ] Relevant comments of state agencies are attached and should be considered in the final design of your proposal.

[ ] Potential conflicts with the plans and programs of the state agency(s) have been satisfactorily resolved. No significant issues remain.

[ ] Significant conflicts with the plans, policies or programs of state government have been identified and remain unresolved. The final proposal has been reviewed and the final comments and recommendations of the state are attached.

NOTICE TO FEDERAL AGENCY

The following is the officially assigned State Identifier Number:

7404 2 560

This number should be used on all correspondence and particularly on SF 240 as required by OMB A-98.

NOTED
R. N. CHASE

A copy of this notification and attachments, if any, must accompany your application to the Federal Agency as required by OMB A-95. Comments of the appropriate local reviewing agencies must also be included.

BEN GIFFORD

5-15-74

PNRS #2

FISH COMMISSION

We would appreciate seeing further information on the project as this is developed.

D.E.Q.

Please send Environmental Impact Statement.

8648

MEMO TO R. N. Chase
Project Management Section

Date July 5, 1974

URBAN SYSTEM PROJECT PROGRAMING REQUEST:

CITY: PORTLAND SECTION: N.W. Kittridge Avenue-N.W. 26th Avenue (Portland)
N.W. Front Avenue (FAU 1173)

PROPOSED WORK: All phases preliminary engineering necessary to prepare project for contracting. City of Portland will perform bulk of preliminary engineering. State will review and prepare final plans and specifications.

COSTS:	TOTAL	FEDERAL	STATE	CITY
*P.E.	$65,000	$ 50,800	$ 7,100	$ 7,100
Construction	(1,542,000)	(1,205,000)	(168,500)	(168,500)
TOTAL	$1,607,000	$1,255,800	$175,600	$175,600

*FIELD $55,000 *P.S.& E. $10,000

EXISTING FACILITIES: Existing pavement on Front Avenue varies in width from 20' to 51'. Portions of existing street is curbed, balance has variable width shoulders.

PROPOSED PROJECT: Widen N.W. Front Avenue to a 78' curb-to-curb street section with four 12' travel lanes, two 8' parking lanes, and a 14' median. Construct two 6' sidewalks and provide landscaping. Improve storm drainage and provide illumination. Perform other minor work.

PROJECT NO. M-1173(-)
ADDITIONAL RIGHT-OF-WAY: None required
SYSTEM ACTION: None required. Urban system approved 11/16/71.
RAILROADS: Yes. Burlington Northern - 13 spur crossings.
AIRPORTS: None
WATER DEVELOPMENTS: None
HISTORICAL & RECREATION AREAS: None
RELOCATION ASSISTANCE PAYMENTS: None required.
ROUTE DATA: FAU 1173
STATE CLEARINGHOUSE APPROVAL: May 17, 1974
DISTRICT 8 CLEARINGHOUSE APPROVAL: June 26, 1974
HEARING: Not required
ACCESS CONTROL: Limited to location by City ordinance
PARKING RESTRICTIONS: None

ADT: Present 13,000 (1974)
Future 8,000 (1994) I-505 Operative

Richard Unrein
Urban Engineer
County & City Unit

7/5/74

☐ ENGR. ☐ ASST. ☑ OE ☒ AE ■ UE
☑ UPE ☒ CE ☒ RE ☒ RPE ☐

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

Local Government Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Bill Kramer, Supervisor Ph: 378-3732

MULT. CO.
FAUS 1173

STATE A-95 REVIEW CONCLUSIONS

APPLICANT: Highway Division

PROJECT TITLE: N.W. Kittredge Avenue - N.W. 26th Ave

DATE: May 17, 1974

The state has reviewed your project and reached the following conclusions:

5-22-74
cc: G. L. Green, FHWA
E. S. Hunter
R. L. Schroeder
Victor D. Wolfe
J. B. Boyd
R. E. Royer
J. H. Versteeg
Gary Potter
H. S. Cox
B. L. Gifford
R. N. Chase
W. D. Albright
R. C. Blensly
R. N. Bothman
M. J. Klotz
E. L. Hardt

NOTED
E. S. HUNTER

[XX] No significant conflict with the plans, policies or programs of state government have been identified and your proposal is endorsed as presented.

[ ] Relevant comments of state agencies are attached and should be considered in the final design of your proposal.

[ ] Potential conflicts with the plans and programs of the state agency(s) have been satisfactorily resolved. No significant issues remain.

[ ] Significant conflicts with the plans, policies or programs of state government have been identified and remain unresolved. The final proposal has been reviewed and the final comments and recommendations of the state are attached.

NOTICE TO FEDERAL AGENCY

The following is the officially assigned State Identifier Number:

7404 2 560

This number should be used on all correspondence and particularly on SF 240 as required by OMB A-98.

RECEIVED
MAY 22 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

A copy of this notification and attachments, if any, must accompany your application to the Federal Agency as required by OMB A-95. Comments of the appropriate local reviewing agencies must also be included.

BEN GIFFORD

5-15-74

PNRS #2

FISH COMMISSION

We would appreciate seeing further information on the project as this is developed.

D.E.Q.

Please send Environmental Impact Statement.

8 JP

May 9, 1974

City of Portland
City Hall
Portland, OR 97204

Attention: George Yerkovich
Auditor

MISC. CONTRACTS AND AGREEMENTS No. 4956

Gentlemen:

Attached for your records are two fully executed copies of an Urban System Project Agreement covering the N. W. Kittridge Avenue-26th Avenue (Portland) Section of N. W. Front Avenue.

We have retained a fully executed copy of this agreement for the Transportation Commission's files.

Very truly yours,

C. W. Head
COMMISSION SERVICES

flm

Att.

cc H. S. Cox (agree. att.)

8648 FAU

SUMMARY SHEET - SERVICES, RAILROAD & UTILITY INVOICES

OREGON STATE HIGHWAY DIVISION Salem, Oregon April 25, 1975

Payable To: City of Portland — City Treasurer
203 City Hall — Portland, Oregon 97204

Project: NW Front Ave. From NW 26th Ave. To NW Kittridge Ave. Hwy. Agr. No.:

Contractor: City of Portland Contract No.: -0-

Agreement or Work Order No.: Estimate No.: 1

Period Covered: August 8, 1974 thru February 5, 1975 Project No.: FAU M-1173(1)

Invoice or Billing #	Description	Total Amount To Date	Previous Amount	Present Amount
15678	Engineering Costs Re:			
	Widen, Pave and Construct Curbs	$ 11,772.81		$ 11,772.81
Totals				
Retained ____%				
Total Payments		$ 11,772.81		$ 11,772.81

RECEIVED
COUNTY & CITY SECTION
APR 28 1975
☑ ENGR. ☐ COOR. ☑ OE ☐ RE ☐ UE
☑ UPE ☑ CE ☐ RE ☐ RPE ☐

(20)

Prepared & Approved by:
Auditor

Approved by:
Responsible Supervisor

Charge: 26-1904-900P $ 11,772.81

Charge:

Charge:

Charge:

Charge:

NOTED
J. E. CHIDSEY

Credit:

Form 81-734-1359 (11-73)

AUD-75-200-250
3-74 5M

INVOICE

City of Portland, Oregon

No. 15673

Bureau of Financial Affairs
Tel. 248-4030

26-1904

DATE Mar. 3, 1975

CREDIT 49500505/841

TO
Oregon State Highway Department
435 State Highway Bldg.
Salem, Oregon 97310
Attn: Gene Hickam

PLEASE PAY TO CITY TREASURER
203 CITY HALL
PORTLAND, OREGON 97204
PAYABLE WITHIN 30 DAYS

NET CASH

DATE	DESCRIPTION		
	Engineering costs on FAU System Project M-1173(1) - Widen, pave and Construck Curbs on N.W. Front Ave form N.W. 26th Ave to N.W. Kittridge Ave. from August 8, 1974 thru February 5, 1975 per enclosed.		
	Labor	11,186.74	
	Equip.	376.60	
	B-Pts	4.56	
	Services of Traffic Engrs.	204.91	11,772.81

RETURN ~~TWO~~ COPY
WITH CHECK
FOR PROPER CREDIT

Re: Bothman

Gene Hickam
Utility Auditor

APPROVED
ASST. METROPOLITAN ENGR.
METROPOLITAN ENGINEER
MAR 20 1975

JJ:pl

Attachments

cc: Resident Engineer

RECEIVED
COUNTY & CITY SECTION
APR 28 1975
ENGR. COOR. UE AE UE
UPE CE RE RPE

17/1

Form E-4 (Rev. 8-71)

OREGON STATE HIGHWAY DIVISION

AUTHORITY FOR SURVEY

Section N.W. 26th Ave. - N.W. Kittridge Ave. Date APRIL 18, 1974

Highway N.W. Front Avenue (FAUS 1173) Authorization No. 1

County Multnomah Survey Prefix 26-1904
(Assigned by Salem office)

Description of termini, route, length, etc.: The project runs along N.W. Front Avenue (Federal-Aid Urban System Route No. 1173) from N.W. 26th Avenue northwesterly to N.W. Kittridge Avenue. Length: 1.78 miles. See attached sheet for typical section.

Purpose of Survey: For City of Portland to perform all field phases of preliminary engineering necessary to formulate preliminary design plans, determine approximate R/W limits, and prepare proposed special provisions and specifications for widening N.W. Front Avenue to a 78 foot curbed section. City will prepare necessary preliminary environmental impact statements and conduct required public hearings. State to prepare final environmental statements, all plans and specifications, determine R/W limits, and prepare project for contract bids.

Estimate of Cost:

	City	State
Field (901)	$10,000	- -
Plans (905)	$10,000	$3,500
Preliminary Design (907)	$21,000	$2,500
Soils (910)	- -	$1,000
Traffic (911)	$ 1,000	$ 500
Landscape (912)	$ 750	$ 250
Utilities (914)	$ 1,500	$ 800
Graphics (919)	$ 250	$ 250
Program (920)	- -	$ 200
Specifications (921)	$ 500	$1,000
Environmental (923)	$ 4,000	$2,500
Public Hearing (980)	$ 3,000	$ 500
Total	$52,000	$13,000

Estimate of cost:

INSTRUCTIONS

Submit four copies to Salem. After approval by the Assistant State Highway Engineer, one copy will be sent to the Regional Engineer and one copy to the Resident Engineer.

This form does not constitute authority for making survey until approved and returned.

Submit separate order for each survey.

Total estimated cost of survey . . . . . $ 65,000

Previous authorization . . . . . .

Additional authorization requested . . . . .

Additional authorization approved (Salem) .

Total all authorizations approved (Salem) . .

Requested made by: R. L. Smith
Field Engineer

Recommended for Approval: Earl Eckman
Regional Engineer

Recommended for Approval: Victor D. Moyer
Location Engineer

Approved: E. S. Juntz
Assistant State Highway Engineer

SP*22604-734

OFFICE ENGINEERING SECTION
P. E. APPR. 7-18-74 URBAN SYSTEM
FED. AID ✓ STATE

8648

8

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

April 15, 1974

TOM McCALL
GOVERNOR

F. B. KLABOE
Administrator of Highways

TO Executive Department
Federal Aid Coordination Unit

Columbia Region Assn. of Gov'ts.
6400 S. W. Canyon Court
Portland, Oregon 97221

FROM L. W. Rulien
Project Management Engineer

SUBJECT Notice of Intent for FAUS Funds
State Administrative District No. 2
N.W. Kittridge Ave.-N.W. 26th Ave.
N.W. Front Ave.
Multnomah County

In accordance with Executive Memorandum 02-270-20, attached are copies of the Notices of Intents for the subject project.

Early programming of this project for advance planning in anticipation of future construction is necessary; therefore, your prompt attention to this proposal will be appreciated.

Allowing time for your review, we estimate the date of filing for federal-aid funds on this project to be May 10, 1974.

Attachment

BLG:js

cc: G. L. Green, FHWA
E. S. Hunter
R. L. Schroeder
Victor D. Wolfe
J. B. Boyd
R. E. Royer
J. H. Versteeg
Gary Potter
H. S. Cox
B. L. Gifford
R. N. Chase
W. D. Albright
R. C. Blensly
R. N. Bothman
M. J. Klotz
E. L. Hardt

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

NOTIFICATION OF INTENT TO APPLY FOR FEDERAL AID

For Internal Use Only	[1-8] PNRS #	[9] CARD TYPE:	Page One

02	[12] APPLICANT: State Highway Division	[45]	[46] DIVISION: Department of Transportation	[79]
03	[12] APPLICANT ADDRESS STREET: State Highway Building	[45]	[46] CITY: Salem [60]	[76] ZIP: 97310 [80]
04	[12] CONTACT PERSON: L. W. Rulien	[45]	[46] AREA CODE [48]: 503 [49] PHONE [55]: 378	[56] EXTENSION: 6563 [59]
01	[12] PROJECT TITLE: N.W. Kittridge Ave.-N.W. 26th Ave., FAU 1173, District 2			[71]
11	[12] PROJECT LOCATION: N.W. Front Ave., CITY: Portland	[45]	[46] PROJECT LOCATION COUNTY: Multnomah	[79]
05	[12] SUMMARY PROJECT DESCRIPTION (ATTACH SUPPORTING DOCUMENTS AS NECESSARY): This project, 1.78 miles in length, entails all the work necessary to formulate			[71]
06	[12] final construction plans. The work will include field surveys, environmental state-			[71]
07	[12] ments, public hearings, and final design elements. The ultimate project envisions			[71]
08	[12] the construction of a four-lane facility with landscaped islands to accommodate			[71]
09	[12] left turn movements. Provide two 32-foot curb-to-curb street sections separated by a 14-foot landscaped island. Provide sidewalk/bikeway, illumination, storm			[71]
10	[12] drainage and landscaping.			[71]

12	FEDERAL FUNDS		NON-FEDERAL MATCHING FUNDS		OTHER	TOTAL
	[12] (A) Grant [19]	[20] (B) Other [27]	[28] (C) State [35]	[36] (D) Local [43]	[44] (E) FUNDS [51]	[52] (F) FUNDS [60]
	1,250,400	-	174,800	174,800	-	1,600,000

13	[12] TYPE OF OTHER FEDERAL FUNDS (See 12B)	[45] [46]	TYPE OF OTHER NON-FEDERAL FUNDS (See 12E) [79]
14	[12] FEDERAL PROGRAM TITLE: Title 23 USC Highways		[71]
15	[12] FEDERAL AGENCY NAME: Department of Transportation	[45] [46]	FEDERAL SUB-AGENCY NAME: Federal Highway Administration

17

(A) TYPE OF APPLICANT: (Check (X) the single most applicable box)

STATE	INTER-STATE	COUNTY	CITY	SCHOOL DISTRICT	SPECIAL DISTRICT	COMMUNITY ACTION	SPONSORED ORGANIZATION	OTHER
[X] 12	[ ] 13	[ ] 14	[ ] 15	[ ] 16	[ ] 17	[ ] 18	[ ] 19	[ ] 20

(B) TYPE OF ACTION: (Check (X) as many boxes as apply to this action)

NEW GRANT	CONT. GRANT	SUPPL'T GRANT	INCREASE DURATION	DECREASE DURATION	CANCELLATION	INCREASE DOLLARS	DECREASE DOLLARS
[X] 21	[ ] 22	[ ] 23	[ ] 24	[ ] 25	[ ] 26	[ ] 27	[ ] 28

(C) IS THERE A COMPREHENSIVE PLAN?						(D) REVIEW REQUIRED by A-95		(E) ENVIRONMENTAL IMPACT		(F) HOUSING RELOCATION REQUIRED	
STATE		REGIONAL		LOCAL							
Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
[X] 29	[ ] 30	[ ] 31	[ ] 32	[ ] 33	[ ] 34	[X] 35	[ ] 36	[X] 37	[ ] 38	[ ] 39	[X] 40

(See IV, Page 2)

(G) ESTIMATED APPLICATION FILING DATE:	[41] MONTH [42]	[43] DAY [44]	[45] YEAR [46]
	May	10	1974

ADDITIONAL INFORMATION – ALL APPLICANTS

I. FEDERAL CATALOG NUMBER (OR PUBLIC LAW NO. AND TITLE) 20.205 Highway Planning and Const.

II. HAS DISTRICT CLEARINGHOUSE BEEN NOTIFIED? No ☐ Yes ☒ Date: April 15, 1974

III. HAS FUNDING AGENCY BEEN NOTIFIED? No ☐ Yes ☒ Date: April 15, 1974

IV. IF PROJECT INCLUDES STATE FUNDS (12C), IDENTIFY AGENCY State Highway Division

V. LIST PERTINENT PLANNING DOCUMENTS OR PROJECT STUDIES (See 17C) Federal-aid Urban System Program

VI. EXPLAIN DEVIATIONS (IF ANY) FROM PERTINENT PLAN

(a) Federal Congressional District(s) Number(s) 3
(b) State Representative District(s) Number(s) 8-23
(c) State Senatorial District(s) Number(s) 5-12

STATE AGENCIES ONLY

VII. (a) IS PROGRAM BUDGETED ☐ NON-BUDGETED ☐

(b) STATE SHARE

GENERAL FUND CASH	OTHER FUND CASH	IN KIND
$	$	$

(c) FUNDING METHOD

	FEDERAL SHARE		STATE SHARE		TOTAL	
First Year	%	$	%	$	%	$
Second Year	%	$	%	$	%	$
Third Year	%	$	%	$	%	$

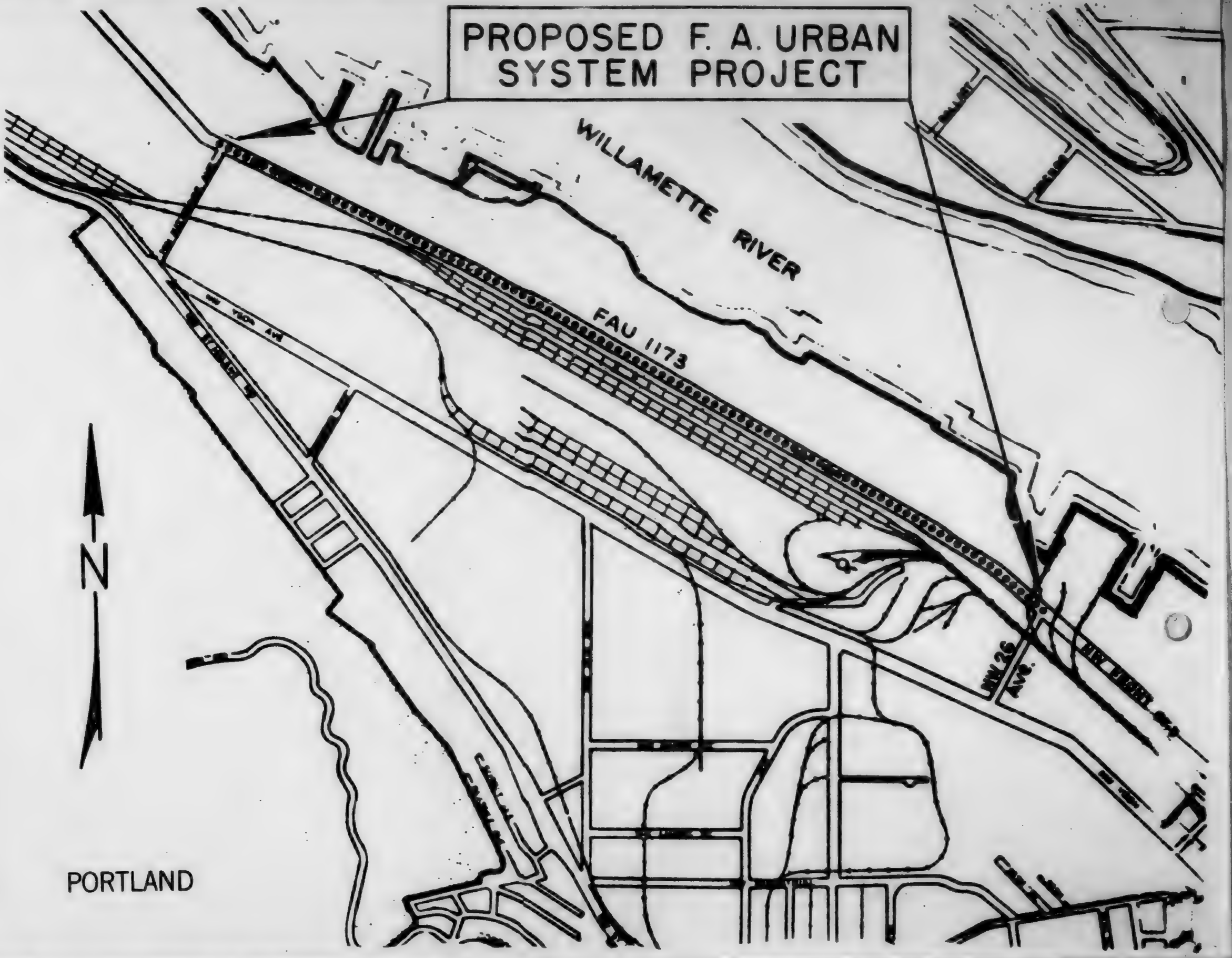
(d) WILL PROGRAM REQUIRE HIRING OF NEW STATE EMPLOYEES? No ☐ Yes ☐ Number

(e) Will accounting for this grant be administered by the Executive Dept. Accounting Division? Yes ☐

REMARKS

17(E) Appropriate EIS statements will be prepared and comments sought.
A public hearing will be offered and held upon request.
This project in initiated as an urban system improvement by the City of Portland.

PROPOSED F. A. URBAN SYSTEM PROJECT



8648

9

FORM S-38 (REV. 10-69)

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Portland, Oregon 97213

April 4, 1974

To: MEMO TO THE FILE

SUBJECT: PRELIMINARY PROJECT APPROVAL
FRONT AVENUE - 26th & KITTRIDGE

ORIGINAL SIGNED BY R.N. BOTHMAN

From: R. N. BOTHMAN
Metropolitan Engineer

The Transportation Commission approved a preliminary engineering project to improve Front Avenue from 26th to Kittridge.

The project proposal calls for four laning with a median strip.

The existing right of way is fully utilized for two lanes plus 90° parking for the business' front. The railroad is immediately adjacent to the southerly right of way. The industrial buildings are immediately adjacent to the right of way on the north. Solid parking exists throughout the section from 26th to Kittridge. A major conflict seems to exist between utilizing the area on the right of way now usurped for employee parking and the City's proposal for four lanes plus a median strip.

ar

NOTED
E. S. HUNTER

cc E. S. Hunter
R. L. Schroeder
H. S. Coulter
R. Unrein

RECEIVED
APR 8 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8648

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

DATE March 20, 1974

TO Oregon ~~State Highway~~ Transportation Commission

FROM F. B. Klaboe
State Highway Engineer

SUBJECT **Urban System Preliminary Engineering Project Request City of Portland**

Presented for your consideration at the March 27 meeting will be a request from the City of Portland for approval of an Urban System project.

Preliminary engineering funds are requested to design a project to widen a 1.78-mile section of N.W. Front Avenue from a variable width two-lane facility to a four-lane divided facility.

Urban System funds for this preliminary engineering project are estimated at $50,700, with the State and City of Portland each paying approximately $7,150.

This project has been investigated and is eligible for funding under the Federal Aid Urban System program. It has been approved by the Columbia Region Association of Governments. I recommend your approval of the project and request authority to sign project agreements for and on your behalf.

cc: C. W. Head
G. M. Baldwin
A. E. Johnson
E. S. Hunter
R. L. Schroeder
L. W. Rullen
V. E. Skoog
H. S. Cox
R. N. Bothman
E. L. Hardt
R. E. Whipps
Gary Sund

RU:ljt dpy

CITY OF PORTLAND
Proposed Urban System Project

N.W. Kittridge Ave-N.W. 26th Ave. Section
N.W. Front Avenue (FAU 1173)
Preliminary Engineering Project
1.78 Mile
$65,000

This preliminary engineering project entails all the work necessary to formulate final construction plans. The work will include field surveys, environmental statements, public hearings, and final design elements.

The ultimate project envisions the construction of a four-lane facility with landscaped islands to accommodate left turn movements.

Provide two 32-foot curb-to-curb street sections separated by a 14-foot landscaped island.

Provide sidewalk/bikeway.

Provide project illumination.

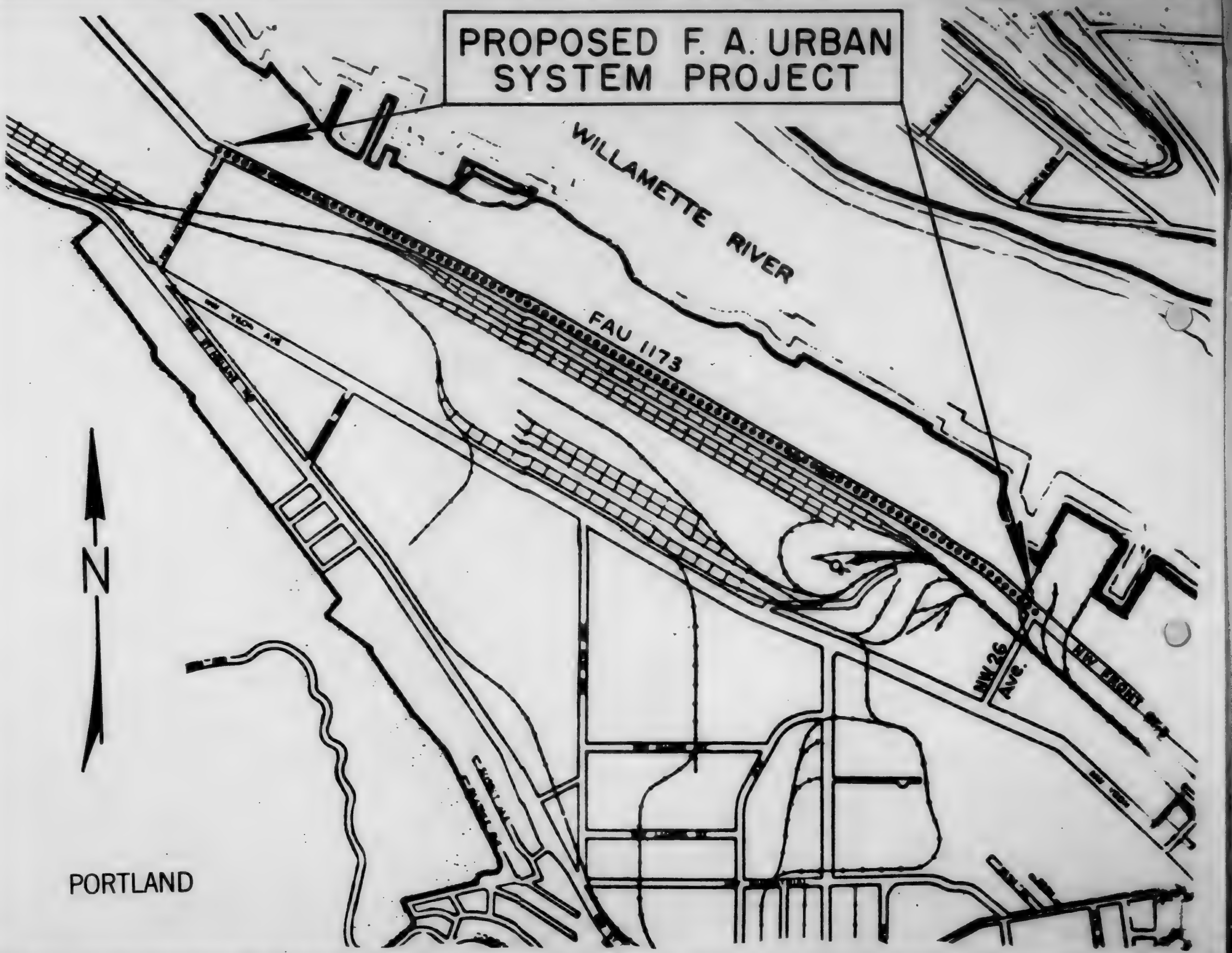
Provide storm drainage.

Provide landscaping.

City of Portland Public Works Department to perform bulk of preliminary engineering work.

74-b
3/18/74

PROPOSED F. A. URBAN SYSTEM PROJECT



8648

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

SALEM, OREGON

March 19, 1974

FILE:

~~FROM:~~

TO: Mr. L. W. Rulien
Project Management Engineer
B U I L D I N G

~~TO:~~

FROM: Richard Unrein
Urban Engineer
County and City Unit

SUBJECT:

Proposed Urban System Preliminary
Engineering Project
NW Kittridge Ave-NW 26th Ave Section
NW Front Avenue (FAU 1173)
City of Portland

NOTED
E. S. HUNTER

Attached are fourteen copies of a summary and description of a proposed Urban System project in Portland. The total Urban System funds involved are estimated at $50,700, of which $7,150 will be the cost to the State.

City of Portland will perform the bulk of the engineering work with some engineering performed by the State.

If satisfactory, this preliminary engineering project should be presented to the Transportation Commission for approval at the March 27, 1974 meeting. A draft of a suggested letter to the Commission is attached.

RU:ljt
Att.

cc: E. S. Hunter

RECEIVED
MAR 19 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8648

fan

bc: E. S. Hunter
L. W. Rulien
R. N. Bothman
C. T. Christianson - FHWA

March 4, 1974

Mr. Robert E. Rector
State Highway Coordinator
City of Portland
400 S.W. 6th Avenue
Portland, Oregon 97204

Re: Proposed FAUS P.E. Project
NW Kittridge Ave-NW 26th Ave Section
NW Front Avenue (FAUS 1173)

Dear Mr. Rector:

We have reviewed the subject project in the field with the Federal Highway Administration. This project appears to be acceptable under the Urban System Program. Our only concern is the substantial amount of existing parking that will be displaced by the proposed improvements. Near the northerly portion of the project parking is on an informal perpendicular basis. When this parking is converted to parallel parking, there will be a considerable amount of parking displaced with no apparent area for replacement parking. This could have a serious effect upon employment in the area. We feel that the subject of parking should be given early consideration in the development of the project. Perhaps the employers along Front Avenue should be contacted in arriving at a solution.

This project will be submitted to the Transportation Commission at its March 27 meeting for approval.

Very truly yours,

H. S. Cox
County and City Engineer

By

Richard Unrein
Urban Engineer

RU:ljt

FALL

THE CITY OF
PORTLAND
OREGON

DEPARTMENT OF
PUBLIC WORKS
LLOYD E. ANDERSON
COMMISSIONER

OFFICE OF
CITY ENGINEER
JAMES L. APPERSON, P.E.
CITY ENGINEER

400 S.W. SIXTH AVE.
PORTLAND, OR. 97204

January 23, 1974

RECEIVED
COUNTY & CITY SECTION
JAN 24 1974
☐ ENGR. ☑ COOR. ☐ DE ☐ AE ☑ UE
☑ UPE ☐ CE ☐ RE ☐ RPE ☐

F.B. Klaboe, Administrator and
State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Attention: Richard Unrein, Urban Engineer

Gentlemen:

Enclosed, please find project request documents for Federal Aid Urban System Project No. 1173, a proposed widening project along N.W. Front Avenue from approximately 1700 feet northwesterly of N.W. Nicolai Street to N.W. Kittridge Avenue. These documents are submitted in application for preliminary engineering funding on this project.

Your consideration of these documents will be appreciated. If you have any questions with regards to this matter, please feel free to contact Glen R. Pierce of this office, phone 248-4643.

Very truly yours,

James L Apperson

JAMES L. APPERSON, P.E.
CITY ENGINEER

GRP:jr
Encl.

N.W. FRONT AVENUE

From Approx. 1700' NW'erly of N.W. Nicolai St. to N.W. Kittridge Ave.

N.W. Front Avenue is a principal arterial serving a large industrial area bordering the west bank of the Willamette River between the Steel Bridge and the Kittridge Overpass. The existing roadway provides two travel lanes of varying widths. The physical condition of the existing roadway is beyond repair and present maintenance costs are excessive.

The traffic load on the subject section of N.W. Front Avenue is presently in the range of 7,600 ADT - 20,050 ADT. It is proposed that this street be improved to a four lane divided boulevard, with four 12-foot travel lanes, a 14-foot landscaped median, and 8 foot shoulders. Curbs, landscaping, and sidewalks/bikeways would also be provided. The improvement would be accomplished within the existing 100-foot right-of-way.

The City expects to us its own work forces to perform preliminary engineering on this project.

RECEIVED
COUNTY & CITY SECTION
JAN 24 1974
☐ ENGR. ☐ COOR. ☐ CE ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE ☐

2A6/11 8648

FEDERAL AID URBAN SYSTEM PROJECT REQUEST

NOTE: This form is intended to collect general information for proposed projects so that the State and Federal Highway Administration will have a better understanding of the requested project. Please use the footnote area to answer any ambiguous questions or to explain any unusual conditions.

Date January 23, 1974

Applicant Agency City of Portland, Oregon
Federal Aid System Route No. 1173 Route Name N.W. Front Avenue
Project Name Widen N.W. Front

Project Length 9400 ft. Project Location (Attached sketch map)
Project Description The project will consist of all phases of preliminary engineering necessary for the improvement of N.W. Front Avenue, from approximately 1700 ft. northwesterly of N.W. Nicolai Street to N.W. Kittridge Avenue, to a four lane divided boulevard.

RECEIVED
COUNTY & CITY SECTION
JAN 24 1974
☑ ENGR. ☐ COOR. ☐ OE ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE ☐

Average Daily Traffic * Design Speed 40 MPH

Complete Applicable Sections:

I. ROADWAY DATA

1. Existing Roadway: (Attach sketch)

Width 20' to 51' Travel Lanes 2 @ variable Shoulders variable
Medians None Parking Both sides
Sidewalks 6' one side, from begin project northwesterly for 2500'
Other

2. Desired Roadway Cross Section: (Attach sketch)

Width 78' Travel Lanes 4 @ 12' Shoulders 8'
Medians 14' turning median Parking parallel, both sides
Curbed Yes Length Curb Radii 15' minimum
Sidewalk/Bikeway 6' both sides
Other

FOOTNOTES: * varies from 7,600 ADT to 20,050 ADT

Description of Proposed Roadway Work The roadway work will consist of widening N.W. Front Ave. from approx. 1700' northwesterly of N.W. Nicolai St. to N.W. Kittridge Ave., and the construction of traffic Islands.

II. RIGHT-OF-WAY DATA

1. Existing Right-of-Way:

General Width 100' Minimum 100' Maximum 100'

2. Will Additional Right-of-Way Be Needed? No Explain

3. Will cost of additional right-of-way be included in project or will applicant acquire without cost to project? NA

4. Will there be any persons displaced from their homes, farms or businesses? No If so, explain

5. Will this project affect any park or recreation facility? No
If so, explain

III. TRAFFIC CONTROL DATA

1. Existing Signalization: Fire emergency signals at Portland Fire Dept. Station at 3660 N.W. Front Ave.

2. Proposed Signalization: Same

Location Poles relocated back of curb lines

Type
Phases
Type of Suspension
Interconnected
Other

FOOTNOTES:

3. Permanent Signing:

Include in project or by applicant? Include in project

4. Permanent Striping:

Include in project or by applicant? Include in project

IV. ILLUMINATION DATA

1. Present Illumination and Location: 400 Watt Mercury Vapor lights mounted on wood poles with overhead wiring and Ave. spacing 150'. Approx. midway through project, 1300 ft. of 1000 Watt Mercury Vapor lights with overhead wiring and Ave. spacing 150'.
2. Proposed Illumination:

Location Average spacing 150'
Type 1000 Watt Mercury Vapor lights on 40' poles with overhead wiring.

V. STRUCTURE DATA

1. Existing Structure: None

Location
Type
Size
To Remain in Place?

2. Proposed Structure: None

Location

Is a particular type of structure and design desired?

Approximate size of proposed structure

Are sidewalk/bikeways desired?

Are any utilities to be attached to structure?

FOOTNOTES:

Are provisions for illumination desired? _____

Are there any unusual or complicating conditions? _____

VI. RAILROAD DATA

1. Are there any railroad crossings? Yes Location *

Type of existing crossing At grade
Existing crossing protection Crossbuck, street lights, advance warning signs, multiple track signs, either singly or in combo.
Name of Railroad Burlington Northern
Number of tracks: Mainline 0 Siding Spur 13 Total 13
Angle of Intersection *
Sight distance: (Direction) North Distance *
(Direction) South Distance *
Number of Trains: Passenger 0 Speed 3-10 MPH
Freight * Speed 3-10 MPH

2. Will existing railroad crossing be altered? N.W. Front Ave. will be widened at all crossings.

VII. GENERAL INFORMATION

1. Other work or conditions not covered by proceeding sections _____

2. Applicant's Estimated Cost for Requested Project:

Roadway Work	$ 940,000
Right-of-Way Costs (If participating)	---
Traffic Control	2,100
Illumination	100,000
Structures	--
Railroad	--
Other Storm Drainage	500,000
Preliminary Engineering	$65,000
PROJECT TOTAL	$

FOOTNOTES: * See attached Railroad Data Sheet

THIS APPLICATION IS AN OFFICIAL REQUEST FROM:

City of Portland, Oregon
By [signature], City Engineer
By [signature], Commissioner of Public Works

_____ County
By _____
By _____
By _____

R A I L R O A D D A T A

Location (From ℄ Nicolai)	No. of Tracks	Angle of Intersect.	Sight Dist.		No. Trains Per Day
			North	South	
1. 2,650'	1	80°	.5 mile	.25 mile	1
2. 2,920'	2	90°	.5 mile	.25 mile	1
3. 3,200'	1	80°	.5 mile	.5 mile	1
4. 4,700'	1	30°	.25 mile	.5 mile	8
5. 5,700'	1	30°	.5 mile	.5 mile	8
6. 6,000'	1	30°	.5 mile	.5 mile	8
7. 6,100'	1	30°	.5 mile	.5 mile	8
8. 7,350'	1	30°	.5 mile	.5 mile	8
9. 8,900'	1	60°	.5 mile	.25 mile	8
10. 9,150'	1	45°	.5 mile	.25 mile	8
11. 9,700'	1	60°	.5 mile	.25 mile	8
12. 10,750	1	25°	.5 mile	.25 mile	6
Total	13				

.8649 Murray Blvd. (FAU 9067) ● 1977
Butner Rd. northwest of Beaverton
(Traffic signal installation)

C-A 6345 12-9-77

8649

1

☆U.S. GOVERNMENT PRINTING OFFICE: 1974 — 732 - 620

STATE COPY

cc: OSHD (H S Coulter)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

FINAL CONSTRUCTION INSPECTION AND FINAL ACCEPTANCE REPORT

3-11-80

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	1	Washington	Oregon

DATE OF REPORT	REPORT MADE BY	PROJECT NO.
3-11-80	W. N. Bryant, Area Engineer	HHS-9067(1)

COMPLETION DATE	ACCEPTANCE DATE BY CONTRACT AGENCY	TIME ELAPSED	CONTRACT TIME
12-22-78	8-23-79	365/200 =182.5 %	200 C.D.

APPROVED EXTENSIONS	LOCATION
None	Co. Rd., 0.6 mi. NE of Beaverton NCL

~~The FHWA-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been~~ xxxxxxx

*A copy of the State's materials certificate is attached to the Division office copy of this report.

There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: *The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.*

MURRAY BLVD @ BUTNER RD
FAU 9067 (County Rd)
Traffic Signal

This project provided for the installation of signals together with a small amount of drainage and two concrete sidewalk ramps. A contract in the amount of $29,446.80 was awarded Hamilton Electric, Inc., Eugene, Oregon on 12-12-77. Work began on 6-19-78 and was completed in apparent conformance with the approved plans and specifications on 12-22-78 at a final cost of $25,304.59 which includes $4,321.09 for engineering and a credit of $8,250 for liquidated damages.

A total of 365 calendar days were used as compared to the 200 calendar day, speficied. Liquidated damages of $50 per day were assessed accordingly. There were no major significant overruns or underruns of the bid items. Project records indicate all materials incorporated into the work met specification requirements.

Based on visual observations made on 8-13-79, acceptance of the project is recommended.

RECEIVED
STATE HWY ENGR
MAR 12 '80

3/13
dy

REFER TO
Keasey
FOR

Info	Inves	R/D	D/R	Sign	Act	File

*NOTE: Not applicable for direct federal projects.

ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION	
SIGNATURE: W. N. Bryant Area Engineer W. N. Bryant		SIGNATURE: Original Signed By G. K. HOSSNER Field Operations Engineer G. K. Hossner	
TITLE: Area Engineer	DATE: 3-11-80	TITLE: Field Operations Engineer	DATE: 3-11-80

FORM FHWA-1446 B (12-73) FORMERLY PR-33E

Previous Editions of PR-33E Will Not Be Used.

#8649

August 28, 1979

Great American Insurance Co.
2030 Ninth Avenue
Seattle, Washington 98121

Gentlemen:

Contract No. 8649 awarded to Hamilton Electric, Inc., for a traffic signal installation on Murray Boulevard at Butner Road in Washington County was completed on December 22, 1978, and accepted by the State Highway Engineer on August 23, 1979.

Final payment in the amount of $1,047.71 will be released to the contractor after September 4, 1979. The total contract amount is $20,983.50 and no work was performed under force account.

No claims for labor or material have been filed with us against the performance bond on this contract.

Sincerely,

C. W. Read
COMMISSION SERVICES

fkm

bc Hamilton Electric, Inc.
232 West 5th Avenue
Eugene, OR 97401

C. T. Keasey
Walt Hart
V. E. Skoog Attn: Dick Hacek
Ed Hardt

8649

April 5, 1979

Hamilton Electric, Inc.
Post Office Box 708
Eugene, OR 97440

Gentlemen:

Time Extension Request
Murray Blvd. @ Butner Road
Washington County
FAP No. HHS-9067(1)
Contract No. 8649

Your request for an increase in calendar days in which to complete the above project has been given careful review. An extension of time for reasons stated in your request is not warranted and your request is denied.

Delays to the project because of problems in shipping due to acquiring raw material and to a railway strike could not be verified from the information submitted. Any additional information should be submitted to the Resident Engineer.

There remains 165 days liquidated damages.

Sincerely,

ORIGINAL SIGNED BY H. S. COULTER
H. S. Coulter
State Highway Engineer

OBJ:DA:fr JJ

bc: C. T. Keasey
Robert Church
Ed Hardt
E. Rodriguez
FHWA

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: CON 5 #8649

Salem, Oregon
April 3, 1979

FROM: O. B. Jackmond
Contract Administration Engineer

TO: H. S. Coulter
State Highway Engineer

SUBJECT: Time Extension Request
Murray Blvd. @ Butner Rd.
Washington County
Contract No. 8649

A request for a 165 calendar day increase in which to complete the above signal project has been received from Hamilton Electric, Inc. The contractor has mentioned pole drawing submittals, error in pole manufacturing and late delivery of poles as delays beyond the contractor's control.

The original pole drawings were submitted to the Resident early in the project, but they lacked the drawings for one of the poles. This drawing was not submitted until four months later. Of the original drawings, one was returned for correction. An additional six weeks were required to resubmit the corrected drawing to the Resident. When pole drawings were received by the Resident, they were reviewed and processed in a timely manner. Any delays in pole drawing submittals are the responsibility of the contractor. No time is warranted.

Once the poles were received on the project it was noted one pole had an incorrect base installed. This pole was returned to the supplier for correction. This took an additional three months. Letters from the supplier indicate the error in manufacturing and late delivery of the remanufactured pole were their fault.

The supplier also sent a letter to the contractor suggesting that a railway strike compounded with the availability of raw materials prevented them from meeting their order at an earlier time. With the information supplied, we cannot verify that this delayed the project.

The delays we can identify are the responsibility of the contractor or his supplier and it is recommended this request for a time extension be denied.

An additional 165 days were required to complete the project for which the contractor is being assessed liquidated damages.

A rough draft letter to the contractor is attached.

RECEIVED
STATE HWY ENGR
APR 5'79
REFER TO
FOR
Info | Inves | R/D | O.R | Sign | Act | File

OBJ:DA:fr
Att.
cc: Ed Hardt
E. Rodriguez

M-200 (Rev. 2-72)

OREGON STATE HIGHWAY COMMISSION

Contractors Request

for

Increase in Number of Workdays

to

Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon

Date February 15, 1979

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from 200 days to 365 days, within which to complete our Contract No. 8649, without the assessment of liquidated damages. The said contract is described as follows:

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows:

SEE ATTACHED

Respectfully submitted,

Hamilton Electric, Inc.
Contractor

By [signature]

CONSENT OF SURETY

Date February 15, 1979

We, GREAT AMERICAN INSURANCE COMPANY

, as

surety on the bond guaranteeing the completion of the contract above named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

[signature]
Genevieve A. Bernhardt
Attorney-in-fact

(SEAL)

not required by law
Resident Agent

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request for Increase in Number of Workdays to Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8649 Contractor Hamilton Electric, Inc.

Highway FAU 9067 County Road

Section Murray Blvd. @ Butner Road

Kind of Work Traffic Signal Installation

It is recommended that the request for increase in the number of workdays within which to complete said contract be **DENIED** or ~~GRANTED~~. The reasons for such recommendation are as follows:

Delays not beyond control of the contractor.

Recommended for Approval:

Regional Engineer

O. B. Jaikmond
For Construction Engineer or ~~Bridge Engineer~~

H S Coulter
State Highway Engineer

Contract No.	8649
Project designation	HHS -9067(1) (State-Federal)
Date awarded	DECEMBER 12, 1977
Work started	JUNE 19, 1978
Per cent completed	100%; DECEMBER 22, 1978 (Date)
No. of Workdays Allowed	200
No. of Workdays Used	365
No. of Added Workdays Requested	165

SP**87805-734

GREAT AMERICAN INSURANCE COMPANY

The number of persons authorized by this power of attorney is not more than TWO

No. O 11400

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below its true and lawful attorney-in-fact or attorneys-in-fact, for it and in its name, place and stead to execute in behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
BETTY JEAN LARSEN	BOTH OF	BOTH
GENEVIEVE A. BERNHARDT	EUGENE, OREGON	$500,000.

This Power of Attorney revokes all previous powers issued in behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 21st day of June 19 78

Attest: GREAT AMERICAN INSURANCE COMPANY

STATE OF OHIO, COUNTY OF HAMILTON – ss:

On this 21st day of June 1978, before me personally appeared ROBERT M. SCHUDER, to me known, being duly sworn, deposes and says that he resided in Cincinnati, Ohio, that he is the Vice President of the Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

This Power of Attorney is granted under and by authority of Article V of the By-Laws of the Company, extracts of which read as follows:

ARTICLE V.
Officers: Powers and Duties.

Section 4.... The President... shall also have power and authority, from time to time, to appoint and fix the compensation of one or more attorneys-in-fact, to prescribe their respective duties and the respective limits of their authority and to revoke any such appointment, at any time, in his discretion.

Section 5.... the several Vice Presidents... shall act, in the order of their appointment, in the place of the President exercising all his powers and performing his duties, during his absence or disability.

This Power of Attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of the Great American Insurance Company at the organization meeting duly called and held on the 1st day of October, 1976.

RESOLVED, that the Company seal and the signature of any officer authorized by the By-Laws may be affixed by facsimile to any power of attorney and revocation of any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal, when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, W. R. BILY, Secretary of the Great American Insurance Company, do hereby certify that the foregoing Power of Attorney, the above quoted abstracts of Sections 4 and 5 of Article V of the By-Laws, and the Resolution of the Board of Directors of October 1, 1976 have not been revoked and are now in full force and effect.

Signed and sealed this 15 day of Feb. 1979

HAMILTON ELECTRIC Inc.

ELECTRICAL CONTRACTING

O.S.H.D. Contract #8649 - Murray Blvd. @ Butner Road

The Oregon Transportation Commission accepted our proposal for this project on December 12, 1977. The calendar day count on the contract began on December 23, 1977 with 200 calendar days completion time. Our purchase order for poles was placed on December 13, 1977 (copy enclosed). We submitted pole drawings to the Resident Engineer on January 16, 1978 for approval. On February 1, 1978 the drawings were returned to us by the Resident Engineer with one pole returned for correction and 2 poles approved as noted. On March 15, 1978 the pole drawings were resubmitted by us and they were returned to us by the Resident Engineer approved on March 31, 1978. One pole drawing was resubmitted for approval on May 11, 1978 since it had never been returned with the original submittal. It was approved and returned to us by the Resident Engineer on May 22, 1978. Enclosed is a copy of our initial work schedule showing the installation of poles on July 5, 1978. The poles were received but one of them had an incorrect base installed. Enclosed is a September 26, 1978 letter from the supplier of the poles, Union Metal Company, which indicates that an error was made when the approved drawing was reduced to component parts drawings. The pole was returned to the factory for correction. We received letters from the manufacturer dated October 5, 1978 and December 6, 1978 (copies enclosed) which show additional justification by the manufacturer for the delay in the delivery of the poles. When we finally received the pole from the manufacturer, we installed it on the next working day and installed the spans immediately after that. We believe that we performed this work on a timely basis and the delays were not due to a cause that we, as the contractor, could control.

NECA

RECEIVED
FEB 21 1979
NOTED Res. Br. Engineer

232 WEST 5th AVENUE 503/485-4455 POST OFFICE BOX 708 EUGENE, OREGON 97440

8649

FINAL WEEKLY REPORT

FORM 734-2001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Murray Blvd. at Butner Rd.		WEEK ENDING: February 17, 1979
		SECTION PREFIX: 334-1008
HIGHWAY: FAU 9067 County Road		COUNTY: Washington
NAME OF JOB: Murray Blvd. at Butner Road	KIND OF WORK: Traffic Signals	
CONTRACTOR: Hamilton Electric Co.	CONTRACT NUMBER: 8649	FEDERAL AID PROJECT NUMBER: HHS-9067(1)
DATE OF CONTRACT: December 12, 1977	DATE WORK STARTED: January 19, 1978	~~COMPLETION~~ COMPLETION DATE: December 22, 1978
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 0 SUPERVISION: 0	SPECIFIED WORK DAYS / SPECIFIED CALENDAR DAYS: 250	WORK DAYS USED / CALENDAR DAYS USED: 365
	SPECIFIED COMPLETION DATE:	PERCENT OF TIME ELAPSED: 146 ~~181~~
PROJECT AUTHORIZATION: $ 34,403.59		PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 100
EXCLUSIVE OF ENGINEERING: $ 31,398.31	ENGINEERING AUTHORIZATION: $ 3,004.68	
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $ 31,398.31	ENGINEERING COST TO DATE: $ 2,639.29	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 100
ESTIMATED PERCENT: OVERRUN / UNDERRUN . . . . . 0 %	PERCENT OF AUTHORIZATION . . . . . 88 %	DATE PROJECT WAS COMPLETED: December 22, 1978

Semi-Final estimate submitted Feb. 16, 1979

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT					
MILES PARTIALLY COMPLETED					
MILES COMPLETED					
TOTAL ESTIMATED QUANTITIES (CONTRACT)					
TOTAL QUANTITIES CORRECTED TO DATE					
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE					
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

None

ESTIMATED PERCENT COMPLETE (STRUCTURES)

~~STRUCTURE~~	Traffic Signals						
PERCENT	100						

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY 11	Cloudy/showers/ mild	0		
MONDAY 12	Showers/windy/ mild	0		
TUESDAY 13	Showers/mild	0		
WEDNESDAY 14	Fair	0		
THURSDAY 15	Rain	0		
FRIDAY 16	Rain	0		
SATURDAY 17		0		

Routing: K

Keasey, Bond, Jackmond, Hopkins, Johnson, Inloes, Richards, Glenn, Berg, Church, Gebauer, Widmer

RECEIVED
FEB 20 1979
CONSTRUCTION SECTION

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY 11	
12 MONDAY	
13 TUESDAY	
14 WEDNESDAY	
15 THURSDAY	
16 FRIDAY	
17 SATURDAY	

REMARKS

Status to Date: Job completed except for some minor clean-up.

Semi-Final estimate submitted Feb. 16, 1979.

FINAL WEEKLY REPORT.

SIGNED E. Rodriguez LOCATION Beaverton

E. Rodriguez

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

SP-F216

8649

STATE COPY

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	State: OREGON
MONTHLY TRANSACTION NO. 1-64	FEDERAL-AID PROJECT AGREEMENT	County: Washington
	1-10-78	Project No.: HHS-9067(1)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

Co.Rd. Murray Blvd. at Butner Road

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING	5-2-77	0.00
RIGHTS-OF-WAY		
CONSTRUCTION	10-26-77	0.00
OTHER *(Specify)*		

FUNDS Pro rata 90%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 38,216.00	$ 34,394.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E J Lumitz

Technical Services Engineer
(Title)

By H S Coulter

State Highway Engineer
(Title)

By _____

_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By Tony Burton
(Division Administrator)
For: G. L. Green

Date executed by Division Administrator JAN 1 0 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtednesss of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

8649

FINAL WEEKLY REPORT

FORM 734-3001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Murray Blvd. at Butner Rd.		WEEK ENDING: February 17, 1979
		SECTION PREFIX: 334-1008
HIGHWAY: FAU 9067 County Road		COUNTY: Washington
NAME OF JOB: Murray Blvd. at Butner Road	KIND OF WORK: Traffic Signals	
CONTRACTOR: Hamilton Electric Co.	CONTRACT NUMBER: 8649	FEDERAL AID PROJECT NUMBER: HHS-9067(1)
DATE OF CONTRACT: December 12, 1977	DATE WORK STARTED: January 19, 1978	COMPLETION DATE: December 22, 1978
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 0 SUPERVISION: 0	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS: 250	CALENDAR DAYS USED: 365
PROJECT AUTHORIZATION: $ 34,403.59	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED: 146
EXCLUSIVE OF ENGINEERING: $ 31,398.31	ENGINEERING AUTHORIZATION: $ 3,004.68	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 100
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $ 31,398.31	ENGINEERING COST TO DATE: $ 2,639.29	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 100
ESTIMATED PERCENT: OVERRUN / UNDERRUN . . . . . 0 %	PERCENT OF AUTHORIZATION . . . . . 88 %	DATE PROJECT WAS COMPLETED: December 22, 1978

Semi-Final estimate submitted Feb. 16, 1979

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT					
MILES PARTIALLY COMPLETED					
MILES COMPLETED					
TOTAL ESTIMATED QUANTITIES (CONTRACT)					
TOTAL QUANTITIES CORRECTED TO DATE					
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE					
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

None

ESTIMATED PERCENT COMPLETE (STRUCTURES)

XXXXXXXXX	Traffic Signals							
PERCENT	100							

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY 11	Cloudy/showers/ mild	0		
MONDAY 12	Showers/windy/ mild	0		
TUESDAY 13	Showers/mild	0		
WEDNESDAY 14	Fair	0		
THURSDAY 15	Rain	0		
FRIDAY 16	Rain	0		
SATURDAY 17		0		

Routing: Kessey, Bond, Jackmond, Hopkins, Johnsen, Inloes, Richards, Glenn, Berg, Church, Gebauer, Widmer

RECEIVED
FEB 20 1979
CONSTRUCTION SECTION

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY 11	
12 MONDAY	
13 TUESDAY	
14 WEDNESDAY	
15 THURSDAY	
16 FRIDAY	
17 SATURDAY	

REMARKS

Status to Date: Job completed except for some minor clean-up.

Semi-Final estimate submitted Feb. 16, 1979.

FINAL WEEKLY REPORT.

SIGNED E. Rodriguez LOCATION Beaverton

E. Rodriguez

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

SP-F216

8619

December 9, 1977

Board of County Commissioners
Washington County
Courthouse
Hillsboro, OR 97123

Attention: Roger Thomasen
Director of Elections & Records

MISC. CONTRACTS AND AGREEMENTS No. 6345

Gentlemen:

Attached for your records is a fully executed copy of an agreement covering installation of traffic signals on Murray Boulevard at Butner Road.

We have retained a fully executed copy of this agreement for the Transportation Commission's files.

Very truly yours,

C. W. Head
COMMISSION SERVICES

fkn

Att.

cc Don Harwell (agree. att.)

8649

Beaverton

ENVIRONMENTAL REVIEW CHECKLIST

ALL CLEAR 10/19/77
Ronald L. Rust

11-17-77 Bid Letting _____ All Clear Deadline

SECTION MURRY BLVD. AT BUTNER RD.
Highway FAU 9067
County WAshington Region 1
Type of Work Signal (2PH) Funds HHS
State __ Consultant __ Plans Avail. __ Yes __ No

HHS-9067(1)

	Not Required	Required	Mitigation Required	Mitigation/Plans	ALL CLEAR	
DOCUMENTS:						
EIS	X					
Negative Declaration	X					
Project Assessment		X			X	Statewide - Non-major
Write-off Letter	X					
PERMITS:						
Division of State Lands	X					
D.O.G.M.I.	X					
Corps of Engineers	X					
Coast Guard	X					
Co. Conditional Use	X					
NPS Air Pollution	X					
NPS Water Pollution	X					
CULTURAL:						
Cultural Survey	X					
Cultural Salvage	X					
NOISE:						
Noise Study	X					

8649

5-2-77

U.S. DEPARTMENT OF TRANSPORTATION — FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FED. AID PROJECT NO.: HHS-9067(1)

STATE PROJECT NO.: See below

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.:

ITEM NO.: 71558

COUNTY NAME: Washington

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
STATE HWY ENGR
MAY 5 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	5-2-77	FAU 9067	County Road

GENERAL LOCATION:

"Murray Blvd. at Butner Rd. Section"

GENERAL DESCRIPTION OF WORK:

Preliminary engineering.

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☒ PREPARATION — TEC not to exceed $3,000 F.F. $2,700 including utility preparatory work.
☐ OTHER (Specify)

☐ ACQUISITION OF RIGHT-OF-WAY
CONTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS
☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Rulien's letter of 4-21-77, I concur that timesaving procedures enumerated in FHPM 6-8-2.2 are applicable and also concur that it is a non major action as set forth in FHPM 7-7-2.

Also as requested in Mr. Rulien's 4-21-77 letter, you are authorized to procedd with the work as shown above.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
5-2-77		For Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8649

8

Form 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

December 1, 1976

Salem, OR 97310

FROM: Gary A. Potter, Manager
Environmental Section

SUBJECT: Statewide Assessment
Murray Blvd. @ Butner Rd.
Title II Signalization
Washington County

TO: L. W. Rulien
Program Management Engineer

The subject signal would be located in a single family residential suburban neighborhood near Meadow Park Junior High School and some large apartment complexes. There are no sidewalks.

Since January 1, 1972, there have been twenty-two reported accidents (seven non-fatal injuries; fifteen property damages) at this intersection. Murray Boulevard is a major arterial, carrying approximately 11,500 ADT (1974). A manual turncount taken between 6 a.m. and 6 p.m. on June 3, 1976, showed 11,548 vehicles on Murray Boulevard and 905 vehicles on Butner Road.

Poor sight distances caused by high banks on the west side of Murray Blvd., and the lack of frequent safe opportunities for movements from Butner onto and across Murray contribute to the safety problems of this intersection.

The subject signal project has been assessed and evaluated for its potential impact on the quality of the human environment. It has been determined that no new right-of-way will be required, and this project is of a type for which the Statewide Assessment for Safety Projects is applicable. The Statewide Assessment classifies this project as Non-Major.

NOTED
E. S. HUNTER

GAP:cjh

cc: E. S. Hunter
R. N. Bothman
Craig Markham

RECEIVED
STATE HWY ENGR
DEC 1 '76
REFER TO
FOR
Info | Inve. | R/D | D/R | Sign | Act | file

8650 Tualatin River-Six Corner 1977
Sec. of 99W south of Tigard
(Paving)

#8650 ☆U.S. GOVERNMENT PRINTING OFFICE: 1974 — 732 - 628 STATE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

cc:
HS Coulter, OSHD

FINAL ACCEPTANCE REPORT

4-22-80

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	2	Washington	Oregon
DATE OF REPORT	**REPORT MADE BY**		**PROJECT NO.**
4-22-80	Bill Kappus, Area Engr.		F-9-3(3)
COMPLETION DATE	**ACCEPTANCE DATE BY CONTRACT AGENCY**	**TIME ELAPSED**	**CONTRACT TIME**
9-15-78	5-20-79	$\frac{199}{200}$ = 99.5 %	200 CWD
APPROVED EXTENSIONS	**LOCATION**		
---	On Hwy. 99 south from the Tualatin River to six corners junction near Sherwood, OR		

*The PR-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been submitted.
*A copy of the State's materials certificate is attached to the Division office copy of this report.
There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: *The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.*

TUALATIN RIVER-SIX CORNERS
PACIFIC HWY WEST
Paving

This project provided for the re-surfacing of the existing facility with bituminous material.

The final cost of the project was very close to the original estimate.

A final inspection of the completed project was conducted 9-20-78. Acceptance is recommended.

RECEIVED
STATE HWY ENGR
APR 28 '80
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

4-28

*NOTE: Not applicable for direct federal projects.

ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION	
SIGNATURE Original Signed By WILLIAM H. KAPPUS Area Engineer W. H. Kappus		SIGNATURE Original Signed By G. K. HOSSNER Field Operations Engineer G. K. Hossner	
TITLE Area Engineer	DATE 4-24-80	TITLE Field Operations Engr.	DATE 4-24-80

FORM FHWA-1446 B (12-73) FORMERLY PR-33E

Previous Editions of PR-33E Will Not Be Used.

8650

May 8, 1979

The Travelers Indemnity Co.
Surety Department
707 S.W. Washington Street
Portland, OR 97205

Gentlemen:

Contract No. 8650 awarded to Cascade Construction Company, Inc. for paving on the Tualatin River-Six Corners Section of the Pacific Highway West in Washington County was completed on September 15, 1978, and accepted by the State Highway Engineer on May 2, 1979.

The total contract amount is $628,100.44 including $6,913.92 for work performed under force account.

No claims for labor or material have been filed with us against the bond on this contract.

Sincerely,

C. W. Head
COMMISSION SERVICES

khr
cc: Cascade Construction Company, Inc.
P. O. Box 4267
Portland, OR 97208

bc: C. T. Keasey
Walt Hart
V. E. Skoog (Attn: Dick Hacek)
C. O. Fredrickson

8650

8

FORM 81-734-2030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: CON 5 #8650

Salem, Oregon

May 2, 1979

FROM: M. D. Glenn
Quality Control Engineer

TO: MEMO TO FILE

SUBJECT: Tualatin River-Six Corners
FAP No. F-9-3(3)
Contract No. 8650
Recomputed Price Adjustment for
Non-Spec. A.C. Mixtures

The price adjustment for non-spec. Class "C" and Class "E" A.C. mixtures has been recomputed in accordance with our March 1978 agreement with the FHWA:

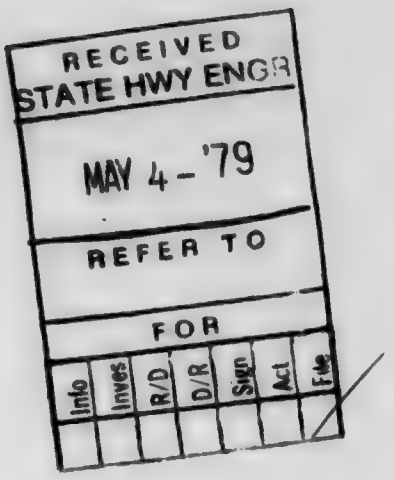
Bid Item	Amount	Recomputed Amount
P.A. No. 4 - Class "C" A.C. in leveling	0	$343.75
#14 - Class "E" A.C.	0	308.40
	Total	$652.15

The difference in amounts is $652.15. The amount to be credited to the project on a nonparticipating basis is $326.08.

MDG:fr

Att.

cc: H. S. Coulter
FHWA/Att.
C. O. Fredrickson
Warren Mueller
Bob Church/Att.
John Jenkins
Jim Kinns - Accounting
Test File



8650 D 1.W

Salem, Oregon
April 3, 1979

Fred Eriksen

Fred Eriksen
Design Engineer Supervisor

Warren Mueller
Resident Engineer

Tualatin River-Six Corners
Pacific Highway West
Washington County

Your "As Constructed Narrative" for the project indicates the paving work on the project went along smoothly. The traffic handline items show you were able to do work on the north and south bound lanes at the same time, although we had only planned to work on one pair of lanes at a time. This was surprising considering the amount of traffic this road carries.

It was unfortunate there was confusion over the pavement undersealing item. We usually do some checking with the Soils Sections on the locations of old concrete pavement that has been overlaid with asphalt pavement, often getting into the specific of the slab sizes so we can estimate drill hole patterns and from that, asphalt quantities.

I guess all I can say about that Warren, is we'll try to do better next time.

FE:ab
cc: C. O. Fredrickson

Versteeg
Anderson
Christensen
Olson
Sullivan
Terpin
Trout
Wakerlig

RECEIVED
APR 0 3 1979
ROAD DESIGN SECTION

Do Not File ☐
Return To
Bring Up ___/___/___
Action

8650

Oregon State Highway Division

Transportation Building, Salem, Oregon 97310

DATE: October 10, 1978

TO: G. L. Green, Division Administrator
Federal Highway Administration

FROM: C. T. Keasey
Construction Engineer

SUBJECT: Request Contract Acceptance
Federal-aid Project No. F-9-3(3)

Contract 8650, Work Completed September 15, 1978

Project Tualatin River-Six Corners

Highway Pacific West

County Washington

We request that your office return a signed copy of this letter indicating acceptance or list conditions which would prevent your final acceptance of the contract work.

NOTED
H.S.COULTER

Acceptance Date 9-20-78

G. K. Green
for G. L. Green
Division Administrator

RDC:mk

cc: H. S. Coulter
C. T. Keasey
C. O. Fredrickson
R. D. Church

RECEIVED
STATE HWY ENGR
OCT 24 '78
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

8650

FORM 81-734-3001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

	SECTION: TUALATIN RIVER-SIX CORNERS	WEEK ENDING: 9/16/78
		SECTION PREFIX: 34-1009-900
	HIGHWAY: PACIFIC WEST	COUNTY: WASHINGTON
NAME OF JOB: TUALATIN RIVER-SIX CORNERS	KIND OF WORK: PAVING	
CONTRACTOR: CASCADE CONSTRUCTION COMPANY	CONTRACT NUMBER: 8650	FEDERAL AID PROJECT NUMBER: F-9-3(3)
DATE OF CONTRACT: 11/22/77	DATE WORK STARTED: 2/24/78	ESTIMATED COMPLETION DATE: 9/16/78
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 5 SUPERVISION: 2	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 200,	CALENDAR DAYS USED 200
	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED 100
PROJECT AUTHORIZATION: $ 798,347.09		PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST 99
EXCLUSIVE OF ENGINEERING: $ 735,042.03	ENGINEERING AUTHORIZATION $ 63,305.06	
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $ 735,042.03	ENGINEERING COST TO DATE $ 42,200.00	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION 97
ESTIMATED PERCENT: OVERRUN / UNDERRUN ____ %	PERCENT OF AUTHORIZATION 67 %	DATE PROJECT WAS COMPLETED:

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		
			GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT							
MILES PARTIALLY COMPLETED							
MILES COMPLETED							
TOTAL ESTIMATED QUANTITIES (CONTRACT)							28,000.00
TOTAL QUANTITIES CORRECTED TO DATE							
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE							31,080.64
AVERAGE DAILY QUANTITIES							
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME							
NUMBER OF SHIFTS PER DAY							
HOURS PER SHIFT							

EQUIPMENT USED DURING THE WEEK:

1 BULLDOZER, 1 AUGER

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.								
PERCENT								

		WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY	10	Cloudy-Rain	194		
MONDAY	11	Cloudy	195		
TUESDAY	12	Ptly Cloudy	196		
WEDNESDAY	13	Cloudy-Rain	197		
THURSDAY	14	Cloudy	198		
FRIDAY	15	Ptly Cloudy	199		
SATURDAY	16	Cloudy	200		

RECEIVED
SEP 18 1978
CONSTRUCTION BRANCH

Keasey, Jackmond, Hopkins, Williams, Johnsen, Glenn, Richards, Berg, Inloes, Widmer, Gebauer, Church

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY	
MONDAY	NO ACTIVITY
TUESDAY	NO ACTIVITY
WEDNESDAY	NO ACTIVITY
THURSDAY	SETTING DELINEATORS, POURED AND FORMED TYPE D INLETS, WORKED ON SLOPES
FRIDAY	SETTING DELINEATORS
SATURDAY	

REMARKS

JOB STATUS: JOB COMPLETE

SIGNED Warren E. Mueller LOCATION

WARREN E. MUELLER, RES. ENG.,,SALEM

PRIME RESIDENT SUBMIT 2 COPIES WHEN BRIDGES AND GRADING BOTH ARE INVOLVED. SUBMIT 3 COPIES

SP*F216

8650

9

Oregon State Highway Division

July 10, 1978

Cascade Construction Co. Inc.
P.O. Box 4267
Portland, OR 97208

Attention: Jon Morris
Vice President

Re: Contract 8468 and 8650

Gentlemen:

The $1,000.00 securities deposit released on Contract 8468 is being applied to Contract 8650 per your memo of 7-6-78.

Vernon E. Skoog
Controller

by _____
James J. Kinns
Contract Accounting Supervisor

JJK:cw

cc: U.S. National Bank

bc: C.W. Head
R. Church
C.W. Barrett, Jr. (Att.)

NOTED
C. W. HEAD

LETTER OF APPROV[illegible] AND/OR AUTHORIZATION

U.S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

6-1-78

FEDERAL AID PROJECT NO.
F-9-3(3)

STATE PROJECT NO.
See below

FROM:
G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.

ITEM NO.
80001

COUNTY NAME
Washington

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. F. B. Klaboe, Chief of Operations
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
10/26/77	4/27/78	Primary 9	Primary 1W

GENERAL LOCATION:

Tualatin River-Six Corners

GENERAL DESCRIPTION OF WORK:

Extend culvert pipe under 14 crossovers.

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

☐ PRELIMINARY ENGINEERING TO DETERMINE LOCATION ONLY

☐ PRLIMINARY ENGINEERING FOR SURVEY AND PLAN PREPARATION

☐ OTHER (Specify)

☐ ACQUISITION OF RIGHT-OF-WAY

☐ CONTRUCTION - ADVERTISE FOR RECEIPT OF BIDS

☒ CONSTRUCTION - PROCEED ON [illegible] FORCE ACCOUNT BASIS

REMARKS

This will confirm the advance authorization date of 4/27/78 as requested in Mr. Keasey's letter of 5/24/78 as being in the public interest for the use of State forces to proceed with the above work. State Force Order No. 3 is approved for TEC NTE $1,600, Federal funds $1,373.

NOTED
F. B. [illegible]

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
6/1/78	G. K. Hansen	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8650 5-12-78

U.S. DEPARTMENT OF TRANSPORTATION · FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.
F-9-3(3)

STATE PROJECT NO.
See Below

COUNTY NAME
Washington

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

FROM:
G. L. Green
Division Administrator

PROGRAM NO.

ITEM NO.
80001

TO:

Mr. F. B. Klaboe
Chief of Operations
Oregon Department of Transportation
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER / STATE ROUTE NUMBER
10-26-77	4-12-78	Primary 9 / Primary 1W

GENERAL LOCATION:
"Tualatin River - Six Corners Section"

GENERAL DESCRIPTION OF WORK:
Temporary Pavement Striping

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION
☐ OTHER (Specify)

☐ ACQUISITION OF RIGHT-OF-WAY
CONTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS
☒ CONSTRUCTION - PROCEED ON [illegible]
[illegible] FORCE ACCOUNT BASIS

REMARKS

This will confirm the advance authorization date of 4-12-78, as requested in Mr. Keasey's 4-26-78 letter as being in the public interest for the use of State forces to proceed with the above work. State Force Order No. 2 is approved for TEC NTE $1,000 - Federal funds $858.

[illegible] 5-17

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
5-12-78	G. K. Hansen	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 8-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8650

8

Form 81.734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, OR

January 17, 1978

FROM: George Hopkins
Construction Field Engineer

SUBJECT: Tualatin River-Six Corners
Washington County
Contract #8650

TO: C. O. Fredrickson
Region Engineer
SALEM

NOTED
H. S. COULTER

Attn: Robert Royer

As previously discussed with you by telephone, I am returning your request to perform extra work on subject contract, unapproved. The existing contract provides for a minimum of deck preparation to install the rubber-asphalt chip seal and I suggest that we proceed on this basis.

Structural overlay work, being very specialized, is not consistent with the normal operations of a paving contractor and I believe that we can probably get the desired work performed at a more favorable price by letting a separate contract.

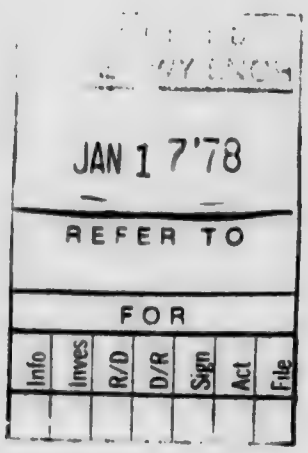
There is no question of the need for some corrective work on the deck of the northbound structure #1417N.

By copy of this letter I'm asking Walt Hart to consider this structure in competition with other bridge decks needing a structural overlay for any funds that might be available.

GH:mk

Attach.

cc: H. S. Coulter
Walt Hart
Ed Hardt



8650

STATE COPY 2

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	OREGON
MONTHLY TRANSACTION NO. 1-25	FEDERAL-AID PROJECT AGREEMENT 1-10-78	County Washington
		Project No. F-9-3(3)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

SR 99W, Tualatin River-Six Corners

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	10-26-77	3.126
OTHER *(Specify)*		

FUNDS Pro rata 85.8%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 780,187.00	$ 669,400.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By C J Hunter

Technical Services Engineer
(Title)

By H S Oamilton

State Highway Engineer
(Title)

By _____

_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By Tony Bassow
(Division Administrator)

For: G. L. Green

Date executed by Division Administrator JAN 10 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtednesss of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

file

Oregon State Highway Division
Salem, Oregon, December 14, 1977

Federal-aid Project
No. F-9-3(3)

TUALATIN RIVER-SIX CORNERS SECTION
PACIFIC HIGHWAY WEST
WASHINGTON COUNTY

Project Agreement Estimate.

Type Code 9672
Roadway (Sta. 240+57 to Sta. 405+60)

Mobilization	All Required		$ 25,500.00
Temporary Protection and Direction of Traffic	All Required		9,801.00
Temporary Signs	683 sq.ft.	7.50	5,122.50
Temporary Barricades	8 only	105.00	840.00
Temporary Plastic Safety Markers	50 only	73.50	3,675.00
Flagmen	1,000 hour	17.00	17,000.00
Sequential Arrow Sign	2 only	2,713.00	5,426.00
Removal of Structures and Obstructions	All Required		11,480.00
Embankment in Place	680 cu.yd.	12.85	8,738.00
1" - 0 Aggregate Base	5,000 ton	6.18	30,900.00
Drilling Holes	640 only	5.25	3,360.00
Underseal Asphalt	51 ton	326.00	16,626.00
Class "B" Asphalt Concrete Mixture	15,700 ton	9.54	149,778.00
Class "E" Asphalt Concrete Mixture	5,800 ton	10.00	58,000.00
Class "B" Asphalt Concrete Mixture in Leveling Course	7,300 ton	9.61	70,153.00
Asphalt Cement in Mixture	1,910 ton	80.00	152,800.00
Portland Cement Additive in Class "E" Mixture	60 ton	64.00	3,840.00
Asphalt in Tack Coat	39 ton	138.00	5,382.00
Concrete Inlets, Type D	2 only	400.00	800.00
Guard Rail, Type 2A	1,538 lin.ft.	8.00	12,304.00
Guard Rail, Type 3	250 lin.ft.	16.50	4,125.00
Guard Rail Anchors, Type 1	8 only	263.00	2,104.00
Guard Rail Anchors, Type 2	6 only	315.00	1,890.00
Extra for Guard Rail Bridge Connections	4 only	263.00	1,052.00
Rail End Pieces, Type A	6 only	21.00	126.00
Rail End Pieces, Type C	8 only	105.00	840.00
Extra for Asphalt Approaches	121 only	75.00	9,075.00
Bridge Connections with Concrete End Piece	6 only	315.00	1,890.00
Delineators	560 only	14.70	8,232.00
Asphalt-Rubber Chip Seal	4,130 sq.yd.	11.00	45,430.00

Raise Deck Joint, Concrete Dams	66 lin.ft.	150.00	$ 9,900.00
Raise Deck Joint, Steel Dams	120 lin.ft.	70.00	8,400.00
			$684,589.50

Anticipated Items

Permanent Pavement Striping (S.F.)	All Required		$ 2,000.00
On-the-Job Trainees (E.W.)	All Required		800.00
			$ 2,800.00
	Subtotal		$687,389.50
	Engineering		92,797.50
	Total		$780,187.00

Length of Project - - - - - 3.126 miles
Cost of Roadway Per Mile- - $249,579.97

Work Retained in Program Status
(Not included in amounts below.)

Bridge Repair, Br. #1417N and Br. #14175	All Required	$ 15,000.00

Federal Funds (85.8%) -	$669,400.00
State Funds -	110,787.00
Total	$780,187.00

Group 1 - 100%

Contract No. 8650

Prefix: 34-1009

TUALATIN RIVER-SIX CORNERS SECTION
Nonparticipating - State Work

State Responsibility for Damages	All Required	$ 1,000.00

8458

STATE OF OREGON

INTEROFFICE

8

DATE: November 3, 1977

TO: E. S. Hunter
Technical Services Engineer

FROM: Gerald Wimer
Local Government Programs Engineer

SUBJECT: PROJECT ASSESSMENT
Tualatin River-Six Corners
Pacific Highway West
Washington County

NOTED
E. S. HUNTER

Attached for your information is an assessment, concurred in by the Federal Highway Administration.

Program Management classifies this section as a Category 3 project of Nonmajor action.

Your approval will place this project in our Project Management System and allow its development in accordance with Action Plan procedures.

BLG:dpy

Attachment

cc: J. B. Boyd (3)
L. E. George
W. J. Hart
C. T. Keasey
J. H. Versteeg (4)
F. E. Terpin (3)
G. A. Potter (2)
George Bell
R. E. Royer
Surfacing Design - Lab Bldg.
Region 1: Ed Hardt
District 2: W. W. Geibel
Region 1 Geologist: Dan Gano
B. L. Gifford

APPROVED
J H Versteeg
Date 11-1-77

81-125-1387

8160

9

Salem, Oregon
November 2, 1977

H.S. Coulter
State Highway Engineer

F I L E

Footpaths and Bicycle Trails
November 17, 1977 Bid Letting

Isolation Loop,
Sec Corner

This is an informational report to document the Highway Division's action taken with regard to establishing footpaths and bicycle trails on projects as set forth in ORS 366.514. Bids will be opened November 17 on the following:

1. Wolf Creek Inn, Josephine County

   Building Restoration

      Footpaths or bicycle trails are not incorporated in this project as no new highway construction, reconstruction or relocation is involved.

2. Pacific Highway East at SE River Road (Milwaukie)
   Pacific Highway East (SE McLoughlin Boulevard)
   Clackamas County

   Traffic Signals

      Same as No. 1.

3. Sandy West City Limits-Alder Creek
   Mt. Hood Highway, Clackamas County

   Paving
   Overlay project--4-foot to 10-foot shoulders provided

      Same as No. 1.

4. Warrenton/Astoria Highway Junction
   Oregon Coast Highway, Clatsop County

   Grading, Paving, Signals
   Left turn refuge with 6- to 10-foot shoulders available for bicycle traffic.

      Bike lane striping in this area contemplated at later date.

5. Oregon Coast Highway at Cemetery Road (Millington)
   Oregon Coast Highway, Coos County

   Grade, Paving. Primarily frontage road improvement.

   Footpaths and bicycle trails will not be established under this project as per ORS Chapter 366, Section 2, subsection 2(b) wich states "Footpaths and trails are not required to be established...if the cost of establishing such paths and trails would be excessively disproportionate to the need or probable use.

6. South Umpqua River (Winston) Overflow Channel
   Coos Bay-Roseburg Highway, Coos County

   Channel Improvement

   Same as No. 1.

7. Rhea Road Relocation
   Rhea County Road, Gilliam County

   Grading, Base
   Four-foot shoulders provided

   Same as No. 5.

8. Hines-Diamond Avenue (Burns)
   Central Oregon Highway, Harney County

   Grading, Paving

   An 8-foot Class II bikeway will be constructed in conjunction with this project.

9. Pacific Highway-McKenzie Highway (Springfield)
   Eugene-Springfield Highway, Lane County

   Guard Rail, Signing

   Same as No. 1.

10. Pacific Highway East at Irving Road
    Pacific Highway East, Lane County

    Traffic Signals

    Same as No. 1.

11. Rome-Burns Junction
I.O.N. Highway, Malheur County

Paving
Overlay project. Four-foot shoulders provided.

Same as No. 1.

12. Snake River (Adrian) Bridge
Succor Creek Highway (Parma Spur), Malheur County

Bridge Repairs

Same as No. 1.

13. Tunnel Creek-Whitewater Road
North Santiam Highway, Marion County

Grading, Paving
Cutbank Stabilization and Overlay

Same as No. 1.

14. Kings Valley Highway at Main Street (Dallas)
Kings Valley Highway, Polk County

Traffic Signals

Same as No. 1.

15. Newbury and Vermont Streets Viaducts (Portland)
Pacific Highway West, Multnomah County

Structure Repairs

Same as No. 1.

16. NW Kittridge Avenue-NW 26th Avenue (Portland)
FAU 9300 (NW Front Avenue), Multnomah County

Grading, Paving, Signals

Five-foot and 7.5-foot sidewalks will be provided on this project.

17. Murray Boulevard at Butner Road
FAU 9067, Washington County

Traffic Signals

Same as No. 1.

18. Tualatin River-Six Corner
Pacific Highway West, Washington County

Overlay Project
Four-foot to 10-foot shoulders provided

Same as No. 1.

DES:jp

cc Robert Burco
F.B. Klaboe
E.S. Hunter
D.G. Talbot
L.E. George
F.E. Terpin
George Bell
Don Harwell

8650

Form FHWA 121 (Rev. 5-72)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem, Oregon 97308

SUBJECT: Oregon Project No. F-9-3(-)
Tualatin River-Six Corners
Pacific Highway West
Washington County
Project Assessment

DATE: October 25, 1977

In reply refer to: HA.1-OR

FROM : G. L. Green, Division Administrator

TO : Mr. H. S. Coulter, State Highway Engineer
Salem, Oregon

The subject project assessment submitted with Mr. Wimer's 10-18-77 memorandum has been reviewed.

We concur with your finding that the proposed project constitutes a non-major action. We also concur with your traffic noise analysis.

The proposed standards, design and other specific details contained in the assessment will be subject to future reviews at the appropriate stage during the project development.

for G. L. Green

cc:
ODOT (Potter, EnvSec)
ODOT (Laux, Proj Mgmt & Oper)
OSHD (Reg 1, Markham)

RECEIVED
STATE HWY ENGR
OCT 26 '77
REFER TO
FOR
Info | Init | Circ | D/R | Sign

8650

IW

ENVIRONMENTAL REVIEW CHECKLIST

ALL CLEAR 10/19/77
Donald L. Bout

11-17-22 Bid Letting _____ All Clear Deadline

SECTION TUALATIN RIVER-SIX CORNERS
Highway Pacific West
County Washington Region 1
Type of Work Overlay Funds FA
State __ Consultant __ Plans Avail. __ Yes __ No

F-9-3( )

	Not Required	Required	Mitigation Required	Mitigation/Plans	ALL CLEAR	
DOCUMENTS:						
EIS	X					
Negative Declaration	X					
Project Assessment		X			X	No identified problems
Write-off Letter	X					
PERMITS:						
Division of State Lands		X				
D.O.G.M.I.	X					
Corps of Engineers	X					
Coast Guard	X					
Co. Conditional Use	X					
NPS Air Pollution	X					
NPS Water Pollution		X				
CULTURAL:						
Cultural Survey	X					
Cultural Salvage	X					
NOISE:						
Noise Study		X		X		

8650

12

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
September 19, 1977

FROM: Fred Eriksen
Design Engineer Supervisor

SUBJECT: Tualatin River-Six Corners
Pacific Highway West
Washington County

TO: MEMO TO THE FILES

Reviewed the accident history (previous five years) on this section (M.P. 12.00 to M.P. 15.23) with Duane Hoffstetter.

According to the computer data we looked over there were no problem areas other than the Six Corners Intersection. Duane indicated the intersection had received considerable study by the Traffic Section and that it would take an interchange to cure the problem.

FE:az
cc: John Sheldrake
Duane Hoffstetter
Dick Leu

1/2 Versteeg ✓
Christensen Doc
George
Dixon
Turpin
Sullivan
Scott
Savage
Trout

RECEIVED
SEP 20 1977
ENGINEERING SECTION

Do Not File [ ]
Return To
Bring Up ___/___/___
Action

8651 Skipanon River (Warrenton) 1977
Br. Sec. of Warrenton-Astoria Hwy.
(Grade, pave, struc, sign & illum) #8

STATE OF OREGON

INTEROFFICE MEMO

TO: Scott Coulter
Department of Transportation

DATE: October 1, 1982

FROM: Timothy Wood
Assistant Attorney General

NOTED
H. S. COULTER

SUBJECT: Ross Brothers v. State

I talked to Dan Seifer, the attorney for Ross Brothers regarding the appeal in the above captioned case. Dan has agreed not to appeal the matter any further. The law in Oregon is now that a bridge is a bridge and a barge is a barge and a bridge is not a barge.

In exchange for Seifer's agreement not to appeal the matter further, we have agreed to waive costs which in this case simply includes a filing fee and a $50 prevailing party fee.

If you have any questions regarding the matter, please feel free to contact me.

TW:mj
cc: O. B. Jackmond
Chuck Frederickson
Ted Litchfield

RECEIVED
STATE HWY ENGR
OCT 4 '82
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

8251 9-15-82 L.

RECEIVED
STATE HWY ENGR
SEP 15 '82
REFER TO
Dollie
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Dwight 9-16

FILED
COURT OF APPEALS
SEP 15 1982
STATE COURT ADMINISTRATOR
By _____ Deputy

IN THE COURT OF APPEALS OF THE STATE OF OREGON

Ross Bros. Construction Co., Inc., an Oregon corporation,

Respondent,

v.

No. 119 933
CA A22650

State of Oregon, acting by and through its Transportation Commission, Highway Division,

Appellant.

* * * * * * * * *

Appeal from Circuit Court, Marion County.

Richard D. Barber, Judge.

Argued and submitted July 21, 1982.

Christine L. Dickey, Assistant Attorney General, Salem, argued the cause for appellant. With her on the briefs were Dave Frohnmayer, Attorney General, and William F. Gary, Solicitor General, Salem.

Elizabeth Yeats, Portland, argued the cause for respondent. On the brief were Daniel J. Seifer, and Kobin & Meyer, P.C., Portland.

Before Gillette, Presiding Judge, and Warden and Young, Judges.

YOUNG, J.

Reversed and remanded.

Warden, J., concurring in part and dissenting in part.

GROSS FILED: September 15, 1982

COSTS SHEET

Case Name: Ross Bros. Const. v. Trans. Comm.

Court of Appeals Case Number A22650 C

Trial Court or Agency Case Number 119 933

The prevailing party is appellant

[ ] No costs are awarded.

[X] Costs are awarded to the prevailing party.

The party responsible for paying costs is respondent

****

The following entries will be made as appropriate at the time that the appellate court decision is enforceable. Attorneys see Rules 11.03, 11.05 and 11.10.

It is therefore ordered that the prevailing party[ies] recover[s] from _____

costs and disbursements on appeal taxed at $_____,

and the further sum $_____ as attorney fees.

The Supreme Court denied petition for review on _____

Date appellate court decision is enforceable: _____

YOUNG, J.

Plaintiff seeks to recover damages from the Oregon Transportation Commission, Highway Division (Highway), for breach of a contract for construction of a new bridge and removal of an existing bridge. The parties filed cross-motions for summary judgment. The trial court found an ambiguity in the contract and granted plaintiff a partial summary judgment. Highway appeals. We reverse.[1]

The Skipanon Bridge, which spans the Skipanon river in Clatsop County, was built with a removable section to permit river traffic to pass. At the time the parties entered into the contract, the section was moved by means of a barge owned by the state.[2] The barge was moored at the bridge, secured by ropes to the bridge piling, so that it would be readily available to remove the section.

During December, 1977, Highway contracted with plaintiff for construction of a new bridge across the river and the removal of the existing bridge with the removable section. "Materials," as defined in the contract, removed from the existing bridge were to become the property of the contractor. Plaintiff contends that the barge was part of the existing bridge and that it therefore became its property upon removal. The state denies that the barge was a part of the bridge and has retained possession. The trial court, on the

basis of the evidence submitted in support of the motion for summary judgment, found that the contract was ambiguous and interpreted the ambiguity in favor of plaintiff. We do not agree.

Construction of a contract is a question of law. Timberline Equipment v. St. Paul Fire and Mar. Ins., 281 Or 639, 643, 576 P2d 1244 (1978). The determination whether a contract term is patently ambiguous or, in light of the surrounding circumstances, latently ambiguous is also a question for the court. Timberline Equipment v. St. Paul Fire and Mar. Ins., supra; Bartlam v. Tikka, 50 Or App 217, 622 P2d 1133, rev den 290 Or 853 (1981). If a term is found to be ambiguous, it is the jury's function to resolve its meaning. The threshold determination of the existence of the ambiguity, however, remains a legal question. Timberline Equipment v. St. Paul Fire and Mar. Ins., supra; Bartlam v. Tikka, supra. A term is ambiguous if it has no definite significance or if it is capable of more than one sensible and reasonable interpretation. A term is unambiguous if its meaning is so clear as to preclude doubt by a reasonable person. May v. Chicago Ins. Co., 260 Or 285, 490 P2d 150 (1971); Bartlam v. Tikka, supra.

The contract between the parties consisted, in relevant part, of (1) special provisions relating to the removal of bridges; (2) standard specifications; and (3) plans for removal.

The contract also referred to the plans of the existing bridge. The special provisions under the caption "Removal of Bridges" provides, in pertinent part:

> "1. * * * [T]he contractor shall remove the existing bridge over the Skipanon River. * * *
>
> "2. Removal of work and disposal work shall be in conformance with Section 202 as supplemented or modified herein. * * *
>
> "3. All parts of the existing bridge shall be removed to a minimum elevation of -11.6.
>
> "4. Plans of the existing structure are available for viewing at the office of the Bridge Engineer in Salem.
>
> "5. The contractor shall salvage the existing timber and steel stringers and steel caps * * *." (Emphasis supplied.)

The standard specifications define a "bridge" as:

> "A structure, including supports, erected over a depression or an obstruction, as water, highway, or railway, and having a track or passage way for carrying traffic or other moving loads."

The work to be done is defined as:

> "This work shall consist of the removal and disposal, wholly or in part, of buildings, bridges * * * and other matter of man-made or artificial character as contrasted with things or matter of natural or native origin, together with the cleaning up of various areas worked on.
>
> "The objects, things and matters covered under this specification shall be collectively referred to herein as 'material(s).' * * *
>
> "This removal work does not include the removal or disposal of things and matter which are designated to remain."

The specifications further provide:

> "All materials shall become the property of the contractor at the place of origin and shall be disposed of by him in conformance to all laws, regulations and rules legally imposed on such activity."

ORS 42.250 creates a presumption that words have been used in their primary and accepted sense. No evidence has been presented that the parties used or understood the language in a technical, local or otherwise peculiar sense. The contract makes no mention of the barge, nor is the barge described in the plans of the existing bridge. The barge could not reasonably be included in the contract definition of "bridge," for it is not a "structure" erected over water and "having a passage way for carrying traffic or other moving loads." Neither is it a "support" of the structure "erected over a depression or an obstruction." The barge may be necessary to float the center span out on occasion, but it does not serve as a foundation for the existing structure. The plans and specifications clearly define the structure to be removed and are not susceptible of more than one meaning. We conclude the term "bridge" is not patently ambiguous.

The concurrence suggests that the provision defining the work to be done as consisting of the "removal and disposal * * * of * * * bridges * * * and other matter of man-made or artificial character as contrasted with things or matter of natural or native origin" could reasonably include the barge.

However, that overlooks the fact that the parameters of the "removal and disposal" are delineated by the subject of the contract itself; i.e., the removal of "the existing bridge over the Skipanon River." ORS 42.230 requires that a contract be construed in its entirety. The concurrence would ignore this and argue that any matter of man-made or artificial character at the job site, not designated to remain, could be subject to removal and disposal. Surely a toll booth, tug, or crane located at the bridge would also be encompassed by this construction of the provision. Such an interpretation creates an ambiguity where none exists. The contract, in its entirety, is not patently ambiguous on the subject of the barge.

Plaintiff also argues that the surrounding circumstances demonstrate that the contract suffers from a latent ambiguity. Plaintiff points to the fact that the barge was moored at the bridge site and that it was so situated when the bridge and job site were examined before plaintiff bid. It is asserted that the proximity of the barge created an ambiguity as to whether the barge was part of the bridge, subject to removal and salvage as "materials." Whatever plaintiff's subjective intent and understanding may have been, we hold that the location of the barge at the bridge site could not, as a matter of law, create uncertainty in the mind of a reasonable person as to the meaning of the contract terms. To find that a plaintiff's

undisclosed conclusion is sufficient in itself to create a jury question on ambiguity would undermine a basic premise of contract law; i.e. the reliance on objective manifestations of intent. See Kabil Developments Corp. v. Mignot, 279 Or 151, 566 P2d 505 (1977); Kitzke v. Turnidge, 209 Or 563, 307 P2d 522 (1957).

Reversed and remanded.

FOOTNOTE

[1] Plaintiff was subsequently awarded judgment for $35,000, an amount stipulated by the parties.

[2] Before the barge was purchased, the state had rented barges from third parties.

WARDEN, J., concurring in part and dissenting in part.

I agree with the majority that the decision of the trial court granting plaintiff's motion for summary judgment must be reversed and the case remanded. However, I disagree with the majority in its conclusion that there is no ambiguity in the contract, either patent or latent. The effect of the majority opinion is to direct the trial court to grant defendant's motion for summary judgment. Because I find the contract to be ambiguous, and the case, therefore, presents a jury question, I respectfully concur.

The pertinent portions of the contract are set out in the majority opinion. The majority says that there is no patent ambiguity as to whether the bridge removal includes the barge, because "[t]he barge could not reasonably be included in the contract definition of 'bridge.'" The contract defines "bridge" as:

> "A structure, <u>including supports</u> erected over a depression or an obstruction * * * and having a track or passage way for carrying traffic or other moving loads."

Regarding the words "including supports" in the definition of "bridge," the majority substitutes a conclusion for analysis in saying it is also not a "support." Websters Third International Dictionary defines the noun "support," as used in this context, as "one that supports: a supporting means, agency, medium * * *." It defines the verb "support" as "to hold up or in position:

serve as a foundation or prop for: bear the weight or stress of: keep from sinking or falling * * *." It is arguable that the barge is a supporting means that holds up the removable section of the bridge, bears its weight or, perhaps, keeps it from sinking. The possibility of construing the barge as a support renders the contract ambiguous.

Further, the majority overlooks the fact that the contract for removal includes not only "removal and disposal" of the bridge but of "other matter of man-made or artificial character." The contract further provides that "objects, things and matters covered under this specification shall be collectively referred to herein as 'material(s)'" and that "[a]ll materials shall become the property of the contractor * * *." Again, the contract could be interpreted to mean that the barge is "other matter of man-made or artificial character" and as such constitutes "materials" to "become the property of the contractor." The contract excludes from the removal work "the removal or disposal of things and matter which are designated to remain." As the majority points out, the contract makes no mention of the barge; the barge was not excluded from the removal work as a thing or matter "designated to remain." Because the barge was not excluded from materials to be removed and may be argued to be matter of man-made or artificial character and thus material that would become property of the contractor, the

contract is ambiguous on the subject of the barge.

As I read it, the contract is patently ambiguous. The ambiguity presents a jury question precluding decision by summary judgment. The majority is in error in finding no ambiguity. I concur with the majority that the case must be reversed and remanded to the trial court, but I do not agree with the conclusion that the terms of the bridge removal contract are not ambiguous as a matter of law.

8651

6-11-82

IN THE COURT OF APPEALS OF THE STATE OF OREGON

ROSS BROS. CONSTRUCTION CO., INC., an Oregon corporation, Plaintiff-Respondent, v. STATE OF OREGON, acting by and through its Transportation Commission, Highway Division, Defendant-Appellant.	) Trial Court) No. 119,933) Appellate Court) No. A22650	NOTED W. E. SCHWARTZ

APPELLANT'S REPLY BRIEF

Appeal from the Judgment of the Circuit Court
for Marion County
Honorable Richard D. Barber, Judge

DAVE FROHNMAYER (71001)
Attorney General
WILLIAM F. GARY (77032)
Solicitor General
CHRISTINE L. DICKEY (78484)
Assistant Attorney General
100 State Office Building
Salem, Oregon 97310
Telephone: 378-4402

Attorneys for Defendant-Appellant

DANIEL J. SEIFER (69156)
KOBIN & MEYER
610 S.W. Alder, Suite 800
Portland, Oregon 97205
Telephone: 223-1107

Attorneys for Plaintiff-Respondent

6/11/82

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REPLY BRIEF

STATEMENT OF THE CASE

The state relies in its entirety on its statement of the case set out in its opening brief.

ARGUMENT

A. The rule of "expressio unius est exclusio alterius" has no application if the barge is not "part of the existing bridge."

Ross Brothers' brief properly asks the question of whether or not the barge was part of the existing bridge. (Res. Br. 8). In its answer to that question, Ross Brothers relies almost exclusively on the maxim that the mention of one thing in a writing implies the exclusion of things not mentioned. If the contract makes the barge a "part of the existing bridge," the failure to include the barge in the materials to be salvaged for the state would support Ross Brothers' claim to the barge. However, reliance on this maxim completely begs the question. The "expressio unius" rule will not come into play unless and until it is established that the barge is part of the bridge. Were this not so, Ross Brothers would have an equally meritorious claim to state property in existence anywhere that was not expressly included as items to be salvaged for the state. The failure of the state to exclude the barge is not the "unexpressed intent" of the state (Res. Br. 11) that the barge not become the property of the contractor anymore than its failure to exclude any other state property not part of

the bridge is its unexpressed intent that such property not become the property of the contractor.

The question posed can be answered by examining the definition of "bridge" in the contract and examining the actual plans of the bridge which were also part of the contract. The definition provides that a bridge is a structure, including supports, spanning a depression or obstruction and having a passage for traffic. The plans detail such a structure. Neither the definition nor the plan mention or identify a barge or anything which could be construed as a barge.

The only circumstance which even raises the possibility that a barge was involved in the contract is the mere presence of the barge at the bridge site. Under these circumstances, the assertion that the barge is part of the bridge would be equivalent to an assertion that a truck parked next to a trailer is part of the trailer or that a horse stabled next to a buggy in a barn is part of the buggy.

Ross Brothers is correct in stating that the basic premise of the state's position is that it is manifestly unreasonable for the contractor to include the barge in the materials removed from the bridge that he was entitled to salvage and keep. For Ross Brothers to prevail, the question which the court must answer affirmatively is whether in light of a contract for the removal of a bridge which makes no mention of a barge, does the fact that a

barge, used to open the bridge, is tied up next to the bridge create a situation in which all reasonable persons would conclude that the parties intended that the barge be part of the bridge? The answer is clearly no.

For Ross Brothers to prevail to the extent that the case is remanded for trial, the question which must be answered affirmatively is whether in light of a contract for the removal of a bridge which makes no mention of a barge, does the fact that a barge, used to open the bridge, is tied up next to the bridge create a situation in which any reasonable person would conclude that the parties intended that the barge be part of the bridge? Again, the answer is no.

B. Evidence of undisclosed subjective intent is not properly before the court.

If the contract is ambiguous, extrinsic evidence of objective manifestations of intent is admissible to resolve the ambiguity. Evidence of undisclosed subjective intent is not. (See cases cited in the state's opening brief). Southworth v. Oliver, 284 Or 361, 587 P2d 994 (1978) (evidence of subjective intent may be admissible on the question of the existence of a contract) and Shadbolt v. Farmers Ins. Exchange, 275 Or 407, 551 P2d 478 (1976) (the insured's reasonable interpretation of an ambiguous insurance contract will be given effect, i.e., an ambiguous insurance contract will be construed against the drafter) do not support Ross Brothers' assertion that such evidence is admissible.

Even if such evidence were considered on the question of the contractor's intent, it is certainly not sufficient evidence to compel a directed verdict in favor of the contractor on the issue of the parties' intent.

C. If the contract is ambiguous, a question of fact is presented.

Ross Brothers contends that even in the absence of the contested testimony of subjective intent in the affidavit, the remaining portions of the affidavit are evidence of "the contractor's interpretation, reflected in its bid, that the float was a salvage-able part of the existing bridge." Even if this were so, the affidavit does not constitute such overwhelming evidence on the issue of the parties' intent that no genuine issue of fact is presented. Furthermore, it is difficult to see how Ross Brothers' interpretation is reflected in its bid. Mr. Ross claims he estimated the cost of removal to be $53,000 and bid $35,000. Yet Ross Brothers estimated the value of the barge to be $90,000. Finally, the piece of paper which purports to reflect these calculations bears no indication that the barge was considered in the calculations.

When the evidence before the court is considered in its entirety, it is clear that it does not overwhelmingly resolve the issue of the intent of the parties. If the contract is ambiguous, the case must be reversed and remanded for trial.

D. If a contract is ambiguous, the drafting party does not automatically lose.

If a dissatisfied party to a contract had only to advance a reasonable alternative interpretation to a contract and then identify the drafter, there would be very little contract litigation. However, the law provides that if a contract is ambiguous, the meaning will be determined by extrinsic evidence of intent if at all possible. As Ross Brothers recognizes (Res. Br. 19), if after this process of weighing the extrinsic evidence the meaning of the contract cannot be determined, the court may interpret the contract by the application of rules of construction. What Ross Brothers refuses to recognize is that a determination of intent based on the extrinsic evidence is made by a trier of fact and not the court. (See cases cited in the state's opening brief). As a result, the meaning of an ambiguous contract cannot be resolved in a summary judgment proceeding.

CONCLUSION

For the reasons stated in the state's opening and reply briefs, the case should be remanded with instructions to enter summary judgment in favor of the state.

Respectfully submitted,

DAVE FROHNMAYER
Attorney General
WILLIAM F. GARY
Solicitor General
CHRISTINE L. DICKEY
Assistant Attorney General

Attorneys for Appellant

mlm

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IN THE COURT OF APPEALS OF THE STATE OF OREGON

NOTED
H. S. COULTER

ROSS BROS. CONSTRUCTION CO., INC., an Oregon corporation, Plaintiff-Respondent, v. STATE OF OREGON, acting by and through its Transportation Commission, Highway Division, Defendant-Appellant.	Trial Court No. 119,933 Appellate Court No. A22650

APPELLANT'S BRIEF AND ABSTRACT OF RECORD

Appeal from the Judgment of the Circuit Court
for Marion County
Honorable Richard D. Barber, Judge

DAVE FROHNMAYER
Attorney General
WILLIAM F. GARY
Solicitor General
CHRISTINE L. DICKEY
Assistant Attorney General
100 State Office Building
Salem, Oregon 97310
Telephone: 378-4402

Attorneys for Defendant-Appellant

DANIEL J. SEIFER
KOBIN & MEYER
610 S.W. Alder, Suite 800
Portland, Oregon 97205
Telephone: 223-1107

Attorneys for Plaintiff-Respondent

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2/10/82

FRED MILLER

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APPELLANT'S BRIEF

Nature of the Proceeding

This is a breach of contract action for damages brought by Ross Brothers Construction Co. Inc. (hereinafter Ross Brothers or the contractor] against the Oregon State Highway Department [hereinafter OSHD or the state]. Ross Brothers alleged that the state breached its public construction contract with Ross Brothers. The parties filed cross motions for summary judgment.

Nature of Judgment

Judgment was entered in favor of Ross Brothers after liability was determined by summary judgment. The judgment awarded Ross Brothers $35,000 in damages, an amount stipulated to by the parties.

Questions Presented

1. Did the court err in ruling that the contract was ambiguous?

2. If the contract was ambiguous, did the court err in construing the contract as a matter of law when an issue of fact as to the parties' intent was presented?

SUMMARY OF ARGUMENT

The language of the contract is clear and unambiguous on its face and admits of only one interpretation. An ambiguity cannot be injected into the contract by a mere allegation of a party that he had a different subjective intent. Although a latent ambiguity may be revealed by an examnation of the surrounding circumstances, the fact that a

barge was tied up next to the bridge is not such a circumstance. No reasonably intelligent person reading the contract in light of that fact, would conclude that the parties intended that the barge be included in "materials" remaining after removal of the bridge which were to become the property of the contractor.

Even if the existence and proximity of the barge is held to create a latent ambiguity, there are certainly no other circumstances or extrinsic evidence which resolve the ambiguity in favor of the contractor. Self-serving evidence of the contractor's alleged subjective intent is incompetent evidence and cannot be considered in resolving an ambiguity anymore than it can be considered in determining the presence of an ambiguity. The ambiguity, if any, creates an issue of fact as to the parties' intent as manifested by their words and conduct and by the surrounding circumstances which must be submitted to a trier of fact. This is particularly true where the state introduced specific evidence of subsequent conduct by the contractor which manifested an original intent consistent with the clear and unambiguous provisions of the contract, as well as other evidence impeaching his credibility. Because an issue of fact was presented, the court improperly resolved the question by the application of rules of construction.

STATEMENT OF FACTS

The Skipanon River is a navigable river under the jurisdiction of the U. S. Coast Guard. The Skipanon Bridge, which spans the Skipanon River, has been in existence for approximately 60 years. At one time, the bridge had been constructed so that the center section could be temporarily removed to permit traffic on the river to pass. OSHD was required to open the bridge any time a boat over 10 feet in height wanted to go under the bridge. (Affidavit of Theodore Litchfield at 2).

Over the years, the state had devised a number of alternative means to remove the center section. One of the more recent methods consisted of renting barges from individuals in Portland or Astoria and having them remove the center section when necessary. During the years 1973 through 1975 as a result of inflation and an increased demand to open the bridge, the cost of renting barges from third parties increased substantially. Costs ranged anywhere from $1,000 to $4,000 each time the bridge was required to be opened. Moreover, the state had found that there was a difficulty in obtaining barges as well as a problem of being able timely to open the bridge. As a result of the increased costs and difficulties in obtaining a rented barge, the state explored alternative means of opening the bridge. After considering the various options, the state decided to purchase a surplus pontoon barge as a means of opening the Skipanon Bridge. (Id. at 2-3).

The state's purchase of the barge had the advantage of allowing the state to moor the barge at the location so that it would be readily available for a requested opening. More importantly, the barge would prove to be cost effective to the state for two reasons. First, there would be no further need to rent a barge from third parties. Second, the Skipanon Bridge was scheduled to be torn down and replaced by a new bridge. After that occurred, the barge would no longer be necessary to open the center section and the state could use the barge for other projects when the new structure was completed. (Id. at 3).

The barge was designed for multiple purposes and consists of component parts. The barge had been used to place riprap around piers for bridges other than the Skipanon; provide a work platform on other work projects; replace piling; and conduct drilling operations. The barge is a multi-purpose vessel which was never an integral part of the Skipanon bridge. (Supplemental Affidavit of Theodore Litchfield).

The state stored the surplus pontoon bridge at the site. The barge was stored between the highway bridge and the railroad bridge. The location of the barge allowed OSHD to maneuver it into place without a tug. (Affidavit of Theodore Litchfield at 3).

During December, 1977, the Oregon State Highway Division invited sealed bids for construction of a bridge section of the Warrenton-Astoria Highway across the Skipanon River.

The principal features of the work were the construction of a new bridge and the removal of the existing bridge. "Materials" removed from the bridge were to become the property of the contractor. Ross Brothers Construction Co., Inc. submitted the low, responsive and responsible bid to the Invitation, and on December 19, 1977, the State of Oregon acting by and through the Transportation Commission, Department of Transportation, Highway Division (ODOT), entered into a contract with Ross Brothers. (Complaint at 1-2; Answer at 1).

All the work required of Ross Brothers under the contract has been performed, completed and accepted by the state. (Complaint at 3; Answer at 3).

The issue to be determined in this case is the ownership of the barge. Ross Brothers contends that the barge was a part of the existing bridge and, under the contract, became Ross Brothers' property. The state denies that the barge was a part of the existing bridge and has retained possession of the barge. (Complaint at 3; Answer at 2).

The contract between the parties consisted in relevant part of the following:

1. Special Provisions relating to the removal of bridges (Affidvait of Theodore Litchfield, Ex. B).

2. Standard Specifications (Id., Ex. c); and

3. Plans for Removal (Id., Ex. E).

The contract also referenced the plans of the existing structure. (Id., Ex. D). (The relevant portions of the Special Provisions and Standard Specifications are attached as App-1). There is no mention of the barge in the contract, and it is not shown or referenced in either the plans for the new structure or the plans for the existing structure. The plans for the existing structure depict a removable steel center span.

In accordance with the bidder's obligations, Steven M. Ross, on behalf of Ross Brothers, conducted a careful examination of the proposal, plans, specifications and special provisions issued by the state before submitting a proposal. Mr. Ross also made a site inspection in December, 1977, at which time he observed and confirmed that the existing bridge was opened to river traffic by means of a barge. Mr. Ross observed that the barge was secured to the existing bridge by a line that had been specially constructed with jacking beams in order that the barge could be maneuvered under the float-out span, coupled to the span, and floated back out to open the bridge. (Affidavit of Steven M. Ross at 3-4).

Ross Brothers claims its bid was calculated and made in reliance upon the recovery of all parts of the existing bridge, including the barge and excluding only the existing timber, steel stringers and timber caps designated under the special provisions for delivery to the state as salvage.

(Affidavit of Steven M. Ross at 4-5). The cost estimate for performance of remodeling and removal was $54,000. The bid was $35,000. (Affidavit of Steven M. Ross, Ex. C). Ross Brothers alleged the barge was worth $90,000. (Complaint at 4).

Four other contractors submitted bids for this contract. The state was able to obtain the affidavits of three of them for this proceeding. Each contractor stated that he had been aware of the existence and presence of the barge but did not ever consider it to be part of the contract. Their bids did not take the barge into account in any way. (Affidavits of Bill Peckham, John Keiser, and Ralph Hannen).

Sometime after construction of the new bridge commenced, Mr. Ross went to Eldon Everton, the state's District Engineer in Astoria, and asked if he could use the barge during the construction of the bridge. Mr. Everton indicated he did not believe so, and Mr. Ross asked him to confirm the answer with a superior, which he did. Up to this point, Mr. Ross made no claim of ownership of the barge and did not even mention the contract. (Affidavit of Eldon Everton at 1-2). Mr. Ross claims that the request was refused for insurance reasons. (Affidavit of Steven M. Ross at 5). Mr. Everton does not recall discussing insurance problems. (Affidavit of Eldon Everton at 2).

The parties filed cross motions for summary judgment and supporting affidavits. The court ruled that the contract was ambiguous and then construed the contract against the

state. (A-4). The court granted Ross Brothers motion for summary judgment. (A-4).

ASSIGNMENT OF ERROR NO. 1

The court erred in concluding that the contract was ambiguous and then proceeding to grant Ross Brothers' motion for summary judgment. The relevant portions of the record are as follows:

> "Plainitff, Ross Brothers Construction Co., Inc., moves the Court for an Order entering summary judgment in its favor and against defendant on the issue of liability; on the grounds and for the reason that there is no genuine issue as to any material fact, and plaintiff is entitled to judgment as a matter of law." Motion for Summary Judgment on the Issue of Liability
>
> "[I]t appears that there is no genuine dispute as to any material fact. Therefore, this is a proper case for summary judgment treatment.
>
> "The contract terms are ambiguous, but this does not leave interpretation thereof to a jury as suggested by defendant. The applicable rules of construction can be applied by the Court as a matter of law.
>
> "I find that the barge was an integral part of the bridge, was included in the term 'materials', and it was reasonable that the plaintiff so interpret the contract." July 29, 1981 Letter Opinion by Judge Barber.
>
> "Ordered that * * * plaintiffs' Motion for Summary Judgment on the issue of liability is allowed." Order dated August 10, 1981.

ASSIGNMENT OF ERROR NO. 2

The court erred in denying the state's motions to strike certain portions of the Affidavit of Steven Ross, filed by Ross Brothers in support of its motion for summary judgment. The relevant portions of the record are as follows:

> "Defendant, therefore, would move to strike page 4, lines 13 through 16, * * *.
>
> "'[It] was clear to me from my observation that the floatation device was an integral part of the existing bridge,which could not be open to river traffic without use of the device.'
>
> "* * * *
>
> "Defendants also move to strike page 5, lines 6 through 11 in their entirety and lines 14 through 19.
>
> "['In particular, our bid on Item 53 was based upon the fact that we could recover the difference between the bid price and the costs of remodeling and removal work, plus a portion of our overhead and profit, by salvaging all parts of the existing structure not designated for delivery to the State, including the flotation device required to pen the float-out span.
>
> '"* * * *
>
> "It was my understanding that, under the terms of the contract with the State, Ross Brothers would ot become the owner of the salvage from the existing bridge until removal. The plans provided for use of the existing bridge during construction of the new bridge, however. Ross Brothers planned to use the flotation device to drive or to stockpile piling during construction of the new bridge.']" Reply Memorandum to Plaintiffs' Motion for Summary Judgment at 9-10.

"Both motions are supported by adequate affidavits." July 29, 1981 Letter Opinion by Judge Barber.

ARGUMENT

The issues presented by this case arose out of cross motions for summary judgment and are so interrelated that discussion will be facilitated by a single argument.

I

THE PROPER STANDARD OF INTERPRETATION IS THAT OF A REASONABLY INTELLIGENT PERSON DETERMINING THE OBJECTIVE INTENT OF THE PARTIES

The main principles of contract construction are well established and easily stated. Determination of the meaning of provisions in a contract is a function for the court in the first instance. Timberline Equipment v. St. Paul Fire & Moving Ins. Co., 281 Or 639, 643, 576 P2d 1244 (1978). However, if the contract is ambiguous in light of surrounding circumstances, extrinsic evidence is admissible and a question of fact is presented. Hekker v. Sabre Construction Co., 265 Or 552, 510 P2d 347 (1973); Libby Creek Logging, Inc. v. Johnson, 225 Or 336, 358 P2d 491 (1960); Chambers v. School District No. 40, 22 Or App 463, 540 P2d 1026 (1975). Whether or not an ambiguity exists is a question of law for the court. Timberline Equipment v. St. Paul Fire & Marine Insurance Co., supra, Bartlam v. Tikka, 50 Or App 217, 622 P2d 1133 (1981).

In making each of these determinations, however, neither the court nor the trier of fact is free to choose the standard or vantage point from which to resolve the issue. The Restatement of Contract listed six possible perspectives,[1]

1 The standards of interpretation stated in Restatement, Contracts, § 227 are summarized in Calamari & Perillo, Contracts, § 47 at 89-90 as follows:

> "1. the standard of general usage;
>
> "2. a standard of limited usage, which would attach the meaning given to language in a particular locality, or by a sect or those engaged in a particular occupation. or by an alien population or those using a local dialect (the distinction between 1 and 2 is a difference in degree, since generality of usage does not necessarily imply universality);
>
> "3. a mutual standard, which would allow only such meanings as conform to an intention common to both or all the parties, and would attach this meaning although it violates the usage of all other persons;
>
> "4. an individual standard, which would attach to words or other manifestations of intention whatever meaning the person employing them intended them to express, or that the person receiving the communication understood from it;
>
> "5. a standard of reasonable expectation, which would attach to words or other manifestations of intention the meaning which the party employing them should reasonably have apprehended that they would convey to the other party;
>
> "6. a standard of reasonable understanding, which would attach to words or other manifestations of intention the meaning which the person to whom the manifestations are addressed might reasonably give to them."

several of which were advocated by Professor Williston, depending on whether there was an integration or not. 4 Williston, Contracts, §§ 605, 607 (3d ed). On several occasions, the Oregon Supreme Court has approved the standard advanced by Williston where there is an integrated contract, the standard of limited usage. For example, in Springer v. Powder Power Tool Corp., 220 Or 102, 110, 348 P2d 1112 (1960), the court quoted Restatement, Contracts, § 230 with approval:

> "'The standards of interpretation of an integration, except where it produces an ambiguous result, or is excluded by a rule of law establishing a definite meaning, is the meaning that would be attached to the integration by a reasonably intelligent person acquainted with all operative usages and knowing all the circumstances prior to and contemporaneous with the making of the integration, other than oral statements by the parties of what they intended it to mean.'"
> 220 Or at 110. (Emphasis added).

See also, Harty v. Bye, 258 Or 398, 483 P2d 458 (1971). 4 Williston, § 607, n. 2.

In actuality, however, the Oregon standard is a modified version of the Restatement's formulation. The vantage point of the reasonably intelligent third party observer "is not primarily concerned with the intent of the parties" and can theoretically result in a binding contract which does not conform to the intent of either party. 4 Williston, §§ 607A at 387, 613 at 583. See also Calamari & Perillo, Contracts, § 47 at 92. This result is possible because the hypothetical reasonably intelligent person considers only the language of the contract in light of the surrounding circumstances, but does not consider the prior and contemporaneous oral statements by the parties of what they intended.

In Oregon, the vantage point of a reasonably intelligent person is mandated, as indicated above, but the ultimate objective differs. ORS 42.240 specifically requires that the intent of the parties be followed if possible, and the Supreme Court has held that determining the intent of the parties is the overriding governing principle of contract construction. Miller v. Miller, 276 Or 639, 555 P2d 1246 (1976); Gray v. Gray, 205 Or 116, 286 P2d 138 (1955); State v. Cummings, 205 Or 500, 288 P2d 1036, 289 P2d 1083 (1955). I-L Logging Co. v. Mfgrs. & Whlse. Ind. Exc., 202 Or 277, 273 P2d 212, 275 P2d 226 (1954). It is equally clear, however, that the intent to be determined is not the subjective intent of the parties, but the objective intent as manifested by the language in the contract, the surrounding circumstances, and other extrinsic evidence. The parole evidence rule and its exceptions, and the primary and secondary rules of construction form a hierarchy of processess to be used in determining the objective intent of the parties. The standard in Oregon, then, is what a reasonably intelligent person would conclude the parties intended.

In this case, it is clear from the trial court's letter opinion dated July 29, 1981, that it employed an improper standard of interpretation. The letter states:

> "I find that the barge was an integral part of the bridge, was included in the term 'materials,' and it was reasonable that the plaintiff so interpret the contract." (Emphasis added).

The issue is not whether Ross Brothers' interpretation is reasonable. The proper inquiry is what meaning would a reasonably intelligent person, considering the language of

the contract in light of the surrounding circumstances and other manifestations of intent, attach to the contract.

II

APPLICATION OF THE PROPER STANDARD OF INTERPRETATION RESULTS IN A DETERMINATION THAT THE CONTRACT WAS CLEAR AND UNAMBIGUOUS

As indicated above, the parol evidence rule, its applications and exceptions, and the primary and secondary rules of construction form a hierarchy of principles which govern contract construction.

If the contract is the complete, integrated agreement of the parties, ORS 41.740, the parol evidence rule, provides that "no evidence of the terms of the agreement, other than the contents of the writing, except where a mistake or imperfection of the writing is put in issue by the pleadings" is admissible. Therefore, in the case of an integrated agreement, the first step in construing the contract is to look to the writing itself as the principal manifestation of the parties' intent. If the language is clear and unambiguous, the court must declare its meaning unless an ambiguity is revealed by examining the surrounding circumstances. If such an ambiguity is revealed, or if the contract contains an ambiguity on its face that is not resolved by the surrounding circumstances, extrinsic evidence may be admitted to explain the ambiguity. ORS 41.740. Busto v. Manufacturers Life Ins. Co., 276 Or 707, 712, 556 P2d 96 (1976). The determination of whether the contract is ambiguous is a question of law for the courts.

In making its initial examination of the contract and its determination on the issue of ambiguity, the court must construe the contract consistently with the primary rules of construction mandated by the statutes and the courts.[2] ORS 42.220 provides that a court may consider the circumstances under which the contract was made including the situation of the subject and of the parties. See also, Welch v. U.S. Bancorp, 286 Or 673, 596 P2d 947 (1979). Miller v. Miller, 276 Or 639, 555 P2d 1246 (1976); Card v. Stirnweis, 232 Or 123, 374 P2d 472 (1962). ORS 41.230 prohibits the court from rewriting a contract by omitting or inserting terms. See also Jones v. Jaquith, 44 Or App 727, 606 P2d 1179, petition for rehearing granted, 46 Or App 671, 612 P2d 770, rev den (1980). ORS 42.230 also requires that the contract be construed in its entirety. See also Miller v. Miller, supra; Consolidated Freightways v. Wilhelm, 238 Or 518, 395 P2d 555 (1964). ORS 42.210 provides that language will be given the meaning it has in the place of execution, and ORS 42.250 creates a presumption that words have been used in their primary and generally accepted

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2 The term "primary" and "secondary" rules of construction are used here in the same sense as the terms are used by Williston and the Restatement of Contracts. Primary rules of construction aid in determining the meaning of the language used in light of the surrounding circumstances. If this process reveals an ambiguity, extrinsic evidence is admissible. If, after the language is analyzed with the aid of the primary rules in light of the surrounding circumstances, and after other extrinsic evidence of the parties' intent is considered, there still remain two equally likely interpretations, then the court may apply the secondary rules of interpretation to resolve the ambiguity. Restatement, Contracts, § 235 contains a list of primary rules, and § 236 contains a list of secondary rules. There is overlap between the Restatement and Oregon law, but the rules do not appear to be identical. See also, Calamari & Perrillo, Contracts, § 48.

sense which may be overcome by evidence that the parties understood and used the language in a technical, local, or other unusual sense. See also Bernard v. First Nat'l Bank, 275 Or 145, 155-156, 550 P2d 1203 (1976). Finally, ORS 42.240 provides that a particular provision controls a general one, and ORS 42.270 provides that written words shall control printed matter. See also Waterway Terminals v. P.S. Lord, 242 Or 1, 23, 406 P2d 556 (1965), A-1 Sandblasting v. Baiden, 53 Or App 890, 630 P2d 1377 (1981); Homeco v. Belford, 38 Or App 299, 589 P2d 1202 (1979). All of these rules must be applied in light of the particular circumstances of the case and only to the extent they further the intent of the parties.

Application of these rules to the contract provisions under consideration here, in light of the surrounding circumstances, demonstrates that the contract is not ambiguous.

A. The Contract is Unambiguous on its Face.

A contract is unambiguous if it is so clear as to preclude doubt by a reasonable person of its meaning. May v. Chicago Ins. Co., 260 Or 285, 293, 490 P2d 150 (1971); Bartlam v. Tikka, 50 Or App 217, 220-21, 622 P2d 1133 (1981).

In this case, no reasonable person could conclude from an examination of the contract that a barge was to be included as compensation to the contractor. This is so simply because there is absolutely no mention of any barge in the contract provision, themselves, in the Standard Specifications, or in the sets of detailed plans which were made part of or referred to by the contract.

The contract between the parties consisted in relevant part of (1) Special Provisions relating to removal of bridges, (2) Standard Specifications (1974), and (3) plans for removal. The contract also referenced the plans of the existing structure.

The Special Provisions under the caption of "Removal of Bridges" provide in relevant part:

1. The contractor shall remove the existing bridge over the Skipanon River.

2. Removal work and disposal work shall be in conformance with section 202 of the Standard Specifications as supplemented and/or modified by the provisions.

3. All parts of the existing bridge shall be removed to a minimum elevation of -11.6.

4. Plans of the existing structure are available for viewing at the office of the bridge engineer in Salem.

5. Contractors shall salvage the existing timber and steel stringers and steel caps for the state.

The Standard Specifications § 101.02, define "bridge" as:

> "A structure, including supports, erected over a depression or an obstruction, as water, highway, or railway, and having a track or passageway for carrying traffic or other moving loads."

Section 202.01 of the Standard Specifications describes the work to be done as follows:

> "This work shall consist of the removal and disposal, wholly or in part, of * * * bridges * * *, together with the cleaning up of areas worked on.
>
> "The objects, things and matters covered under this specification shall be collectively referred to herein as 'material(s)'."

Section 202.31 of the specifications provides in part:

> "All materials shall become the property of the contractor at the place of origin and shall be disposed of by him in conformance to all laws, regulations and rules legally imposed on such activity."

Under the terms of the Standard Specifications, § 102.05, the contractor agreed to examine carefully the site of the proposed work, the proposal, the plans, specifications, supplementals, supplemental specifications, special provisions, and contract forms for submitting of proposals. None of the plans or specifications refer to a barge.

As the above documents indicate, there is simply nothing to suggest that a state-owned barge is involved in this project in any way. Certainly, if at the time of this contract, the state was still opening the bridge with the use of a rented tug and barge, the contract provisions would not give any reasonable contractor grounds to demand a barge as compensation. Consequently, the state's motion for summary judgment should have been granted unless the contractor can demonstrate that an ambiguity is revealed when the contract is read in light of the surrounding circumstances.

B. The Assertion of a Subjective Intent Which Differs From the Unambiguous Language of the Contract Cannot Create an Ambiguity.

It appears from the trial court's letter opinion, when read in light of the memoranda and affidavits filed by the parties and defendants' motion to strike portions of Steven Ross' affidavit, that the court may have improperly considered the contractor's assertion that his undisclosed subjective understanding differed from the clear and unambiguous language of the contract. Consideration of subjective intent is wholly improper at any stage of contract construction.[3] Such consideration at the point of determining whether or not a contract is ambiguous completely destroys the fundamental premise underlying the law of contracts in this state. The purpose of the objective theory of contracts is to allow parties to rely on manifestations of intent and thus not be at the mercy of the other party's later assertions of undisclosed subjective intent.

> "The law of contracts is not concerned with the parties undisclosed intents and ideas. It gives heed only to their communications and overt acts." Kitzke v. Turnidge, 209 Or 563, 573, 307 P2d 522 (1957).

See also, Kabil Development Corp. v. Mignot, 279 Or 151, 566 P2d 505 (1977); Fogdall v. Lewis & Clark, 38 Or App 541, 590 P2d 775 (1979).

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3 See part III, infra.

Without such protection there would be no certainty in the making of contracts.

C. <u>The Fact that a Barge was Docked in Close Proximity to the Bridge does not Create an Ambiguity as to Whether the Barge was Part of the Bridge</u>.

The contractor asserts in his affidavit in opposition to the state's motion for summary judgment, and in support of its own motion for summary judgment, that an inspection of the construction site revealed that a barge was tied up next to the bridge. The contractor asserts further that the presence of the barge creates an ambiguity as to whether the barge is part of the bridge. If it is, the argument goes, then the barge will remain after the "other" parts of the bridge are removed or salvaged for the state and be part of the "materials" which become the property of the contractor. The contractor also contends that the barge is worth $90,000.

"Materials" are defined by the contract as those objects and things that are the subject of the work. The work required by this contract is the removal of a "bridge." The question can be stated as folllows: Could any reasonable person conclude, after reading the contract with the aid of the primary rules of construction, and in light of the presence of a barge worth $90,000, that the parties intended the barge to be considered part of the bridge? The clear answer is that a reasonable person could not.

ORS 42.250 creates a presumption that words are used in their primary and generally accepted sense. Surely a barge is not included in the generally accepted concept of a bridge. Furthermore, the contract itself defines bridge:

> "A structure, including supports, erected over a depression or an obstruction, as water, highway, or railway, and having a track or passageway for carrying traffic or other moving loads."

Nothing in this definition suggests that a barge is included in the concept of a bridge for purposes of this project. However, the contract is even more specific yet. It references the plans and specifications of the existing structure and requires the contractor to examine such plans before submitting a bid.[4] Not only is the barge not included on these plans, there is not even a single reference to the existence of a barge.

ORS 42.230 and the case law require that the contract be construed as a whole and that all the parts be given effect if possible. See e.g., Automotive Equipment Co. v. 3 Bees Logging Co., 251 Or 105, 444 P2d 1019 (1968). The contract requires that the "bridge" be removed down to a minimum elevation of -11.6 feet. How can a barge be removed to 11 feet under the water? This material provision in the contract cannot be given effect under the contractor's construction of the contract.

Reading the provisions together it is clear that when the contractor agreed to remove the existing "bridge," he agreed to remove the structure on which traffic moved over

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4 The contractor affirmatively avers that he, in fact, did examine these plans.

Scapanan River, including the supports. When the state agreed that the "materials" which make up the "bridge" (with the exception of items specifically excluded) would become the property of the contractor, it agreed that the materials making up the structure on which traffic moved over the Scapanan River, including supports, would become the property of the contractor. No reasonable person could conclude otherwise. No reasonable person could conclude on these facts that the parties intended to include a $90,000 barge as compensation to the contractor without a single reference to the barge by either party.

III

IF THE COURT CONCLUDES THE CONTRACT IS AMBIGUOUS, THE QUESTION OF THE INTENT OF THE PARTIES MUST BE SUBMITTED TO A TRIER OF FACT.

Even assuming the lower court was correct in concluding that the contract was ambiguous, the court erred in proceeding to determine the intent of the parties. In view of the finding of ambiguity, it is inconsistent to conclude that there are no genuine issues of fact. There is obviously a question of fact as to the intent of the parties. Rather than submitting the case to a trier of fact, the court treated the issue of intent as a question of law and improperly resolved it by the application of secondary rules of construction. A-1 Sandblasting v. Baiden, 53 Or App 890, 632 P2d 1377 (1981); Urban Renewal v. Wieders, 53 Or App 751, 632 P2d 1334 (1981); Hanneman v. Jones, 45 Or App 1005, 609 P2d 912 (1980); Adams v. Northwest Farm Bureau Ins., 40 Or App 159, 594 P2d 1256 (1979).

A. A Question of Fact on the Issue of Intent is Presented if the Writing is Not so Clear as to Preclude Doubt by a Reasonable Person of its Meaning.

In May v. Chicago Ins. Co., 260 Or 285, 490 P2d 150 (1971), the court quoted with approval Williston's elaboration on the roles of the court and the jury in the construction of contracts.

> "'The jury's function in the interpretation of documents then will arise wherever, in view of the surrounding circumstances and usages offered in evidence, the meaning of the writing is not so clear as to preclude doubt by a reasonable man of its meaning.
>
> "'If the meaning after taking the parol evidence, if any, into account is so clear that no reasonable man could reach more than one conclusion as to the meaning of the writing under the circumstances, the court will properly decide the question of fact for itself as it may any question of fact which is equally clear.
>
> "'Also, if such uncertainty or ambiguity as there may be in a writing does not arise from, and cannot be solved by, any special local meaning of the words used, or any usage or surrounding circumstances, the court will deal with the matter itself, as the difficulty of interpretation must be solved from the writing alone.'" 260 Or at 294 quoting 4 Williston on Contracts (3d ed 1962) at 660-663.

As the quote demonstrates, there are two situations in which it is proper for the court to determine the meaning of the contract in spite of the existence of an ambiguity. One situation involves a patent ambiguity, on which the surrounding circumstances and other extrinsic evidence simply shed no light at all. In that case, the question remains simply one of construction and not one of determining intent. Because this case involves a latent ambiguity, if any, this rule is inapplicable.

The second situation occurs when the ambiguity, whether it be patent or latent, is unequivocally resolved by the surrounding circumstances and other extrinsic evidence. Such a case is no different than any other in which a directed verdict is appropriate.

In all other cases, where "the meaning of the writing is not so clear as to preclude doubt by a reasonable [person] of its meaning," a question of fact is presented as to the objective intent of the parties. This ultimate factual question may, or may not, involve the resolution of underlying factual disputes. For instance, there may be contradictory testimony by the parties as to what was actually said or what actually happened. Resolution of such issues will usually resolve the ultimate fact issue of intent. On the other hand, there may be no dispute as to the underlying events, and yet, reasonable persons could still differ on the inferences to be drawn from the objective manifestations of intent by the parties.

In this case there are no underlying factual disputes. It is agreed that there were no face-to-face negotiations, it is agreed that the barge was docked next to the bridge, and it is agreed that there were no inquiries about the barge at the time of contracting. However, there remains the ultimate question of fact, the intent of the parties. This issue can be properly resolved by the court only if, after considering the other extrinsic evidence submitted by the parties, "no reasonable [person] could reach more than

one conclusion as to the meaning of the writing under the circumstances." An examination of the other evidence before the court compels the conclusion that a question of fact is presented.

B. Evidence of a Party's Undisclosed Objective Intent is Incompetent

As already discussed above, the Oregon courts have long subscribed to the objective theory of contracts. The most basic implication of this theory is that evidence of the parties' undisclosed subjective intent is inadmissible. This rule was first made explicit in Public Market Co. v. Portland, 171 Or 522, 130 P2d 624 (1943), in which the court held:

> "In view of this ambiguity, oral evidence to determine the intention of the parties was admissible; not evidence, of course, of their undisclosed thoughts or opinions, which obviously was incompetent, but of their negotiations and of the circumstances leading up to and attendant upon the execution of the contract. * * *" 171 Or at 537. (Emphasis added).

The law remains the same today.[5] As a result, the court

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5 Kabil Development Corp. v. Mignot, 279 Or 151, 566 P2d 505 (1977) does not affect this rule. In Kabil the court reaffirmed its commitment to the objective theory of contracts. It then went on to hold that evidence of a party's understanding at the time of negotiations of whether or not a contract existed was admissible. However, it was admissible, not to prove intent, but only on the issue of how the other party may have perceived the words spoken. Subsequent cases have shown no inclination to extend the rule beyond the issue of the existence of the contract. See Southworth v. Oliver, 284 Or 361, 373, 587 P2d 994 (1978); Willamette-Western Corp. v. Lowry, 279 Or 525, 568 P2d 1339 (1977). Furthermore, under the reasoning of the case, such evidence remains irrelevant to any issue for any purpose where there are no face-to-face negotiations.

should have granted the state's motion to strike the contractor's self-serving statements of undisclosed subjective intent which appeared in his affidavit. The contractor asserted that he observed the barge next to the bridge and tht it was "clear" to him that the "barge was an integral part of the bridge." He also asserted that his company's bid was prepared on that basis. It may be inferred from the court's refusal to strike those portions of the affidavit that it improperly considered the evidence in determining the objective intent of the parties. If this evidence is excluded from the case, there is no extrinsic evidence which supports the contractor's position.

C. All Other Evidence Before the Court Favors the State's Construction of the Contract

Even if the court could properly consider the contractor's undisclosed subjective intent, that evidence standing alone would clearly be insufficient to direct a verdict in favor of the contractor. The state disputes the assertion that Ross Brothers based its bid on the basis of the barge being part of the bridge, and all other evidence before the court contradicted his unsupported, self-serving assertions.

If the court is allowed to consider the contractor's affidavit, it must also consider the affidavits of three other contractors who bid on the job. Although each was aware of the existence and presence of the barge, not a single contractor considered the barge to be part of the

bridge or connected with the contract in any way. This evidence not only demonstrates the unreasonableness of the plaintiff contractor's alleged undisclosed interpretation, it also raises an inference that he, in fact, had no such undisclosed understanding.

There is other evidence, as well, that the idea to assert a claim to the barge did not occur to the contractor until much later. The contractor attached to his affidavit a copy of what he alleged to be the estimates of cost on which the bid for the bridge removal was based. Not only is a barge with a value of $90,000 not reflected on the estimate, there is no reference to the barge at all.

Finally, the state submitted the affidavit of the district engineer at the project site. He relates that well after construction of the new bridge had commenced, Mr. Ross came into his office and asked if it would be possible for his company to use the state's barge in the construction process. When Mr. Everton said he did not believe so, Mr. Ross asked him to confirm his answer with a superior and get back to him. Mr. Everton did so. At no time did Mr. Ross ever mention the contract or make any assertion that the barge was part of the bridge. If he believed that the barge was part of the bridge, there would be no need to ask permission to remove or use the barge. Evidence of subsequent conduct is relevant to the issue of intent. Welch v. U.S. Bancorp, supra; Krieg v. Union Pacific Land Res. Corp., 269 Or 221, 525 P2d 48 (1974).

In summary, Ross Brothers has pointed to no provision in the contract which supports its position, and it has not introduced a single piece of evidence that either party manifested an intent to include the barge in the contract. Ross Brothers relies solely on the improperly considered assertion of undisclosed subjective intent. On the other hand, the evidence from the other contractors, from its own business records, and of the subsequent conduct of Mr. Ross all indicate that Mr. Ross did not even have the subjective understanding he claimed. On this state of the evidence it certainly cannot be said that every reasonable person would conclude that the parties intended that the barge be considered part of the bridge.

B. It is Inappropriate to Apply Secondary Rules of Construction until the Trier of Fact has had an Opportunity to Resolve the Ambiguity on the Basis of Extrinsic Evidence.

The trial court's final error was in resolving the issue of intent through the application of secondary rules of construction. A reading of the court's letter opinion in light of the parties' memoranda and evidence compels the conclusion that the court resolved the issue almost exclusively on the basis of the rule that an ambiguity in the contract should be construed against the party using the ambiguous language. There is no question that this rule of construction is recognized in Oregon. See, for example, Russell v. Sealed Power Corp., 278 Or 243, 563 P2d 712 (1977). However, it is also clear that secondary rules such

as this one are applied only as a last resort. If the court examines the contract in light of surrounding circumstances and concludes after applying the primary rules of construction that the contract is ambiguous, and if the trier of fact considers all of the extrinsic evidence of intent including prior, contemporaneous, and subsequent words and conduct and still concludes that there are two interpretations which are equally likely to express the intent of the parties, then the court may properly resolve the issue or instruct the jury to resolve the issue, by the application of the secondary rules of construction such as the one applied here.[6]

In Miller v. Miller, 276 Or 639, 555 P2d 1246 (1976), the court considered a contract to buy and sell stock. One party advocated the application of a rule of construction

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6 The court in May v. Chicago Insurance Co., supra, quoted the following language during a discussion of the roles of the court and jury.

> "• • • When, however, extrinsic evidence of surrounding circumstances or other facts bearing upon intention have been introduced, a question of fact may arise which must be submitted to the jury. Theoretically, this does not necessitate the invasion of the court's province in construing written contracts, but merely requires a construction by the court in the light of the facts found by the jury from the extrinsic evidence. This function the court may still perform by instructing the jury to return a finding upon the question of fact arising from the extrinsic evidence submitted to them, and itself determining the construction in the light of the fact so found. Or it may submit the matter of interpretation to the jury under binding instructions as to what construction should be put upon various hypothetical states of fact which they may find. • • •"

260 Or at 294, quoting 65 ALR 648.

involving recitals and operative provisions. The court emphatically denounced the blind application of a rule of construction as "a catechetical method of construing contracts which, depending upon the circumstances, may or may not have something to do with what the parties intended." 276 Or at 647. The court emphasized the importance of construing a contract in light of the surrounding circumstances and reiterated that rules of construction are not substantive rules of law.

> "* * * They are aids which experience indicates will most likely bring about the intent of the parties in the absence of an ability to determine that intent with some likelihood by means of other evidence. The rule of construction which plaintiffs put forth here should be applied only in circumstances where the intent of the parties cannot be determined with a fair degree of likelihood when the language is considered in the light of the situation in which it was used." 276 Or at 648. (Emphasis added).

In Schweigert v. Beneficial Life Ins. Co., 204 Or 294, 282 P2d 621 (1955), the court considered an insurance contract. It quoted with approval the following language from Stipach v. Metropolitan Life Ins. Co., 277 US 311, 322, 48 S Ct 512, 72 L Ed 895 (1927):

> "'[Insurance contracts] are prepared by the insurer and if, with equal reason, open to two constructions, that most favorable to the insured will be adopted.'" 204 Or at 301 (Emphasis added).

Corbin comments on the rule as follows:

> "It is frequently said that this rule [construing the contract against the drafting party] is to be applied only as a last resort. It should not be applied until other rules of the interpretation has been exhausted." Corbin, Contracts, § 559, at 268.

Furthermore, this rule should be applied cautiously where the drafter has not actually used ambiguous language, and the only ambiguity arises out of extrinsic circumstances.

A similar secondary rule, also cited to the lower court by the contractor, is found in ORS 42.260. It provides:

> "When different constructions of a provision are otherwise equally proper, that construction is to be taken which is most favorable to the party and to whose favor the provision was made."

As these authorities demonstrate it is improper for the court to even consider secondary rules of construction until after the trier of fact has had the opportunity to resolve any ambiguity on the basis of extrinsic evidence of intent. If the language of the contract, the surrounding circumstances, or the extrinsic evidence indicate that one of two reasonable interpretations is more likely the one intended by the parties, the two interpretations are not "equally" proper. The ambiguity must be resolved accordingly without resort to the secondary rules of construction. Therefore, the court's application of secondary rules in this proceeding was premature. See A-1 Sandblasting v. Baiden, 53 Or App 890, 632 P2d 1377 (1981).

CONCLUSION

The language of the contract is unambiguous. As a result, there are no genuine issues of material fact, and the case should be reversed and remanded with instructions to enter summary judgment in favor of the state.[7]

If the court finds that the presence of the barge creates a latent ambiguity in the contract, a question of fact as to the intent of the parties is presented and the case must be reversed and remanded for trial.

Respectfully submitted,

DAVE FROHNMAYER
Attorney General
WILLIAM F. GARY
Solicitor General
CHRISTINE L. DICKEY
Assistant Attorney General

Attorneys for Appellant

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7 In Cochran v. Connell, 53 Or App 933, 632 P2d 1385 (1981), the court recognized that where cross-motions for summary judgment have been made, and the record is clear that no issue of fact genuinely exists, no reason precludes this court from granting summary judgment in favor of the appropriate party. 53 Or App at 939. This disposition is particularly appropriate in the context of this case because the court is not called upon directly to decide, on the basis of the parties' evidence, that no genuine issue of fact exists. Rather this result flows from the legal conclusion that the contract is not ambiguous. The court in Cochran also specifically noted that this ruling does not affect the rule that an order denying a summary judgment is not reviewable. 53 Or App at 940, n. 6. See All-States Leasing v. Pacific Empire Land Corp., 31 Or App 733, 571 P2d 192 (1977).

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APPENDIX

Skipanon River (Warrenton) Bridge Sec.

Award, and Federal-Aid Project Number (when applicable). This data will be furnished to the insurance company, upon request, to the engineer in charge of the project or to the Program Management Section of the Highway Division at Salem, Oregon 97310.

SECTION 108 - PROSECUTION AND PROGRESS

108.01 Assignment, Subletting, Specialty Items and Direct Performance of Contract - The specialty items applicable on this contract are those items listed in the bid schedule under the headings "Signing" and "Illumination".

108.04 Preconstruction Conference, Schedule and Limitation of Operations - Delete this subsection of the Standard Specifications and substitute the following:

108.04 Preconstruction Conference, Schedule and Limitation of Operations - The contractor shall meet with the engineer for a preconstruction conference at a time mutually agreed upon. At this conference, the contractor shall submit to the engineer a preliminary schedule showing his proposed order of work and indicating anticipated beginning time and completion time of the major items of work, with emphasis on activities planned for the first 30 days. Within the first 30 days after commencement of work, the contractor shall submit a comprehensive schedule for the entire project. The progress schedules shall take into account the passage or handling of traffic with the least practicable interference therewith and the orderly, timely and efficient prosecution of the work. The progress schedules will be used as an indication of the sequence of the major construction operations and as a check on the progress of the work, but does not become a part of the contract.

When substantial changes in the schedule become necessary or are planned by the contractor, a revised or supplemental schedule shall be submitted to the engineer.

The contractor shall conduct the work at all times in such a manner and in such sequence as will insure the least interference with traffic. He shall not open up work to the prejudice of work already started, and the engineer may require the contractor to finish a portion or unit of the project on which work is in progress or to finish a construction operation thereon before work is started on an additional portion or unit of the project.

Skipanon River (Warrenton) Bridge Sec.

The contractor shall consider the following in preparing his work schedule:

(a) Free navigation of the waterway shall not be unreasonably interfered with and present navigable depths shall not be impaired.

(b) If falsework is used on the new structure, the contractor will be required to obtain a permit from the Coast Guard.

108.08 Contract Time for Completion of Work - The work to be done under the contract shall be completed before the elapse of 425 calendar days.

108.13 Right-of-Way and Access Delays - The contractor shall not enter upon or disturb the areas of restricted right-of-way as indicated on sheet 2A of the plans until after the dates shown unless otherwise permitted in writing by the engineer.

SECTION 109 - MEASUREMENT AND PAYMENT

109.09 Partial Payments and Retained Amounts - In the list of bonds and securities approved by the State Treasurer as shown in subsection 109.09 of the Standard Specifications, change item 5 and add items 7 and 8 as follows:

5. Time Certificates of Deposit or savings account passbooks issued by a commercial bank, savings and loan association, or mutual savings bank, duly authorized to do business in Oregon.

7. General obligation bonds of the State of Oregon or any political subdivision thereof.

8. General obligation improvement warrants issued pursuant to ORS 287.502.

Add the following paragraphs:

As another alternative for handling retainage in accordance with the provisions of ORS 279.575, as amended by Chapter 727, Oregon Laws 1977, and in a manner authorized by the Public Contract Review Board, upon written request of the contractor, the State shall deposit any amounts withheld as

Skipanon River (Warrenton) Bridge Sec.

REMOVAL OF BRIDGES

Scope - Under these provisions, the contractor shall remove the existing bridge over the Skipanon River.

Also the contractor shall construct the temporary widening as detailed on Drawing No's. 32911, 32921, 32922 and 15927.

General Requirements - Removal work and disposal work shall be in conformance with Section 202 as supplemented and/or modifed herein.

Temporary widening shall conform to the requirements of Sections 503 and 520.

All parts of the existing bridge shall be removed to a minimum elevation of -11.6.

Plans - Plans of the existing structure are available for viewing at the office of the Bridge Engineer in Salem.

Salvage Work - The contractor shall salvage the existing timber and steel stringers, and timber caps. All salvaged timber shall be free of nails, spikes, pins, etc. The salvaged materials shall be stockpiled by the contractor in neat piles at locations designated by the engineer in the Highway Maintenance Yard in Seaside.

Measurement - There will be no measurement of the above work.

Payment - Payment for the above work will be made at the contract lump sum price for the item "Remodel and Remove Existing Bridge".

SECTION 251 - STRUCTURE EXCAVATION

Structure excavation and backfill shall be performed in conformance with Section 251 of the Standard Specifications.

PART 100–GENERAL PROVISIONS

Section 101–Definitions and Terms

Wherever in these specifications or in other contract documents the following abbreviations and the following defined words, terms, expressions or pronouns in place of them are used, the intent and meaning shall be interpreted as follows:

Subsection 101.01 Abbreviations - Wherever the following abbreviations are used in the specifications or on the plans, they are to be construed the same as the respective expressions represented:

AASHO	–American Association of State Highway Officials
AGC	–Associated General Contractors of America
AIA	–American Institute of Architects
ANSI	–American National Standards Institute
ASTM	–American Society for Testing and Materials
AWPA	–American Wood Preserver's Association
AWS	–American Welding Society
AWWA	–American Water Works Association
CS	–Commercial Standard, Commodity Standards Division, U. S. Department of Commerce
FHWA	–Federal Highway Administration, U.S. Dept. of Transportation
FSS	–Federal Specifications and Standards, General Services Administration
NEMA	–National Electrical Manufacturer's Association
ORS	–Oregon Revised Statutes
OSHD	–Oregon State Highway Division
SAE	–Society of Automotive Engineers
UL	–Underwriters Laboratory Inc.

101.02 Definitions

Acts of God An act of God is to be construed to mean an earthquake, flood, cloudburst, tornado, hurricane or other phenomenon of nature of catastrophic proportions or intensity.

Advertisement–The public announcement, (Notice to Contractors), inviting bids for work to be performed or materials to be furnished.

Award–The acceptance by the Commission of a proposal.

Base or Base Course–A course of specified material of planned thickness placed immediately below the pavement or surfacing.

Bid Schedule–The list of bid or pay items in the proposal and contract, and the units of measurement and applicable unit prices pertinent thereto.

Bidder—Any individual, partnership, firm, corporation or any acceptable combination therof, or joint venture formally submitting a bid or proposal.

Bridge—A structure, including supports, erected over a depression or an obstruction, as water, highway or railway, and having a track or passageway for carrying traffic or other moving loads.

Calendar Day—Any day shown on the calendar, beginning and ending at midnight.

Change Order—A written order issued by the engineer to the contractor, covering changes in either the plans, specifications or quantities, within the scope of the contract.

Cinders—Slaggy, scoriaceous or vesicular volcanic lava.

Commission or Transportation Commission—The Oregon Transportation Commission as constituted under the laws of the State.

Contract—The agreement between the State of Oregon and the contractor describing the work to be done and defining the obligations of the State and the contractor in accordance therewith. It includes the "Advertisement", "Proposal", the "Specifications", the "Special Provisions", "Addenda", the "Schedule of Contract Prices", the "Performance Bond", and the "Plans", and it includes all "Change Orders" and written agreements of a supplemental nature, including authorized extensions, that may be entered into during the progress of the work.

Contract Item—A specific unit of work for which a price or basis of payment is provided in the contract.

Contract Time and Adjusted Contract Time—The term "contract time" is the amount of time originally allowed for the performance of the work under the contract or the time set for completion of the contract as given in the Proposal. The contract time is separate from and excludes "establishment periods" as such are specifically so designated in the specifications. The term "adjusted contract time" is the contract time as above stated which has been changed for cause during the progress of the work pursuant to the provisions of subsection 108.09.

Contractor—The individual, partnership, firm, corporation or any acceptable combination thereof, or joint venture contracting with the State for performance of prescribed work.

County—The county in which the work specified is to be done.

Culvert—A pipe, sewer, drain, conduit, box culvert or minor structure which provides an opening primarily for conveyance of liquids, pedestrians or livestock; exclusive of bridges.

Division or Highway Division—The Highway Division of the Department of Transportation of the State of Oregon consisting of the Administrator of Highways, the State Highway Engineer, deputy engineers, assistant engineers and all their employees or assistants.

Engineer—The State Highway Engineer of the State of Oregon acting either directly or through his authorized representatives.

Equipment—All machinery and equipment, together with the necessary supplies for upkeep and maintenance, and also all tools and apparatus necessary for the proper construction and acceptable completion of the work.

Extra Work—An item of work not provided for in the contract as awarded but determined by the engineer as essential to the proper completion of the contract within its intended scope.

Extra Work Order—A change order concerning the performance of work or furnishing of materials involving extra work.

Gravel—Crushed or uncrushed material from water or glacial deposited accumulations of mineral matter, having rounded or subrounded surfaces.

Holidays—The following, subject to subsequent change by law, are legal holidays: Sunday, New Years, Lincoln's birthday, Washington's birthday, Memorial day, Independence day, Labor day, Veterans day, Thanksgiving, Christmas, and those days declared as holidays by authorized public proclamation. When a legal holiday, other than Sunday, falls on a Sunday, the immediately following Monday is a legal holiday.

Inspector—The authorized representative of the engineer, assigned to make a detailed inspection of contract performance.

Laboratory—The testing laboratory of the Division or any other testing laboratory which may be designated by the engineer.

Materials—Any substances specified for incorporation in the project and its appurtenances.

Median—The portion of a divided highway separating the traveled ways for traffic in opposite directions.

Section 101

Notice to Contractors—The advertisement, public announcement to contractors, inviting bids for work to be performed or materials to be furnished.

Pavement—Plant-mixed asphalt concrete and portland cement concrete placed for vehicular use on highway, road and street traveled ways, shoulders, auxiliary lanes and parking areas.

Performance Bond—The form of security approved by the Commission, furnished by the contractor and his surety, guaranteeing the complete and faithful performance of all of the obligations and conditions placed upon the contractor by the contract.

Plans—The approved plans, profiles, typical cross sections, working drawings and supplemental drawings, or exact reproductions thereof, which show the location, character, dimensions and details of the work to be done or contemplated under the contract.

Project—The specific section of the highway together with all appurtenances and construction to be performed thereon under the contract.

Proposal—The offer of a bidder, on the prescribed Proposal form, to perform stated construction work at the prices quoted.

Proposal Guaranty—The security furnished with a bid to assure that the bidder will enter into the contract if his offer is accepted.

Right of Way—A general term denoting land, property, or interest therein, usually in a strip, acquired for or devoted to a highway.

Roadway—The portion of a highway, including shoulders, for vehicular use. A divided highway has two or more roadways.

Rock—Crushed or uncrushed material from natural deposits of solid mineral matter or from natural deposits of weathered mineral matter, having angular surfaces.

Sand—Granular mineral matter resulting from the disintegration, grinding or crushing of "rock" or "gravel" and which will pass the No. 10 sieve, U. S. series.

Shoulder—The portion of the roadway contiguous with the traveled way for vehicular emergency use.

Special Provisions—Those special directions, provisions or requirements, identified as special provisions, peculiar to the project or augmenting the standard specifications applicable to the project.

Specifications—A general term applied to all directions, provisions and requirements pertaining to performance of the work.

Standard Specifications—The terms, directions, provisions and requirements set forth in this book, together with all subsequent addenda and supplements thereto identified as such.

State—The State of Oregon, acting by and through its Department of Transportation and other authorized representatives.

State-Controlled Lands—Areas which are owned by the State of Oregon, or which are controlled by the State under lease or agreement, or which are under the jurisdiction and control of the State or the Division for the purposes of the contract.

Subbase—A course of specified material of planned thickness between the subgrade and a base.

Subcontractor—An individual, partnership, firm, corporation or any acceptable combination thereof, or joint venture to whom the contractor, with the written consent of the Division, sublets part of the contract.

Subgrade—That portion of the graded roadbed on which subbase, base, surfacing, pavement or a course of other material is to be placed; the top surface of completed roadbed earthwork.

Substructure—All of that part of the structure below the bearings of simple and continuous spans, skewbacks of arches and tops of footings of rigid frames, including the backwalls, wing walls and wing protection railings.

Superstructure—The entire structure except the substructure.

Supplemental Agreement—Any written agreement entered into between the contractor and the Commission or the engineer to supplement, clarify, or alter the plans, specifications or contract, or to otherwise provide for unforeseen work, contingencies, alterations in plans, and other matters not contemplated by or adequately provided for in the plans and specifications.

Supplemental Standard Specifications—Additions and revisions to the printed book of standard specifications that are issued, adopted or approved subsequent to issuance of the printed book.

Surety—The corporate body which is bound with and for the contractor, for the acceptable performance of the contract, and for his payment of all obligations arising out of the contract. Where applying

to the "Proposal Bond", it refers to the corporate body which engages to be responsible for the bidder's execution of a satisfactory contract when and if his bid is accepted by the Commission.

Surfacing—The uppermost course or layer of material, other than pavement, placed on the traveled way, auxiliary lanes, shoulder or parking areas.

Titles (Headings)—The titles or headings of the sections and subsections of the specifications, intended for convenience of reference and not to be considered as bearing on the interpretation of the provisions of the sections and subsections.

Traffic Lane—That portion of the traveled way for the movement of a single line of vehicles.

Traveled Way—That portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

Work—The furnishing of all labor, materials, equipment and other incidentals required for the fulfillment of all of the contractor's duties and obligations under the contract.

Working Drawings—Stress sheets, shop drawings, erection plans, falsework plans, framework plans, cofferdam plans, bending diagrams for reinforcing steel, or any other supplementary plans or similar data which the contractor is required to submit to the engineer for approval.

101.03 Avoidance of Repetitious References to the Engineer - In order to avoid cumbersome and confusing repetition of expressions in these specifications, it is provided that whenever anything is, or is to be, done, if, as, or, when, or where "contemplated, required, determined, directed, specified, authorized, ordered, given, designated, indicated, considered necessary, deemed necessary, permitted, reserved, suspended, established, approval, approved, disapproved, acceptable, unacceptable, suitable, accepted, satisfactory, unsatisfactory, sufficient, insufficient, rejected, or condemned", it shall be understood as if the expression were followed by the words "by the engineer" or "to the engineer".

Section 102—Bidding Requirements and Conditions

Subsection 102.01 Prequalification of Bidders - Pursuant to ORS 279.010 to 279.028 inclusive, and acts amendatory thereto, proposals for projects estimated to cost more than $10,000 will be received only from bidders who have prequalified under said Statutes.

Prequalification shall be made through the Commission support and Department of Transportation Staff Service Office; State Highway Building, Salem, Oregon 97310.

Qualification will authorize a bidder to bid on individual projects of a given size or for a particular kind of work. Prequalification or qualification may be changed upon the submission of additional favorable reports or upon unsatisfactory performance of work.

102.02 Contents of Proposal Form - The proposal form for bidding purposes will be furnished to qualified prospective bidders as set forth in subsection 102.03. The proposal form will state the location and description of the contemplated construction, the class of project and the time, date and place of opening and reading the proposals. The proposal form will show the approximate estimate of the various quantities and kinds of work to be performed or materials to be furnished, listed in a Bid Schedule of the items for which unit bid prices are invited. The proposal form will also state the time in which the work is to be completed and the identification of applicable supplemental standard specifications and special provisions.

All papers bound with or attached to the proposal form are considered a part thereof, must accompany the proposal and must not be altered in an unauthorized manner when the proposal is delivered.

The plans, specifications and other documents designated in the proposal form will be considered a part of the proposal whether attached or not.

102.03 Issuance of Proposal Forms and Plans - Upon request, prospective bidders and other interested parties will be provided with a set of plans and a pamphlet of supplemental standard specifications and special provisions for each advertised project upon payment of the amount stated in the Notice to Contractors. Also, bidders who are qualified will be provided with a proposal form for the project without further payment.

Requests for proposal forms, specifications and plans should be addressed to the State Highway Division, State Highway Building, Salem, Oregon 97310.

The Division reserves the right to disqualify or refuse to issue a proposal form if a bidder is in default for any of the following reasons:

(a) Lack of competency and adequate machinery, plant and other equipment, as revealed by the financial statement and experience

questionnaires pertaining to prequalification required under subsection 102.01.

(b) Uncompleted work which, in the judgment of the Division, might hinder or prevent the prompt completion of additional work if awarded.

(c) Failure to pay, or satisfactorily settle, all bills due for labor and material on former contracts in force at the time of issuance of proposals.

(d) Failure to comply with any prequalification regulations of the Division.

(e) Default or demonstrated incompetency under previous contracts with the State or others.

(f) Submission of false or misleading information in the prequalification statement.

102.04 Interpretation of Quantities in Bid Schedule - The quantities appearing in the bid schedule are approximate only and are prepared for the comparison of bids. The State does not expressly or by implication represent or warrant that the individual items or total quantities or the actual amount of work will correspond therewith. Payment to the contractor will be made only for the actual quantities of work performed and accepted or materials furnished in accordance with the contract. The scheduled quantities of work to be done and materials to be furnished may each be increased, decreased or omitted as hereinafter provided, particularly in Section 104.

102.05 Examination of Plans, Specifications, Special Provisions and Site of Work - The Division will prepare and furnish plans and specifications giving such directions as will enable any competent mechanic or contractor to carry them out. The bidder is expected to examine carefully the site of the proposed work, the proposal, plans, specifications, supplemental specifications, special provisions and contract forms before submitting a proposal. The submission of a bid shall be considered prima facie evidence that the bidder has made such examination and is satisfied as to the conditions to be encountered in performing the work and as to the requirements of the plans, specifications, supplemental specifications, special provisions (including completion time) and contract.

The State of Oregon, the Transportation Commission, its officers and employees, will in no case be responsible for any loss or for any unanticipated costs that may be suffered by the contractor as a result of the contractor's failure to fully inform himself in regard to all conditions pertaining to the work.

102.06 Changes in Plans, Specifications or Quantities Prior to Opening Bids - The State reserves the right to, at any time prior to the time of opening proposals, make such changes or corrections in plans, specifications, provisions or quantities as may appear to the State to be necessary or desirable. Bidders will be notified of such changes or corrections by letter or telegram sent to the contractor's address as it appears in the files of the Division, or an announcement of such changes or corrections will be made immediately prior to the opening of proposals and bidders given the opportunity to withdraw their proposals.

The State will not be responsible for failure of bidders to receive notifications sent out as above stated or for failure of bidders to withdraw their proposals after announcement of changes or corrections in plans, specifications, provisions or quantities, and all proposals opened will be understood to be based upon the changed or corrected plans, specifications, provisions or quantities. Proposals will be subject to corrections as to changed quantities, extensions and amounts for comparison of bids, and all bidders shall be bound thereby.

102.07 Preparation of Proposal - The bidder shall submit his proposal upon the forms furnished by the Division. The filling in of the blank spaces shall be done in accordance with the apparent intent. The bidder shall specify a unit price in words or figures, or both if indicated, for each pay item for which a quantity is given and shall also show the products, in figures, of the respective unit prices and quantities in the column provided for that purpose, and the total amount of the proposal obtained by adding the amounts of the several items. All words and figures shall be in ink or typed.

When an item in the proposal contains a choice to be made by the bidder, the bidder shall indicate his choice in accordance with the specifications for that particular item, and thereafter no further choice will be permitted.

The bidder's proposal must be signed with ink by the individual, by one or more members of the partnership, by one or more members or officers of each firm representing a joint venture, or by one or more officers of a corporation, or by an agent of the bidder legally qualified and acceptable to the State. If the proposal is made by an individual, his name and address must be shown; by a partnership, the name and address of each partnership member must be shown; by a joint venture, the name and address of a member or officer of each firm represented by the joint venture must be shown; by a corporation, the name of the corporation and the business address of its corporate officials must be shown.

If the work to which the proposal applies is a federal-aid primary highway project, a federal-aid interstate highway project, a federal-aid urban project or a federal-aid bond project and is so designated in the "Class of Project" in the proposal, the proposal shall be accompanied by a Sworn Statement executed by, or on behalf of the person, partnership, association or corporation submitting the proposal, certifying that such person, partnership, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive

Section 202—Removal of Structures and Obstructions

Description

Subsection 202.01 Scope - This work shall consist of the removal and disposal, wholly or in part, of buildings, bridges, concrete, masonry, miscellaneous structures, fences, lumber, pavements, curbs, gutters, walls, bulkheads, walks, driveways, sewers, culverts, conduits, guardrail, median barrier, guide posts, debris and other matter of man-made or artificial character as contrasted with things or matter of natural or native origin, together with the cleaning up of areas worked on.

The objects, things and matter covered under this specification will be collectively referred to herein as "material(s)".

202.02 Exclusions - This removal work does not include the removal or disposal of things and matter (a) which are designated to remain, or (b) which are included in earthwork as set forth in other Sections of Part 200 of these specifications, or (c) which are specifically indicated by the plans or special provisions to be removed as a part of or incidental to other items of work to be done under the contract, or (d) which are owned by or are under the jurisdiction of public utilities, common carriers or other agencies which are responsible under law, franchise, permit or regulation for the removal, re-establishment or protection of their own facilities.

Construction

202.31 Area of Work and General Requirements - The area on which removal work, under this specification, is to be done shall be the whole of the right of way within the limits of the project, together with all areas outside the project occupied by the contractor or which are required to be occupied by him in direct connection with his operations under the contract. With reference to existing highways, facilities and appurtenances which are to remain in service upon completion of the contract, the work under this specification shall consist of the cleaning up and restoration of such portions thereof as are disturbed or damaged by the contractor.

Unless otherwise specified, when a building to be removed lies partly within the right of way, the whole of said building shall be removed.

All materials shall become the property of the contractor at the place of origin and shall be disposed of by him in conformance to all laws, regulations and rules legally imposed on such activities.

Except as provided in subsection 202.37, materials shall not be disposed of on State-owned or State-controlled lands except by written permission of the engineer, and if so permitted the materials shall be placed only at such locations and in such manner as the engineer may direct. Materials may be placed on other than State properties with written permission of the property owner involved, with copies of the

agreement furnished the engineer; however, no such materials shall be placed so as to be visible to those who are traveling on any public highway, street or road.

Watering shall be performed as an incidental item to alleviate dust nuisance.

In removing pavements, curbs, walks, driveways, floors and similar structures, all cuts where an abutting structure or a part of a structure is to be left in place shall be clean, smooth, vertical cuts made to lines established by the engineer.

Blasting or other operations necessary in the removal work, which may damage new construction, shall be completed prior to placing the new work.

202.32 Removal of Bridges, Culverts and Other Drainage Structures - Bridges, culverts and other structures shall not be removed until arrangements have been made to accommodate traffic.

Substructures of bridges shall be removed down to the natural stream bottom and those parts outside of the stream shall be removed to a depth 1 foot below natural ground.

Culverts, sewers, siphons and other such conduits, when designated for removal, shall be removed in their entirety.

Box culverts and similar drainage structures in waterways shall be removed in their entirety or to a depth of at least one foot below the bed of the waterway.

202.33 Removal of Materials Within Construction Areas - Materials which are within construction areas shall be removed entirely or they shall be broken down to an elevation at least 2 feet below established subgrade or slope surface, whichever is pertinent. Wherever a bituminous treated surface lies within 3 feet of subgrade it shall be scarified. The scarified material shall be compacted to the same density required for the embankment.

202.34 Removal of Materials Outside of Construction Areas - Materials which lie outside of construction areas shall be removed to an elevation at least 1 foot below the surface elevation to which the affected area is to be finished or to the surface of the adjoining area, whichever is pertinent.

202.35 Salvaging Drain Structure Fittings - Metal grates, frames, rings, covers and other such metal fixtures or fittings for drainage structures, determined by the engineer to be re-usable, may be salvaged and used on new structures if of suitable size and condition.

202.36 Repair of Damage - Breakage of concrete and damage to other materials or items not intended to be removed shall be repaired promptly in a thoroughly workmanlike manner. If the engineer determines it necessary, repairs shall consist of complete replacement of the material affected. All such repairs and replacements shall be made by the contractor without compensation.

Section 202

202.37 Disposal of Material:

(a) Burnable material shall be disposed of in accordance with the applicable provisions of Section 201.

(b) Concrete and masonry may be used in filling basements or may be buried in embankments on the project provided that the materials are broken into pieces, no dimension of which exceeds 2 feet and are so placed (1) that no part of any piece shall be within 18 inches of the top, side or end surface of the basement or embankment, (2) that no appreciable voids are formed, and (3) that suitable earth, sand, gravel, fine rock, or combinations thereof, are interspersed with the concrete and masonry to provide a dense mass.

(c) Prior to placing material in basements or over slabs of asphalt or concrete, the floors or slabs shall be broken through to provide fragments thereof which shall have no dimension in excess of 3 feet. The broken fragments shall lie so that no parts thereof are more than 4 inches above the plane of the floor or slab prior to being broken.

202.38 Earthwork - Where earthwork in connection with removal of material under this specification is within the limits of other required construction on the project, or is shown on the plans as an excavation quantity and pay item, it shall be performed and will be separately paid for under the appropriate and applicable provisions of other Sections of Part 200. Otherwise, the earthwork will be classed as incidental to and a part of the removal work under this Section 202, and no separate payment for it will be made. Holes resulting from removal work outside of the limits of "earthwork" shall be backfilled in conformance with subsection 203.43.

Measurement

202.81 Lump Sum Basis - If the special provisions or bid schedule items indicate that payment for part or all of the removal work is to be on a lump sum basis, there will be no measurement of such removal work.

202.82 Separate Item Basis - If the special provisions or bid schedule items so indicate, all or parts of the work performed under this specification will be measured in units which may include "square yard", "linear foot", "each" and "cubic yard". Measurement of pay quantities will be determined as set forth in Section 109.

Payment

202.91 Lump Sum Basis - The accepted quantities of removal work

done on a lump sum basis will be paid for at the contract lump sum price for the applicable pay item given in one or another of the following forms:

Pay Item	*Pay Unit*
(a) Removal of Structures and Obstructions	Lump Sum
(b) Removal of _____	Lump Sum

Pay item (a) above applies to all removal work to be done on a lump sum basis under this specification, except such as may be covered under pay items given in the form of (b) above.

Pay items in the form of (b), above will have inserted therein the specific kind or description of removal work to which the item applies.

202.92 Separate Unit Basis - The accepted quantities of removal work done on a separate unit basis will be paid for at the contract unit price per unit of measurement, respectively, for each of the particular pay items that is shown in the bid schedule. Such pay items may include any of the following or such other items as may be pertinent to the work.

Pay Item	*Pay Units*
Removal of Pipes	Linear Foot
Removal of Curbs	Linear Foot
Removal of Pavement	Square Yard
Removal of Walks and Driveways or Removal of Concrete Surfacings	Square Yard
Removal of Inlets	Each
Removal of Manholes	Each
Removal of Miscellaneous Concrete and Masonry	Cubic Yard

The applicability of the pay item name to the item covered thereby shall be on the basis of recognized use of such names in construction practice or as indicated by the special provisions or plans pertaining to the work.

202.93 Incidental Basis - When neither the special provisions nor bid schedule indicate separate payment for the work under this Section 202, the work hereunder is to be performed as incidental work for which no separate payment will be made.

Section 203 - Excavation and Embankment for Roadways

Description

Subsection 203.01 Scope - This work consists of all grading, leveling, ditching, backfilling, excavating, embankment construction and other earth-moving work required in the construction of the project, excepting only (a) such as may be specifically included and provided for as incidental work in the specifications for particular items or parts of the work, and (b) such as is covered and included under other Sections of Part 200.

In the provisions which follow, the term "earthwork" will be used as a general term to designate the work included within the scope of this Section of the specifications.

203.02 Lines, Grades and Cross Sections - All earthwork shall be performed in reasonably close conformity to the lines, grades and cross sections established by the engineer.

The cross sections to which roadbeds are to be constructed shall be subject to such variation from the typical sections shown on the plans as may be necessary to provide satisfactory superelevation on curves, to take care of special conditions encountered at intersections and elsewhere, to make up deficiencies of materials, and as the engineer determines to be necessary or desirable to bring the work to adequate status.

203.03 Embankment Measure Basis of Performance - If the special provisions or bid items indicate "Embankment Measure", the measurement and payment for roadway earthwork, inclusive of excavation, haul and embankment construction, on portions or on the whole of the project, will be on an embankment measure basis. In this case those provisions herein which define pay excavation are modified to exclude "borrow excavation" and "general excavation" from applicability to those portions of the project on which the embankment measure basis of performance is to apply.

203.04 Pay Excavation - Except as provided in subsection 203.03, pay excavation shall comprise the following:

(a) Excavation made within the neat lines of the excavation cross sections and above the excavation finish grades (subgrades) established by the engineer.

(b) Excavations made in areas specifically designated and authorized by the engineer.

(c) Excavation of unsuitable or unstable material from designated areas.

ABSTRACT OF RECORD

On June 16, 1980, Ross Brothers Construction Co., Inc. filed a

COMPLAINT

against the State of Oregon for breach of contract. The complaint alleged that the parties entered into a contract by which Ross Brothers would construct a new bridge across the Skipanon River and remove the existing bridge. The contract provided that all materials removed would become the property of the contractor. The complaint further alleged as follows:

V

"On approximately March 16, 1979, and after the commencement of construction by Ross Bros., OSHD removed from the existing bridge the span flotation device which had theretofore served to open the existing bridge to river traffic. The span flotation device was a part of the existing bridge and was not designated to remain at the site under the Contract. Ross Bros. 'bid price for the item 'Remodel and Remove Existing Bridge' (Item 53) was reasonably calculated on the basis that the span flotation device, as part of the existing bridge, would become Ross Bros.' property for salvage in the course of contract performance.

VI

"Ross Bros. demanded that OSHD return the span flotation device but OSHD refused and continues to refuse to return the device and has wrongfully withheld the device from Ross Bros. in breach of its Contract with Ross Bros.

On August 15, 1980, the state filed its

ANSWER

to Ross Brothers' Complaint. In its Answer, the state denied and alleged, in relevant part, as follows:

III

"In answer to paragraph V of the Complaint, denies that plaintiff's pontoon barge (wrongfully identified in the Complaint as a 'span floatation device') was ever affixed to or a part of defendant's existing bridge; admits that defendant's barge had been used in conjunction with a rental tug to open the existing bridge to river traffic, and admits that defendant moved its barge from the Warrenton area on or about March 16, 1979, when it was no longer needed in that area.

"In further answer to paragraph V, defendant lacks information to form a belief as to the basis of plaintiff's calculations or the basis of its bid price for bid item 53, but specifically alleges that if plaintiff calculated its bid as alleged in paragraph V, its actions were unreasonable and unwarranted under the contract documents and under the readily observable physical facts."

IV

"[D]efendant * * * specifically denies that defendant breached the contract.

Ross Brothers served and filed

PLAINTIFFS' FIRST REQUEST FOR ADMISSION

On August 28, 1980, the state filed its

REPLY TO PLAINTIFFS'
FIRST REQUEST FOR ADMISSION

On April 23, 1981, the state filed the following

- MOTION FOR SUMMARY JUDGMENT

"Defendant, by and through its attorney, respectfully moves the Court pursuant to ORCP 47 to enter an order granting defendant summary judgment in the above-captioned case.

"In support of this motion, defendant relies upon the Affidvit of Theodore W. Litchfield, together with attached exhibits, and memorandum in support thereof."

On May 15, 1981, Ross Brothers filed the following:

MOTION FOR SUMMARY JUDGMENT

"Plaintiff, Ross Brothers Construction Co., Inc., moves the Court for an Order entering summary judgment in its favor and against defendant on the issue of liability; on the grounds and for the reason that there is no genuine issue as to any material fact, and plaintiff is entitled to judgment as a matter of law. this Motion is based upon the attached Memorandum, the Affidavit of Steven M. Ross, the attached exhibits, and the Admissions and trial court record herein."

Mr. Ross's affidavit in support of the motion averred in part as follows:

"It was clear to me from my observation that the flotation device was an integral part of the existing bridge, which could not be opened to river traffic without use of the device.

"* * * *

"In particular, our bid on Item 53 was based upon the fact that we could recover the difference betwen the bid price and the costs of remodeling and removal work, plus a portion of our overhead and profit, by salvaging all parts of the existing structure not designated for delivery to the State, including the flotation device required to pen the float-out span.

'* * * *

'It was my understanding that, under the terms of the contract with the State, Ross Brothers would not become the owner of the salvage from the existing bridge until removal. The plans provided for use of the existing bridge during construction of the new bridge however. Ross Brothers planned to use the flotation device to drive or to stock-pile piling during construction of the new bridge."

On May 28, 1981, the state filed a

REPLY MEMORANDUM TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

and in the same document made the following

MOTION TO STRIKE

"Defendant, therefore, would move to strike page 4, lines 13 through 16, beginning with: 'It was clear . . .'.

"Defendant also moves to strike page 5, lines 6 through 11 in their entirety and lines 14 through 19."

With its Reply Memorandum the state filed, in opposition to Ross Brothers Motion for Summary Judgment, a Supplemental Affidavit of Theodore Litchfield, and the affidavit of Bill Peckham, John Keiser, Ralph Hannen, and Eldon Everton.

On June 3, 1981, Ross Brothers filed a

SUPPLEMENT TO RECORD

On July 29, 1981, the court mailed out a

LETTER OPINION

which provided in part as follows:

Both motions are supported by adequate affidavits, and it appears that there is no genuine dispute as to any material fact. Therefore, this is a proper case for summary judgment treatment.

The contract terms are ambiguous, but this does not leave interpretation thereof to a jury as suggested by defendant. The applicable rules of construction can be applied by the Court as a matter of law.

I find that the barge was an integral part of the bridge, was included in the term "materials", and it was reasonable that the plaintiff so interpret the contract.

Summary judgment is allowed in favor of plaintiff and against defendant on the issue of liability.

On August 10, 1981, the court entered an

ORDER

denying the state's motion and granting Ross Brothers' motion for summary judgment.

On October 21, 1981, the court entered

JUDGMENT

in favor of Ross Brothers for $35,000.

On October 27, 1981, the state filed a

NOTICE OF APPEAL

1651

L.

STATE OF OREGON

NOTED
H. S. COULTER

INTEROFFICE MEMO

TO: Bill Gary
Solicitor General

DATE: October 23, 1981

FROM: Tim Wood
Assistant Attorney General

SUBJECT: Ross Bros. Construction Co. v. State of Oregon/Notice of Appeal

On October 21, 1981, the Marion County Circuit Court entered a judgment against the Department of Transportation in the above captioned case. The judgment is in the amount of $35,000 together with interest thereon at 9% per annum until paid. I would request that you prepare a notice of appeal and file a brief on behalf of the Department of Transportation.

Issues

The main issue in the case is the interpretation of a contract that was awarded to the plaintiff. Plaintiff was to remove a bridge for the Department of Transportation. As a part of the consideration for the removal of the bridge, plaintiff was entitled to salvage material. The bridge had a center section that needed to be moved when boats went up the river. The Department of Transportation had at one time used a barge to remove the center section. Plaintiff claims that the barge was a part of the bridge. Our position has been that a bridge is a bridge and a barge is a barge and that a barge is not a bridge. Unfortunately, Judge Barber believes that a bridge is a barge and a barge is a bridge.

Jan Londahl had previously looked at these issues when there was a discussion regarding settlement and agreed that there were strong reasons why the court erred in granting plaintiff's motion for summary judgment. On appeal I would argue that at a minimum the interpretation of the contract should have been submitted to a jury although I would like to continue to argue that as a matter of law the court could have concluded that the contract never included the barge.

I have tried to collect all the relevant memoranda, orders and exhibits in the subfile that is in the folder.

I would be happy to discuss the case with whoever the attorney is that will handle it on appeal.

TW:mj
cc: O. B. Jackmond
H. S. Coulter
Ted Litchfield

RECEIVED
STATE HWY ENGR
OCT 26 '81
REFER TO
FOR
Info
Inves
R/D
O/R
Sign
Act
File

651

L.

December 3, 1980

COM 5
Br 8317

Commander
13th Coast Guard District
Aids to Navigation Branch
915 Second Avenue
Seattle, Washington 98174

Attention John Mikesell

Dear Sir:

Skipanon River Bridge
Oregon Coast Highway, Clatsop County
Permit 161-77, River Mile 4.4
Bridge 8317
Your File 16591, Serial 478

The following is the information you requested in your November 20 letter concerning the status of the above project.

The project was contracted on May 5, 1979; work started on December 3, 1979 and was completed on September 3, 1980. A combination of mailing mix-ups and personnel shifts resulted in the Resident Engineer not being informed that monthly reports would be required, and since tidal influence is blocked from the site by a downstream dam he assumed the river was not navigable and that reports would not be required.

We apologize for the errors that allowed construction before you were notified and have taken steps to prevent this from happening in the future.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer
Technical Services Branch

bc H. S. Coulter
W. J. Hart
C. O. Fredrickson (enc.)

PAA:dh ja

Cont. # 8949

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE
SEATTLE, WASH. 98174
PHONE (206) 442 5864

16591
Serial 478
20 November 1980

State of Oregon
Department of Transportation
Highway Division
ATTN: E. S. Hunter
Technical Services Branch
Salem, OR 97310

RE: Proposed bridge across Skipanon River, mile 4.4, near Warrenton, Oregon

Gentlemen:

Review of our records indicates that Bridge Permit (161-77), dated 14 December 1977, was issued for construction of the above-referenced bridge. Special condition #5 of that permit provides that "The approval hereby granted shall cease and be null and void unless construction of the bridge is commenced within 3 years and completed within 5 years after the date of this permit." To date, this office has received no indication that the work has been initiated.

It is requested that you provide information as to the status of this project. In the event that work has commenced, indicate the date construction started and include a copy of the permit drawings with color pencil marking of the work performed to date. If you should have any questions concerning this request, please contact Mr. John Mikesell or Mr. Wayne Lee of my bridge administration staff for assistance.

Your cooperation is appreciated.

Sincerely,

J. E. Mikesell for

J. H. HOLMEAD III
Captain, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

RECEIVED
NOV 25 1980
BRIDGE SECTION

RECEIVED
TECHNICAL SERVICES
NOV 25 '80
REFER TO
Hart
FOR
Info | Invest | R/D | D/R | Sign | Act | File

SPEED LIMIT 55
It's a law we can live with.

8317

Mr. John Sheldrake
Region Engineer

December 23, 1977

R. W. Ellison
Administration Engineer
Structural Design Section

Skipanon River Bridge
Oregon Coast Highway
River Mile 4.4
Coast Guard Permit
Bridge 8317

Attached for your use and eventual forwarding to the resident engineer, is a copy of the Coast Guard permit for the subject project.

The Coast Guard requests notification of the start of work. Two weeks' advance notice should be given in order that they may notify mariners through their monthly publication. They also require a monthly report of progress in the form of a marked copy of the permit drawings. Work to date should be shown in blue and work anticipated in the next six week period shown in red.

The notice of commencement and monthly reports should be sent to this office for forwarding to the Coast Guard with other reports. The monthly report should be in this office prior to the first of each month.

cc: E. S. Hunter

RWE:dls

8651

CON 4

April 14, 1980

Ross Brothers Construction, Inc.
3501 Brooklake Road N.
Salem, OR 97303

Gentlemen:

The Claims Review Board has completed their review of your claim for the value of the barge that had been used in opening the old bridge. That the old bridge was subject to opening during the contract is established by Special Provision 108.04 and Standard Specification 107.11. The barge had to be available for that purpose.

As to the ownership at completion of the new structure, the Board finds that it remained with the State and, therefore, recommended denial of your claim. I concur with the Board's finding and you are hereby advised accordingly.

Sincerely,

H. S. Coulter
State Highway Engineer

cc: Mr. Daniel J. Seifer
Kobin & Meyer
Attorneys at Law
Suite 800, 610 SW Alder St.
Portland, OR 97205

JAB:sv jh
bc: C. T. Keasey
C. O. Fredrickson
Eldon Everton
C. E. Payton
Chet Anderson

CON 4

STATE OF OREGON
HIGHWAY DIVISION-MAINTENANCE

INTEROFFICE MEMO

TO: H. S. Coulter
State Highway Engineer

DATE: April 10, 1980

SUBJECT: Skipanon River Bridge
Contract No. 8651

The Claims Review Board met March 18 with representatives of Ross Brothers Construction to consider their claim for the value of a barge or "span flotation device," which had been used for several years to open the old Skipanon Bridge. The State retained possession of the barge and moved it away (and since dismantled it) when the new bridge was in use. The contractor claimed it was part of the old bridge and reverted to the contractor along with other parts of the old structure not specifically identified by a special provision to be salvaged.

The original amount of the claim was $70,000. This was scaled down by the contractor to $30,000-$40,000 at the review when the contractor's attorney seemed to explore for a compromise settlement.

The Board has since considered some further clarifying information including all the bids and the final quantities and unanimously voted (with Jack Sollis abstaining) to deny the claim. A suggested draft response to the contractor is attached.

John A. Bond
Maintenance Services Engineer

JAB:sv

Attachment

OK | R
Lee Scott sign for me

RECEIVED
STATE HWY ENGR
APR 11 '80
REFER TO
FOR
Info | Invest | R/W | Eng | Sign | Apr | File

81-128-1987

CON 4

STATE OF OREGON

INTEROFFICE MEMO

Salem, Oregon
Highway Division - Maintenance Branch

TO: R. L. Schroeder
Assistant State Highway Engineer -
Maintenance Branch

DATE: March 21, 1980

SUBJECT: Claim Board-Contract 8651

Herewith further information on 3 points as requested by the Board.

1. Chet Anderson says the old bridge was subject to opening at any time during the contract period. The permit from the Coast Guard was not altered. I find nothing in the contract about this. Chet reports the State barge was moved to the upstream side of the old structure (by the State) early in the contract period and remained there through most of the contract time. (Standard Spec. 107.11 could apply here.)

   The area downstream (between highway bridge and railroad bridge) was occupied for awhile by a subcontractor's barge (which was larger than the State barge) and used for part of the pile driving. (Subcontract No. 6 to Foundation Constructors for part of Item 57; Drive pre-stress pile - $12,000) Mr. Anderson does not believe the State barge was large enough to accommodate mobile pile driving equipment.

2. There were 5 bidders on this project, the tabulation of their bids is attached (and the engineers' estimate).

3. The statement of over-runs and under-runs is attached. It shows actual final quantities on all items. The exact contract quantity on bid Item 56, Furnish 16-inch pre-stressed piling, was paid. Item 57, Drive pre-stressed concrete piles under-ran 7.34%. Item 58, Furnish untreated timber piling over-ran 23.33%, and Item 59, Drive timber piles, over-ran 29%. (These latter two items were comparatively small quantities.)

The Construction office copy of the contract is also attached. It must be returned.

John A. Bond
Maintenance Services Engineer

JAB:mw

Attachments

cc: Bryant Jackmond - Construction

81-125-1307

3-[illegible]-EC

NAME	TITLE-FIRM	LOCATION
Eldon L. Everton	D.E. - OSHD	Astoria
Chet Anderson	R.E. OSHD	Astoria
I.W. LITCHFIELD	REGION OPERATIONS ENGR - OSHD	SALEM
Dave Crosser	ROSS BROS CONST CO	Salem
Daniel J. Fiser	Kobin ; Meyer (Ross atty)	
Steve Ross	Ross Bros.	Salem —
D. H. MOEHRING	OSHD	Salem
R J HACEK	Asst. Cntr. OSHD	"
R.L SCHROEDER	1ST ST. Hwy Engr.	Salem
J. L. SOLLIS	CRICA COUNSEL	Salem
John A. Bend	Maint. Serv Engr.	"

7/

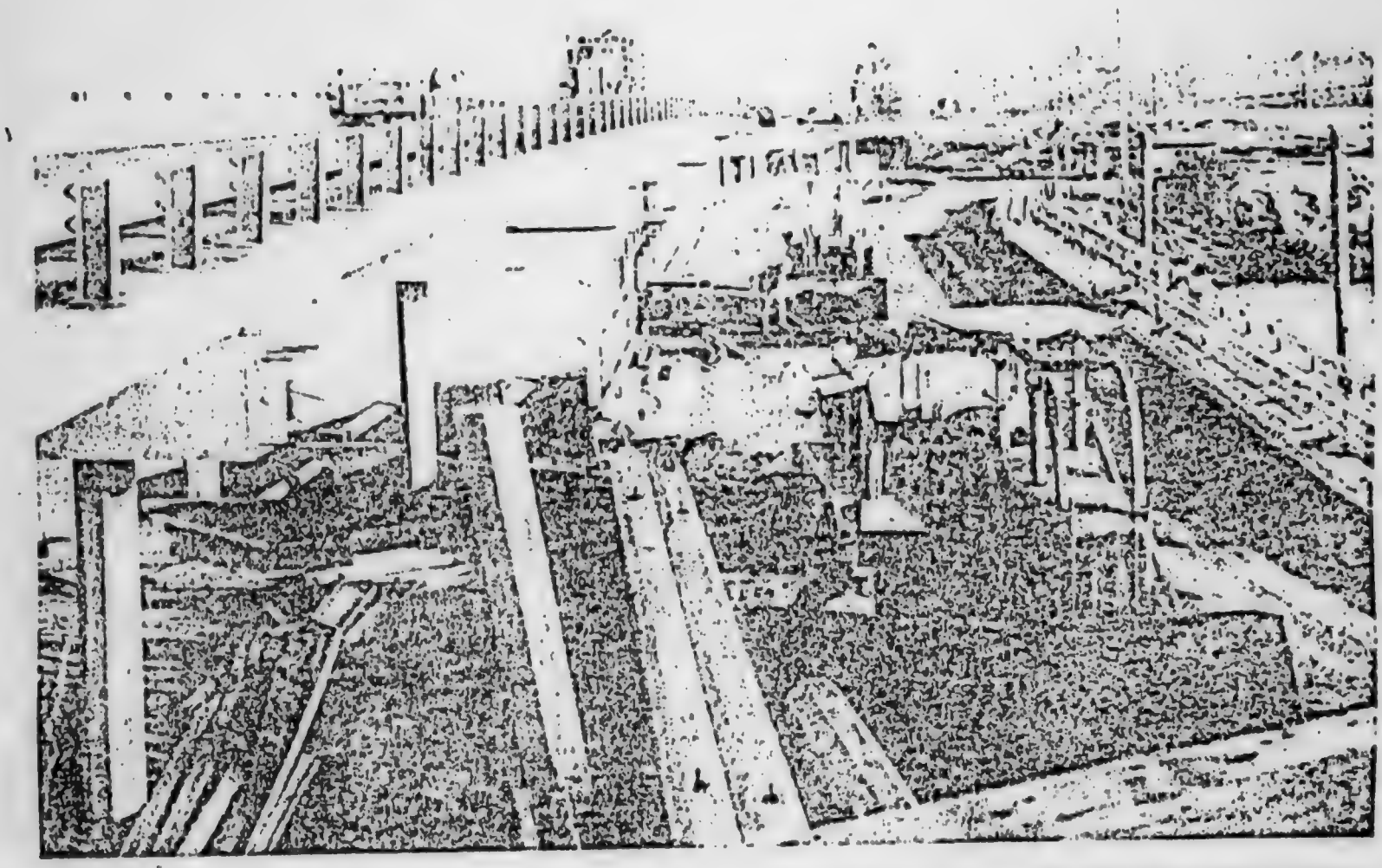
STRUCTURE

53	REMODEL & REMOVE Drwg 32911, 32921, 32922, 15927	LS		35000
	Remodle			
	Install 120' Sidewalk		5000	
	120' New Bridge 15 TBF @ 1200 =		18000	
	Redo 230' Sidewalk 3 MOF @ 2000 =		6000	
			29,000	
	Remove to -11.5 Elev			
	Salvage Stringers & Cps haul to Seaside, Remove Nails			
	Stage I - Remove 120' Pile		5000	
	Stage II - Rem 230' exist Walk		15,000	
	Stg III - Remove Sidewalk 230'		5000	
			25,000	

New Bridge Speeds Access Between Astoria and Warrenton

Replaces low level bridge with an inoperative bascule that took four hours to let a boat through the channel.

AUG 3 1 1979



The new Skipanon River bridge at Warrenton, Oregon is in the final stage of construction and now carries the traffic while the old bridge becomes the work deck for driving the final piling and completing the deck to the full 44-ft. width.

Bringing a long delinquent bridge over the Skipanon River at Warrenton, Oregon up to standard for a navigable river crossing challenged Oregon State Highway design plan engineers in more ways than one. Though the waterway into the river was seldom used, a long time temporary center section that replaced a still older inoperative bascule bridge had to be jacked up and floated out on a barge any time it was necessary to open the bridge. The cycle took about four hours and posed a delay or a long detour to traffic between Astoria and Warrenton.

The state highway bridge is located in the city of Warrenton, and since navigable water was involved, not only the city but the U.S. Coast Guard was instrumental in the state procedure of selecting a bridge plan that would meet the needs of the uses involved, one of which was street access to the Warrenton Mooring Basin. A hearing procedure was used to solicit comment from the community as well.

The prudent, simple design chosen provides a lot of value from the $1.3 million contract being performed by Ross Bros. of Salem. Instead of an opening span, the bridge is elevated sufficiently to pass the class of vessel that will use the limited channel upstream.

The 670 ft. prefabricated concrete structure, the earthen approaches, and the mooring basin access that passes under the structure are all in the second phase of construction. Nick Marten, superintendent for Ross Bros., said this step began when traffic was shifted from the old to the new, partly completed structure. The old bridge then became the work platform for driving the final piling required in order to complete the new bridge to full width. Traffic has been maintained throughout the project.

The prefabricated structure consists of six 38.5-ft. spans, one 40-ft. span, five 44-ft. spans and three 60-ft. spans — 15 spans in all — set on bents supported by prestressed concrete piling supplied by Eugene Sand and Gravel. Town Concrete Pipe of Portland cast the prefab deck slabs.

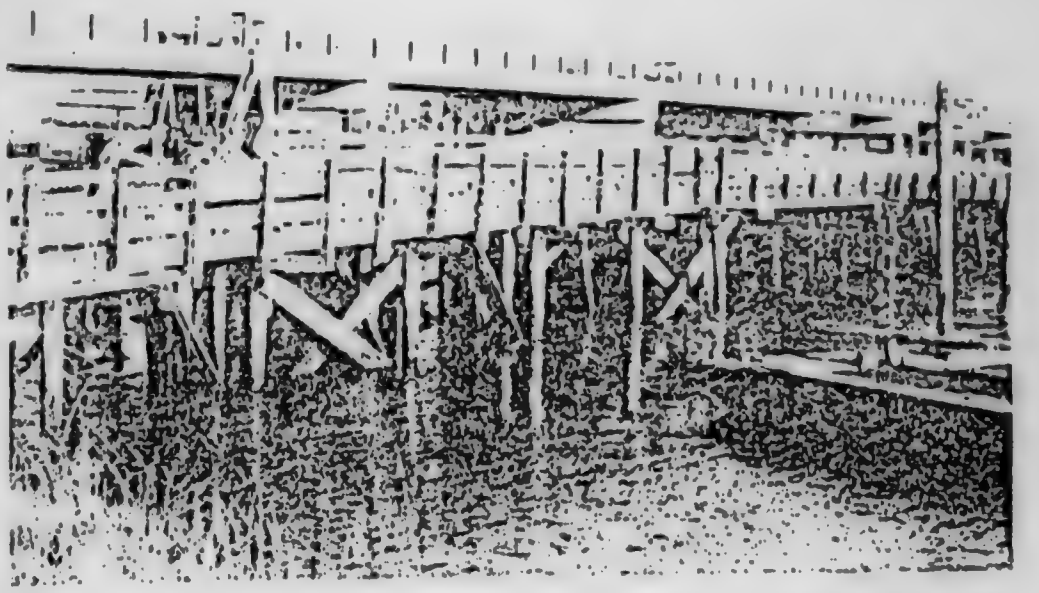
Work began in January 1978 by building bypass roads around the areas where the new, longer structure approaches would be constructed of earth tamped into place and retained in part by a large gabionade. State highway engineer Chet Anderson said the rock-filled basket devices were

used rather than a concrete wall since it would allow for a little give as the fill settles and shifts, a factor that could crack any but the most extensive concrete wall.

Ross Bros. use a 106 Vulcan air hammer to drive the octagon piling. A Lima 700HC track mounted crane handles the hammer and an Ingersoll Rand compressor provides air. Another smaller Lorain crane was busy shuttling and handing up material from its stable broad track based carrier.

The completed bridge will have two 12-ft. traffic lanes plus 10-ft. shoulders with poured guardrails at the margins of the 44 ft. wide deck.

The project will be finished well ahead of the 1979 busy summer season that creates a lot of traffic congestion in the area of the moorage basin. □



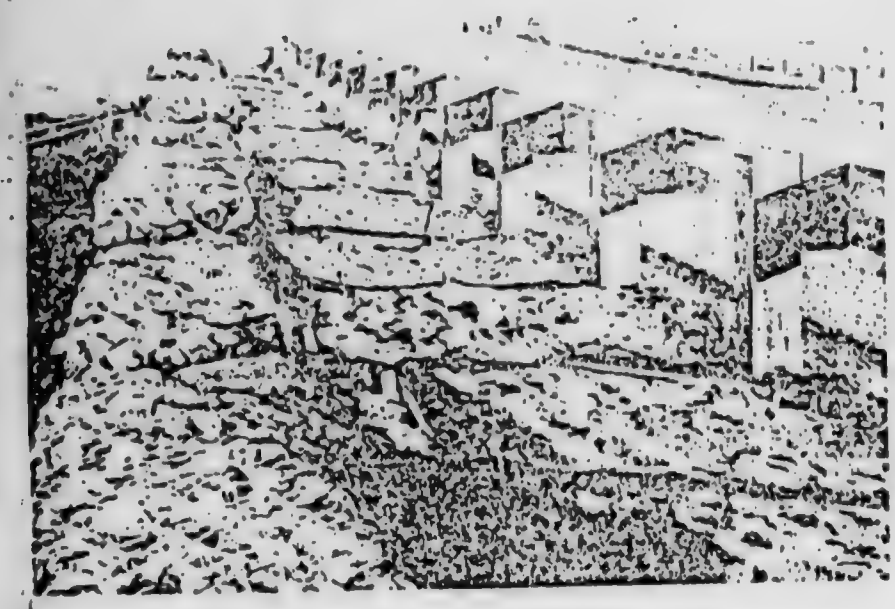
The new bridge adds 10-ft. more clearance, eliminating the need to open the bridge to pass marine traffic. The barge is used to remove the center span of the old bridge, a slow process at best.

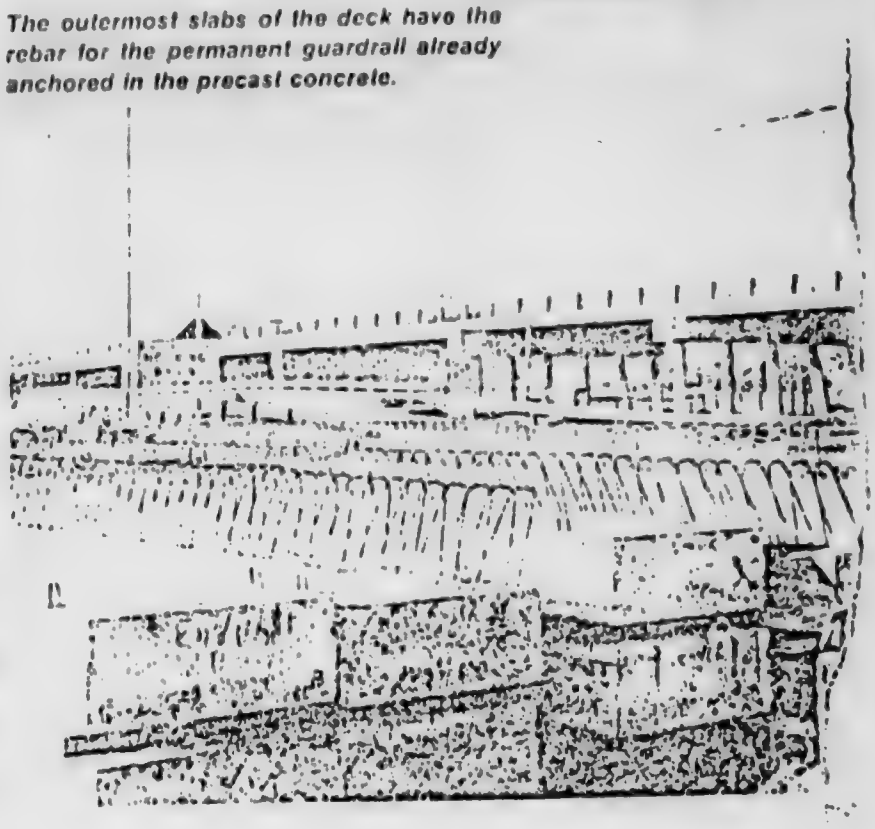
During the first stage of construction, traffic passed on the old bridge while piling were set for the new, longer structure that will provide for both a navigation lane and a crossroad to pass beneath.

The galvanized wire of the gabion baskets is further protected from the marine environment by a heavy vinyl coating on the wire.

At the west end, the approach fill has now been built against this retaining wall of gabion rock baskets.

The outermost slabs of the deck have the rebar for the permanent guardrail already anchored in the precast concrete.





JAMES A. REDDEN
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

TRIAL DIVISION
~~100 State Office Building~~
Salem, Oregon 97310
Telephone: (503) 378-6313

211 Transportation Bldg.

September 27, 1979

RECEIVED
SEP 28 1979
CONSTRUCTION BRANCH

2 Keaney
1 Jackmond
Hopkins
Williams
Johnson
Olsen
Richards
Berg
Inloes
Widmer
Gebauer
Church

Mr. Daniel J. Seifer
Attorney at Law
Suite 800
610 SW Alder Street
Portland, OR 97205

RE: Contract #8651, Skipanon River Bridge, Warrenton-Astoria Highway, Ross Bros. Construction Inc., Contractor

Dear Dan:

Enclosed for your consideration is a memo to the files which I have prepared relating to the dispute over title to the bridge span floatation device. It is still my contention that the floatation device is the property of the State and did not become the property of the contractor by virtue of the provisions of the contract. If you have any further comments after reading my memo I am certainly willing to review them.

Sincerely yours,

Jack L. Sollis
Assistant Attorney General & Counsel

JLS:sjb

enclosure

cc: Ted Litchfield
Bryan Jackmond

Memorandum

TO: FILES

DATE: Sept. 11, 1979

FROM: Jack L. Sollis
Asst. Attorney General & Counsel

SUBJECT: Skipanon River (Warrenton) Bridge
Contract No. 8651

The contractor contends that the barge is part of the existing bridge and therefore part of The Removal of Bridges item covered by the contracts Special Provisions and/or as part of the Removal of Structures and Obstructions item covered in Section 202-Standard Specifications for Highway Construction. This contention is without merit and is not supported by a fair and reasonable interpretation of the contract.

When the project was bid, the barge was moored in the Skipanon River near the west bank, just downstream of the existing Warrenton Highway Bridge and just upstream of the Burlington-Northern Railroad Bridge. The barge was then in a position that completely separated it from the existing bridge.

A "bridge" is defined as:

> "a structure, including supports, erected over a depression or an obstruction, as water, highway, or railway, and having a track or passage way for carrying traffic or other moving loads". Section 101.02-Standard Specifications for Highway Construction.

Clearly, the surplus pontoon barge purchased by the State so that the State would have means available to open the Skipanon River Drawbridge on demand is not, under this definition, part of the bridge itself.

The Removal of Bridges section of the contract's Special Provisions indicates the existing bridge over the Skipanon River shall be removed pursuant to Section 202 of the Standard Specifications. Further, all parts of the existing bridge shall be removed to a minimum elevation of - 11.6 feet. Finally, the Special Provisions provide that plans of the existing bridge are available for viewing at the office of the Bridge Engineer in Salem; these plans do not include or make reference to the barge.

The barge is also not included in the contract as a structure or obstruction to be removed pursuant to Section 202.01 of the Standard Specifications.

The State is not required to specifically exempt the barge from the contract, especially where the question of the barge being part of the existing structure has not previously been raised. The State never intended for the barge to be considered as part of the contract. No inquiry was made to the Construction Engineer by the contractor about the barge being, or not being, part of the existing bridge prior to letting of the contract.

A fair and reasonable interpretation of the contract, taking into account the intention of the parties at the time of contracting and their subsequent conduct, warrants the conclusion that the barge is not part of the existing Skipanon River Bridge and therefore does not become property of the contractor under the provisions of the contract.

The Highway Division, in order to replace the Skipanon River Bridge, was required to formulate an interim bridge opening procedure to minimize the impact of the project upon local traffic. The proposal submitted by the Coast Guard stated that the best method of opening the existing bridge consisted of floating out the center span during high tidal circles. In order to float out the removable bridge section, the proposal required the State of Oregon to:

1) provide a barge with cribbing necessary for the support of the

2) engage the services of an appropriate tug to move the barge into and out of position under the bridge;

For many years the State contracted out the opening of the Skipanon Bridge. The number of openings started to increase and the cost of having the bridge opened increased even more rapidly. Also, there were no barges available in the area that could handle the bridge. A barge was being brought from Portland for the openings, which did not allow the State to react to a bridge opening in a proper length of time. After looking at various options, the State purchased a surplus pontoon barge so that the State would have the means available to open the bridge on demand.

Not all of the barge that was purchased was needed to open the bridge; a portion was taken to Salem and has been used for other operations. The barge that was needed for opening of the Skipanon River Bridge was put together in the water at the bridge site. Because the intended main use of the barge was to float out the center bridge span. The barge was left in the immediate vicinity so that it would be readily available for a requested opening. There was ample room between the Highway bridge and the railroad bridge for the barge to be tied up in a protected area and out of the main channel. The barge was stored in this location and used when an opening was requested. By having the barge in this location, no boat or tug was necessary to maneuver the barge into place (ropes were sufficient). This made for a much better operation, as to both time and cost.

The State knew that the barge could not be left where it was stored after construction on the new bridge began as it would conflict with construction. After the contract had been bid, but prior to the contractor moving to the site, the barge was moved upstream of the old bridge so that it would be out of the way.

No inquiry was made to the Resident Engineer's office by the contractor about the barge being, or not being part of the existing bridge prior to the letting of the contract. Shortly after Ross Bros. Construction (hereinafter contractor) had been awarded the contract, the contractor requested permission from the District Engineer to use the State barge in their construction activities. The District Engineer advised the contractor that he did not feel this was possible and could not honor the request. Upon further insistence of the contractor, the District Engineer checked with the Region Engineer; the request was again denied and the contractor so advised.

A short time later, the contractor stopped by the District Engineer's office and stated that they would probably be able to use the barge anyway as it was their property under the terms of the contract. The District Engineer advised the contractor that he did not agree with such an interpretation; that the barge was only a means to open the bridge and not part of the bridge; and that such an interpretation could mean that the District Engineer's truck, which was necessary to open the bridge, would also become property of the contractor if the truck happened to be parked near the bridge.

The Restatement of Contracts, 226 provides:

> "Interpretations of words and other manifestations of intention forming an agreement (or having reference to the formation of an agreement) is the ascertainment of the meaning to be given such words and manifestations".

The two key questions to be answered when contract interpretation is at issue are:

1) Whose meaning is to govern, i.e., what standard of interpretation is to be used; and

2) What evidence may be taken into account in applying the standard selected.

Where the writing appears to be plain and unambiguous on its face, its meaning must be determined from the four corners of the document without resort to extrinsic evidence. Known as the "plain meaning rule", this standard of interpretation has been condemned by scholars, the U.C.C., the Restatement of Contracts and a number of courts because the meaning of a word varies with "verbal context and purposes in view of linguistic education and experience of their users and hearers or readers (not excluding judges)". See generally Calamari & Perillo, Contracts (2d Ed. 1977) pp. 116-131. However, the great majority of courts still adhere to the rule.

Oregon has somewhat modified this standard of interpretation, and the following "rules" govern.

1) The language is to be interpreted according to the meaning it bears in the place of execution, unless otherwise provided. (ORS 42.210).

2) The circumstances under which the instrument was made, including the situation of the subject and of the parties, may be offered into evidence. (ORS 42.220).

3) The court is simply to ascertain and declare what is, in terms or in substance, contained in the instrument. (ORS 42.230).

4) The intention of the parties is to be pursued, if possible; a particular intent (or provision) shall control a general one that is inconsistent with it. (ORS 42.240).

5) The terms of the writing are presumed to have been used in their primary and generally accepted sense, but evidence is admissable to show local custom or trade usage. (ORS 42.250).

6) When the terms of an agreement have been intended in a different sense by the parties, this meaning is to prevail, as against the other party's meaning. Where different meanings are equally reasonable, the prevailing construction is the one most favorable to the party in whose favor the provision is made. (ORS 42.260).

To summarize, as stated by the Oregon Supreme Court in Miller v. Miller, 276 OR 639, 555 P. 2d 1246 (1976):

> "The overriding rule in the construction of contracts is that the the intention of the parties prevails . . . If, in the particular fact context, the recitals appear to be inconsistent with the operative clauses. As a matter of common sense, there is an ambiguity or question about the intent of the parties, and evidence of the circumstances under which the contract was made should therefore be admitted as an aid in determining the parties' assumed or actual intent. (ORS 42.220) Language consists of words which are mere symbols of ideas. Consequently, any ascertainment of the meaning of language in an agreement requires consideration of the atmosphere in which it originated. By this process the language is made more understandable and is less likely to be misconstrued. It is capable of clear meaning only when read in light of the circumstances of its employment." 276 OR at 647. (Emphasis added).

It should also be noted that where the contract is with a governmental body or affecting the public, the rule is to resolve all ambiguities, presumptions and implications in favor of the governmental body. See generally 13 Am Jur 2d____.

The terms and conditions of the contract to construct the new bridge are governed by the Standard Specifications for Highway Construction Manual, as modified by the Special Provisions.

A bridge has, been defined as:

> "a structure, including supports, erected over a depression or an obstruction, as water, highway, or railway, and having a track or passage way for carrying traffic or other moving loads", Section 101.02 - Standard Specifications; " . . . nothing more than that part of a road which crosses a stream", Oregon Transfer Co. v. Tyee Construction Co., 188 F. Supp. 647 (D.C.OR 1960); ". . . a public structure spanning a hollow or waterway, and when connecting common throughfares, constitutes part of the highway", Stoppenback v. Multnomah County, 71 OR 493, 142 P. 832 (1914).

The Removal of Bridges section of the Special Provisions provide:

1) The contractor shall remove the existing bridge over the Skipanon River.

2) Removal work and disposal work shall be in conformance with Section 202 as supplemented and/or modified by the provisions.

3) All parts of the existing bridge shall be removed to a minimum elevation of -11.6.

4) Plans of the existing structure are available for viewing at the office of the Bridge Engineer in Salem.

5) The contractor shall salvage the existing timber and steel stringers, and steel caps . . .

It is clear from the foregoing provisions that only the bridge itself- the existing structure - is to be removed pursuant to the Special Provisions.

No reasonable person could interpret these provisions to include the barge as part of the existing structure.

The actual removal work is to be done in accordance with Section 202 of the Standards Specifications, a further requirement being that all parts of the existing bridge be removed to an elevation of -11.6 feet (approximately 14 feet below zero tide).

Finally, the Special Provisions specifically state that "plans of the existing structure are available for viewing . . .". Subsection 105.02 requires the plans to show:

> "details of all structures, . . . location and design of all structures and a summary covering contract pay items . . .".

The plans available for viewing do not include the barge. The contractor, if he studied these plans, would have realized that the barge was not to be considered as part of the existing bridge.

Further, the contractor had a duty to study these plans. Subsection 102.05 provides:

> "The Division will prepare and furnish plans and specifications giving such directions as will enable any competent mechanic or contractor to carry them out. The bidder is expected to examine carefully the site of the proposed work, the proposal, plans, specifications, supplemental specifications, special provisions and contract forms before submitting a proposal. The submission of a bid shall be considered prima facie evidence that the bidder has made such examination and is satisfied as to the conditions to be encountered in performing the work and as to the requirements of the plans, specifications, supplemental specifications, special provisions (including completion time) and contract."

The contractors cannot, in light of this duty, shift responsibility for any error, omission or ambiguity in the plans to the State unless the contractor gives notice to the State regarding the error, etc. The contractor should have inquired as to the status of the barge if he felt some error or ambiguity existed. See Subsection 105.04 - Standard Specifications Manual.

Thus, the contractor has no claim to ownership of the barge under the terms of the contract. That the contract provisions do not specifically exclude the barge from the project is not sufficient to defeat the foregoing reasonable interpretation of the contract.

8651

U. S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

4-10-80

FEDERAL AID PROJECT NO.: S-134(2)

STATE PROJECT NO.: See below

FROM: G. L. Green, Division Administrator
FHWA - Oregon Division

PROGRAM NO.:

ITEM NO.: 80040

COUNTY NAME: Clatsop

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
STATE HWY ENGR
APR 14 '80
REFER TO
Machining
FOR
Info | Invest | R/D | D/R | Sign | Act | File

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
11/22/77	3/1/78	Secondary 134	Secondary 105

GENERAL LOCATION:

Skipanon River (Warrenton) Bridge Section

GENERAL DESCRIPTION OF WORK:

Correction of authorization date

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☐ ACQUISITION OF RIGHT-OF-WAY
CONSTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☒ OTHER (Specify) See below

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Swan's letter of 3/12/80 and based on the information submitted I approve the revised date of authorization to March 1, 1978 for the City of Warrenton to proceed with the adjustment of their water facilities.

This change does not require additional obligation of funds.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
4/10/80	Wm. V. Gerard	for Division Administrator

FORM PR-1240 (REV. 6-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ GOVERNMENT PRINTING OFFICE: 1975—631-455

8651

2.

KOBIN & MEYER
ATTORNEYS AT LAW
SUITE 800
610 S. W. ALDER STREET
PORTLAND, OREGON 97205
(503) 223-1107

NORMAN B. KOBIN
PAUL R. MEYER
CHARLES L. KOBIN
DANIEL J. SEIFER
JOHN SPENCER STEWART

LEO LEVENSON
OF COUNSEL

DAVID R. TRACHTENBERG
JOSEPH A. YAZBECK, JR.
ELIZABETH YEATS

February 27, 1980

RECEIVED
STATE HWY ENGR
FEB 29 '80
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

Subject to claim review Bl meet R

State Highway Engineer
Oregon State Highway Division
Department of Transportation
Highway Building
Salem, Oregon 97310

Re: OSHD Contract No. 8651, Skipanon River (Warrenton) Bridge, Warrenton-Astoria Highway. Ross Bros. Construction Co., Inc., Contractor

Dear Sir:

This office represents Ross Bros. Construction Co., Inc. (herein "Ross Bros."), prime contractor to the State as above referenced.

Our client has previously reserved claim under the referenced contract for return of a portion of the prior existing bridge, consisting of a bridge span floatation device, which became our client's property under the contract but which has been physically removed by the State and converted to its own purposes. Alternatively, our client requests payment of the reasonable value of the span floatation device.

This matter has been the subject of previous correspondence and discussion between our client and your representatives, but remain unresolved. Without waiver of other remedies available to our client, we write to you at this time to request that this matter be scheduled for informal hearing before the Claims Review Board at the earliest practical date.

The contract provides for the construction of a new highway bridge across the Skipanon River at Warrenton. The contract further provides for stage construction requiring use of the existing bridge, in remodeled form, during construction of the new structure (Plans, sheets 2B, 1 of 24, 3 of 24, 13 of 24 and 14 of 24). Finally, the contract requires removal of the existing bridge, under Bid Item No. 53.

The present dispute concerns whether the span floatation device used to float out the existing float-out span of the existing bridge, to permit river navigation, becomes the property of the contractor under the contract. The contractor contends that it does, and the State apparently contends that it does not.

The Special Provisions, page 61, provide for "removal of bridges." So far as here relevant, the Special Provisions provide that the contractor "shall remove the existing bridge over the Skipanon River as a part of the lump sum price for bid item 53, Remodel and Remove Existing Bridge." The Special Provisions expressly provide that "[a]ll parts of the existing bridge shall be removed...", and further provide that removal work and "disposal work" shall conform with Section 202 of the Standard Specifications.

The Standard Specifications for Highway Construction, 1974 (Red Book) provide, Section 202, for the removal of structures and obstructions:

> "Subsection 202.01 Scope--This work shall consist of the removal and disposal, wholly or in part, of buildings, bridges,...and other matter of man-made or artificial character as contrasted with things or matter of natural or native origin..."
>
> "Subsection 202.02 Exclusions--This removal work does not include the removal or disposal of things and matter (a) which are designated to remain, or... (d) which are owned by or under the jurisdiction of public utilities, common carriers or other agencies which are responsible under law, franchise, permit or regulation for the removal, re-establishment or protection of their own facility."
>
> "***
>
> "Subsection 202.31 Area of Work and General Requirements--***
> "All materials shall become the property of the contractor at the place of origin and shall be disposed of by him in conformance to all laws, regulations and rules legally imposed on such activities."

Bid Item 53, "Remodel and Remove Existing Bridge," provides for lump sum payment, consistent with Ross Bros.' bid, in the amount of $35,000.

Ross Bros. interpreted the foregoing provisions, reasonably we believe, to include the span floatation device appurtenant to the bridge, as used and operated by OSHD at the time the bid was submitted. Accordingly, the bid submitted by Ross Bros. was predicated upon their expectation that monies could be realized by Ross Bros. from salvage or sale of the span floatation device.

When the contractor informally notified the field staff of its intentions, the resident engineer sent a letter, dated January 11, 1979, contending that the "barges" remain the property of OSHD. This letter prompted an exchange of communication between counsel for the parties. In the midst of the project, in March 1979, someone physically removed the span floatation device. Ross Bros. did not notify its insurance carrier based upon its understanding that the State had removed the span floatation device. The span floatation device has not been returned to the contractor. Accordingly, Ross Bros. feels it is entitled either to immediate delivery of the span floatation device or to payment for its reasonable value.

At a meeting between the contractor's representatives and your representatives in July of last year, some suggestion was made the the State may already have salvaged the span floatation device. If so, we feel that this would be an improper way for a State agency to act in the midst of a dispute over ownership.

It is well established that a contractor's reasonable interpretation of the bidding and contract documents would be binding on the owner, where the owner has prepared the documents and furnished them for bidding purposes. See, for example, WPC Enterprises v. United States, 323 F2d 874 (Ct. Cl., 1963); Morrison Knudsen v. United States, 127 F2d 1181 (Ct. Cl., 1970); Peter Kiewet Sons' Co. v. United States, 109 Ct. Cl. 390 (1947). This fundamental principle necessarily follows from the maxim that an ambiguous contract provision will be construed against the author of the provision, which is universally accepted in Oregon and otherwise. Derenceo, Inc. v. Benjamin Franklin, 281 Or 533, 552 (1978); U.S. National

Bank v. Erickson, 208 Or 141, 151 (1956); Byron v. First National Bank, 75 Or 296, 300 (1915). See also, Northern Pacific Railway v. Twohy Bros. Co., 95 F2d 220 (9th Cir. 1938), cert. den. 304 U.S. 575, 82 L.Ed 1539, 58 S. Ct. 1049; Guistina v. United States, 190 F.Supp. 303 (Or., 1960).

Certainly, there is no proper basis in this dispute for any suggestion that the contract provisions concerning the removal of the bridge contained such a "patent or obvious ambiguity or omission" as to give rise to any duty of inquiry, prior to bid, by Ross Bros.

Accordingly, the only issue is whether Ross Bros.' interpretation of the bidding documents is so unreasonable as to preclude its application. The reasonableness of the State's unexpressed intent or claimed interpretation is not even an issue. Kaiser Industries v. United States, 340 F2d 322 (Ct. Cl., 1965); WPC Enterprises, supra.

> "[I]t is well established that if a drawing or specification is ambiguous and the contractor follows an interpretation that is reasonable, this interpretation will prevail over one advanced by the Government, even though the Government's interpretation may be a more reasonable one since the Government drafted the contract." United Pacific Insurance Company v. United States, 497 F2d 1402, 1407 (Ct.Cl., 1974).

There can be no question but that Ross Bros., in good faith, interpreted the contract provisions relating to removal of "all parts of the existing bridge" to include the span floatation device. I enclose an excerpt of Ross Bros.' bid estimating sheets, consisting of those portions of the estimate concerning Bid Item No. 53. As you can see, the direct costs allocated to remodel and removal of the existing structure exceed the amount bid. Moreover, Ross Bros. tell me that they allocated a substantial portion of their overhead and profit to the monies to be realized upon salvage of the materials from the existing bridge, including the span floatation device.

At the time of bidding, the span floatation device was moored directly adjacent to the bridge, and lines securing it were affixed to the bridge. It cannot be denied that the

span floatation device was moored there as a means, and indeed the only means, of floating out the existing float-out span. (In this regard, I enclose a copy of an article from the August 20, 1979 issue of Pacific Builder and Engineer.) The existing float-out span is clearly labeled on the drawings as a "float-out span" (sheet 1 of 24), and it would be a highly strained interpretation of the contract documents to suggest that a bidder should recognize that the float-out device is not to be considered a part of the float-out span.

Ross submitted its bid to the State in good faith in reliance upon an entirely reasonable interpretation of the contract documents. Whether the State's interpretation and unexpressed intent is equally plausible is utterly irrelevant. Rather, the State is bound by its failure to exclude the span floatation device, if that was its intent, from the portions of the bridge to be removed by the contractor, and which became the property of the contractor.

On behalf of our client, we again request that the State immediately restore to Ross Bros.' custody the span floatation device. In the alternative, we request additional payment in the amount of $70,000 be made to Ross Bros. pursuant to Subsection 104.02 of the Standard Specifications and pursuant to general principles of law concerning conversion.

We hope that you or your representatives will be able to arrange for Claims Review at the earliest mutually convenient date. If additional information is required to be presented at the time of such meeting in order to make the claims review more meaningful, we would appreciate your written advice. Thank you for your consideration.

Very truly yours,

KOBIN & MEYER

Daniel J. Seifer

Enclosures

cc: Mr. Jack Sollis
Mr. O. B. Jackmond

7/

STRUCTURE

53	REMODEL & REMOVE Drwg 32911, 32921, 32922, 15927	LS		35000
	Remodle			
	Install 120' Sidewalk		5000	
	120' New Bridge 15 TBF @ 1200		18000	
	Redo 230' Sidewalk 3 MBF @ 2000		6000	
			29,000	
	Remove to -11.5 Elev			
	Salvage Stringers + Caps haul to Seaside, Remove Nails			
	Stage I - Remove 120' Pic		5000	
	Stage II - Rem 230' ex ped Walk		15,000	
	Stg III - Remove Sidewalk 230'		5000	
			25000	

New Bridge Speeds Access Between Astoria and Warrenton

Replaces low level bridge with an inoperative bascule that took four hours to let a boat through the channel.

AUG 3 1 1979

The new Skipanon River bridge at Warrenton, Oregon is in the final stage of construction and now carries the traffic while the old bridge becomes the work deck for driving the final piling and completing the deck to the full 44-ft. width.

Bringing a long delinquent bridge over the Skipanon River at Warrenton, Oregon up to standard for a navigable river crossing challenged Oregon State Highway design plan engineers in more ways than one. Though the waterway into the river was seldom used, a long time temporary center section that replaced a still older inoperative bascule bridge had to be jacked up and floated out on a barge any time it was necessary to open the bridge. The cycle took about four hours and posed a delay or a long detour to traffic between Astoria and Warrenton.

The state highway bridge is located in the city of Warrenton, and since navigable water was involved, not only the city but the U.S. Coast Guard was instrumental in the state procedure of selecting a bridge plan that would meet the needs of the uses involved, one of which was street access to the Warrenton Mooring Basin. A hearing procedure was used to solicit comment from the community as well.

The prudent, simple design chosen provides a lot of value from the $1.3 million contract being performed by Ross Bros. of Salem. Instead of an opening span, the bridge is elevated sufficiently to pass the class of vessel that will use the limited channel upstream.

The 670 ft. prefabricated concrete structure, the earthen approaches, and the mooring basin access that passes under the structure are all in the second phase of construction. Nick Marten, superintendent for Ross Bros., said this step began when traffic was shifted from the old to the new, partly completed structure. The old bridge then became the work platform for driving the final piling required in order to complete the new bridge to full width. Traffic has been maintained throughout the project.

The prefabricated structure consists of six 38.5-ft. spans, one 40-ft. span, five 44-ft. spans and three 60-ft. spans — 15 spans in all — set on bents supported by prestressed concrete piling supplied by Eugene Sand and Gravel. Town Concrete Pipe of Portland cast the prefab deck slabs.

Work began in January 1978 by building bypass roads around the areas where the new, longer structure approaches would be constructed of earth tamped into place and retained in part by a large gabionade. State highway engineer Chet Anderson said the rock fill [illegible]

used rather than a concrete wall a... e(... would allow for a little give as the ... settles and shifts, a factor that could crack any but the most extensive concrete wall.

Ross Bros. use a 106 Vulcan air hammer to drive the octagon piling. A Lima 700HC track mounted crane handles the hammer and an Ingersoll Rand compressor provides air. Another smaller Lorain crane was busy shuttling and handing up material from its stable broad track based carrier.

The completed bridge will have two 12-ft. traffic lanes plus 10-ft. shoulders with poured guardrails at the margins of the 44 ft. wide deck.

The project will be finished well ahead of the 1979 busy summer season that creates a lot of traffic congestion in the area of the moorage basin. □

The new bridge adds 10-ft. more clearance, eliminating the need to open the bridge to pass marine traffic. The barge is used to remove the center span of the old bridge, a slow process at best.

The galvanized wire of the gabion baskets is further protected from the marine environment by a heavy vinyl coating on the wire.

At the west end, the approach fill has now been built against this retaining wall of gabion rock baskets.

During the first stage of construction, traffic passed on the old bridge while piling were set for the new, longer structure that will provide for both a navigation lane and a crossroad to pass beneath.

The outermost slabs of the deck have the rebar for the permanent guardrail already anchored in the precast concrete.

8651

ROW 18-2

Department of Transportation
STATE HIGHWAY DIVISION

January 12, 1979

Mr. R. P. Stafford
Real Estate Representative
B.N. Property Management Dept.
810 Third Avenue
Lobby 2
Seattle, WA 98104

Skipanon River (Warrenton) Bridge Section
Warrenton-Astoria Highway
Clatsop County
R/W File 49479
ODOT Agreement No. RR-906

Dear Dick:

Attached are the fully executed railroad copies of a permanent and temporary easement relating to the subject project. Also attached is a voucher which should be signed and returned to me. Upon receipt of the signed voucher, I will see that a warrant in the amount of $8,350 is transmitted. Please advise as to whom this should be sent.

As soon as I receive the recording data for the permanent easement, I will send it to you.

Thank you, Dick, for your cooperation in this project. It is a pleasure to work with you.

Cordially,

Roger D. Trygstad
Railroad & Utility Engineer

RDT/seb
Attachments
cc: R. A. Osborne
bc: G. L. Green w/copy agreements
C. W. Head
C. T. Keasey w/copy agreements
J. L. Sollis
J. B. Boyd
V. E. Skoog w/copy agreements
D. E. Swan w/2 copies agreements
C. O. Fredrickson w/copy agreements

NOTED
C. W. HEAD

Form 81-734 3123

Form 61-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: ROW 18-2

December 18, 1978
Salem, OR 97310

FROM: Roger D. Trygstad
Railroad & Utility Engineer

TO: J. B. Boyd
Right-of-Way Manager

B U I L D I N G

SUBJECT: Skipanon River (Warrenton)
Bridge Section
Warrenton-Astoria Highway
Clatsop County
Right-of-Way File 49479
ODOT Agreement No. RR-906

Attached are two copies of a permanent easement and two copies of a temporary easement relating to the subject project. Mr. Sollis has reviewed and approved the easement agreements.

Would you please review the easements and if you find them satisfactory, sign all four copies. The agreements should then be forwarded to Adele Egan, who will take care of recording the permanent easements. When this has been completed, she should forward the state's copy to Cecil Head and the railroad copies to me for transmittal to the railroad.

I am also asking that Adele Egan supply me with the necessary voucher that is to be sent to the railroad. This should be sent to me along with the railroad's copies of the agreements.

cc: C. W. Head w/copies of both agreements

[redacted]-19-79

Adele - Concerning this subject, I find where the agreement was approved by Mr. Boyd on 12-9-77 and reported to the Commission.

I find in General Files two easements that were approved by Boyd 12-19-78 but cannot find where it was reported to the Commission. What does your records show?

[redacted]

RIGHT OF WAY SECTION
RECEIVED
OCT 22 19[illegible]
RE ARE ARA FS CA RS
P.S AS CE S FAC

1-12-79 Right of Way Report
1-15-79 approval

8651 D 1-7-80 D NOTED L

The Helena, Mont., city engineering department has upcoming bid calls and some carryover work for 1980 totaling nearly $3 million. This is mostly street paving, sewer and water work, and landscaping.

Public works contracts in the City of Tacoma, Wash., during 1980, mostly street paving contracts, will total $3,604,309. Work will be awarded by the Tacoma Public Works Department.

The Federal Aviation Administration, Northwest Region in Seattle, lists some $18 million in airport projects planned for 1980, including both the Facilities and Establishment program and the Airport Development Aid Program. Washington projects total $7,150,000; Idaho, $1,650,000; Oregon, $6,250,000. ADAP projects require local participation, and not all may be started this year.

The Port of Portland proposes construction during 1980 totaling $20,210,410 including funds for carryover work started last year and continued this year. Work at the Swan Island Ship Repair Yard includes eight projects totaling $2,209,150. Terminals/Rivergate and Swan Island industrial development price tag is $16,386,725. Marine work thus totals nearly $18,600,000. Airport work at Portland-International, Portland-Hillsboro and Portland-Troutdale totals $1,614,575.

Bonneville Power Administration has a construction budget for 1980 totaling $116,288,000 for line construction, substations, equipment and material contracts and other project activities. This includes carryover work and new contract bid calls. Jobsites are in Washington, Oregon, Idaho and Montana.

The U.S. Fish and Wildlife Service plans work on pumping stations, ponds, dikes and other water facilities totaling $3,304,000 during 1980 in Washington, Oregon and Idaho. Bids will be called from the Deaprtment of Interior office in Portland.

The City of Seattle, Engineering Department, will during 1980 call for bids on street, sewer and water projects expected to cost $57,598,000. Largest project, due for call during the third quarter, is the repair of a bascule and piers for the Spokane Street Bridge over the Duwamish River, estimated to cost $34,902,000. Types of work are arterial and street improvements, 16, jobs, $39,257,000; sanitary sewers and sewer separations and storm drains, five jobs, $4,180,000; water projects, seven jobs, $3,356,000; underground lighting, three jobs, $1,492,000; landscaping, eight jobs, $2,929,000; structures, four jobs (other than Spokane Street Bridge), $4,749,000, and miscellaneous, eight jobs, $1,635,000.

Letters to the Editor

H. S. COULTER

A reader voices his opinion that there are fallacies in the planning for a new bridge recently built across the Skipanon River at Warrenton, Ore.

Editor, Pacific Builder & Engineer:

The article "New Bridge Speeds Access Between Astoria and Warrenton" appearing on page 14 of the August 20, 1979, issue of Pacific Builder and Engineer, is misleading and is incorrect in many instances. It calls to mind a problem presented on page 23 in "The Work Boat" magazine of April 1970 pertaining to highway department bridges. "Seems like everytime the waterways turn around, somebody is trying to build something across the waterways that shouldn't be there. State highway departments are doing their share of this."

The new bridge does not speed access between Astoria and Warrenton because a reverse curve was constructed increasing the travel distance, the new bridge is 10 ft. higher than the old bridge increasing the grade and further increasing the travel distance, and traffic has been slowed due to congestion at a main intersection created by closure of a previous access street near the bridge. Further, travel distance to the Warrenton Mooring Basin has been increased due to the necessity of building an underpass.

1. The waterway above the bridge was extensively used in the past by many types of vessels and for log movements — in fact, a project authorized by Congress provided for a channel 6 ft. deep and 40 ft. wide at mean lower low water for a distance of 4,500 ft. upstream from the bridge. The project was completed in 1939.

2. The original bascule span bridge, constructed in 1917 in accordance with a 1916 permit issued by the Corps of Engineers, was frequently opened and was operative until replaced in 1932 as the bridge tender at the time, still living, has testified to the writer. The County in 1932 could not afford to replace the deteriorated bascule span; so, since businesses utilizing the river above the bridge had gone defunct in the depression, a float-out span was installed but without a permit as required by the Corps of Engineers. Log storage subsequently was allowed to block the channel, effectively preventing other navigational uses. The illegal bridge was taken over by the State in 1946.

3. In 1971, the City of Warrenton endeavored to get an Act of Congress to lower the bridge and eliminate its opening entirely, thus restricting river use primarily to log movement. Objections to this type of closure were raised with the result that the City finally prevailed through a City election, naturally reflecting the desires of vehicular traffic rather than the needs of navigation, to construct a fixed bridge of limited clearance.

4. Proper State procedure was not followed in constructing the bridge since State law gives the local Port District authority to control navigation within its jurisdictional area. The Oregon State Highway Division ignored an instruction from the Port of Astoria to defer awarding a contract for construction of the bridge until a proper economic study could be made and alternate routes considered, and immediately proceeded with the bridge construction.

5. Street access to the Warrenton Mooring Basin was not a need as direct access was already available. The new slightly elevated fixed bridge necessitated a circuitous route from the opposite side of the highway through an underpass for access to the Mooring Basin. Even pedestrian traffic, which had a sidewalk on the old bridge for passage to and from the Mooring Basin and the City's shopping center, was ignored by providing no sidewalk on the new bridge, and not even a stairway for access to the bridge deck that would preclude walking the circuitous vehicle route to get onto the bridge.

6. Realignment of the bridge closer to the railroad track is what necessitated construction of the gabionade (rock-filled basket devices used as a retaining wall) and closure of an access street to the lower river area. This realignment also necessitated the reverse curve on the new bridge with greater curvature of the roadway than existed with the previous bridge. The result has been compounding of a serious traffic congestion previously existing at Warrenton's main intersection.

Costs of detouring traffic over alternate routes versus adaptation of the old and new bridges for traffic during construction would probably have been close to a stand-off so surely could not have been a reason for denying future benefits to vehicular traffic of saving the access street to the lower river area and of having a lower span with straighter alignment. Advance notice for infrequent three-minute bascule span openings during off-peak traffic hours would have met navigation demands, but this was ignored by the U.S. Coast Guard in condescending to State Highway Department pressures.

Value of the new $1.3 million bridge is questionable due to the short-sighted view of revitalized use of the waterway in the future, already desired by vessels requiring more vertical clearance than the fixed span provides.

H.G. Palmberg
PALMBERG CONSTRUCTION CO.
Warrenton, Ore.

cy Walt Hart. CO Fredrickson 1/16

#86.51 1-4-80

U. S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: RS-134(2)

STATE PROJECT NO.: See below

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.:

ITEM NO.: 80040

COUNTY NAME: Clatsop

PROGRAM STAGE (Check):

RECEIVED
STATE HWY ENGR
JAN 8 '80
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

TO:

Mr. H. S. Coulter
State Highway Engineer, ODOT
Salem, Oregon

1-8 m-u-g

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
11-22-77	1-4-80	Secondary 134	Secondary 105

GENERAL LOCATION:

Skipanon River (Warrenton) Bridge Section

GENERAL DESCRIPTION OF WORK:

Revised Utility Costs

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
- ☐ LOCATION ONLY

PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
- ☐ PREPARATION

- ☒ OTHER (Specify) See below

- ☐ ACQUISITION OF RIGHT-OF-WAY

CONSTRUCTION - ADVERTISE FOR RECEIPT
- ☐ OF BIDS

- ☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Swan's letter of November 19, 1979 I approve the revised costs for the City of Warrenton's water facilities adjustment to $8,064 with Federal participation limited to $6,918. (Increase TEC $2,248- Federal Funds $1,928)

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
1-4-80	G. K. Hansen	for Division Administrator

FORM PR-1240 (REV. 6-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1978—721-612

9651

Department of Transportation
HIGHWAY DIVISION
TRANSPORTATION BUILDING, SALEM, OREGON 97310

NOTED
E. E. HUNTER

ROW 18-4

November 19, 1979

Mr. Glen L. Green
Division Administrator
Federal Highway Administration
530 Center St. NE, Suite 100
Salem, OR 97301

Attention: William H. Kappus
Area Engineer

Cost Overrun
Water Facilities Adjustment
City of Warrenton
Skipanon River (Warrenton) Bridge Sec.
Clatsop County
Project No. RS-134(2)

Gentlemen:

Reference is made to my letter of March 3, 1978, which submitted an estimate of cost from the City of Warrenton for the relocation of water facilities on the subject project. Reference is also made to your PR-1240 dated March 13, 1978, which approved the relocation work by the City.

The estimated cost for the relocation work as submitted by my letter of March 3, 1978, was $5,815.85. The State is obligated to reimburse the City for 100% of the cost of their relocation work. The relocation of the water facilities has been completed. Final cost of the relocation work is $8,064.38. This is an overrun of $2,248.54 or 38.66%. A copy of my March 3, 1978 letter, your PR-1240 dated March 13, 1978, a copy of the original estimate and a copy of the final bill are attached for your information.

An explanation of the final billing is as follows:

Item 1. Estimated cost $1,044.52. Final cost is $1,552.62 for an overrun of $508.10. The overrun is due to the second relocation of the facilities because of unanticipated conflict with construction.

Item 2. Estimated cost $1,044.52. Final cost is $1,743.64 for an overrun of $699.12. The overrun is due to the second relocation of the facilities because of unanticipated conflict with construction.

Item 3. Estimated cost $1,775.70. Final cost is $1,846.44 for an overrun of $70.74. The overrun is due to increased material and equipment costs.

Item 4. Estimated cost $451.10. Final cost $445.44 for an underrun of $5.66.

Item 5. Estimated cost $500. Final cost $769.04 for an overrun of $269.04. Overrun is due to increased labor and material not anticipated.

Item 6. Estimated cost $200.00. Final cost $242.08 for an overrun of $42.08. Original estimate was rough because accurate estimated cost could not be determined for the service relocation.

Item 7. Estimated cost $200. Final cost $367.00 for an overrun of $167. Original estimate was rough because accurate estimated cost could not be determined for the service relocation.

Item 8. Estimated cost $400. Final cost $550.34 for an overrun of $150.34. Original estimate was rough because accurate. estimated cost could not be determined for the service relocation.

Item 9. Estimated cost for miscellaneous work was $200. Final cost is $547.78 for an overrun of $347.78. Overrun was due to second relocation requirment caused by unanticipated conflict with construction.

The City of Warrenton Accomplished the initial relocation of their facilities to locations approved by the State. Most of the cost overrun incurred was due to the second relocation or adjustment of facilities because of unanticipated conflict with the proposed construction. The relocation costs incurred by the City of Warrenton have been reviewed by the Resident Engineer, Region Utility Engineer and the Utility Engineer and found to be justified.

Your approval for Federal participation in the total relocation cost of $8,064.38 is requested. The cost overrun will be covered by Order for Force Work No. 2, Supplement No. 1.

Yours truly,

D. E. Swan
Operations Programming Engineer

JMC:mm
Att.
bc: Alvin J. Birkholz, City of Warrenton, E. S. Hunter, Jack M. Cartwright, Rich Evans, Don Bedford

8651

2

CON 5
#8651

November 19, 1979

Safeco Insurance Co. of America
1500 S. W. First Avenue
Portland, OR 97201

Gentlemen:

On November 15, 1979, we wrote to you concerning release of final payment on Contract No. 8651 awarded to Ross Bros. Construction, Inc., for work on Skipanon River (Warrenton) Bridge Section of the Warrenton-Astoria Highway in Clatsop County.

Final payment on this contract is $6,182.05 and the total contract amount is $1,260,441.73 including $3,257.68 for work performed under force account.

Sincerely,

C. W. Head
COMMISSION SERVICES

rls

cc: Ross Bros. Construction, Inc.
3501 Brooklake Rd. N.
Salem, OR 97303

bc: C. T. Keasey
Walt Hart
C. O. Fredrickson

5398 8651

VICTOR ATIYEH
GOVERNOR

Department of Transportation

TRANSPORTATION BUILDING, SALEM, OREGON 97310

RECEIVED
NOV 13 1979
NORMA PAULUS
SECRETARY OF STATE
8651

November 16, 1979

IN REPLY REFER TO
FILE NO.:

Mr. R. J. Tagg
14730 Bramblewood Dr.
Houston, TX 77079

FILED
NOV 13 1979
NORMA PAULUS
SECRETARY OF STATE

Dear Mr. Tagg:

This will acknowledge your letter of November 10, with attached Notice of Claim stating that Ross Bros. Construction, Inc., owes you for materials in the amount of $784.

This appears to be in reference to the Ross Bros. Construction, Inc., Contract No. 8651 for the Skipanon River (Warrenton) Bridge Project in Clatsop County.

The Safeco Insurance Company of America furnished the bond on this contract. We will advise the surety company and prime contractor of the receipt of your claim and we will also forward it to the Secretary of State for filing.

Please advise this office when your claim has been satisfied.

Sincerely,

C. W. Head

C. W. Head
COMMISSION SERVICES

NOTED ON
11-26-79 kw

CWH:rls

cc: Safeco Insurance Co. of America
1500 S. W. First Avenue
Portland, OR 97201

Ross Bros. Construction, Inc.
3501 Brooklake Rd. N.
Salem, OR 97303

bc: Secretary of State - Please acknowledge receipt of this attached claim on the enclosed copy of this letter.

NOTED
C. W. HEAD

RECEIVED
NOV 20 1979
COMMISSION SERVICES
DEPARTMENT OF TRANSPORTATION

14730 Examiner Wood Dr.
Houston, Tx. 77079
November 10, 1979

Mr. C. N. Head
Manager Commission Services
Department of Transportation
Room 121 Transportation Building
Salem, Ore. 97310

Dear Mr Head:

Attached is the claim I talked to you about earlier. If this is not adequate please let me know what additional is required.

Sincerely
R. J. Trigg
R. J. Trigg

RECEIVED
NOV 14 1979
COMMISSION SERVICES
DEPARTMENT OF TRANSPORTATION

Claim

Skipanon River "Warrenton" Bridge - See Warrenton-Astoria Highway - Clatsop County Contract #8651

During April, 1979, the following materials were removed from my quarry by Ross Bros. Construction for use on the above project. After sending several statements Ross Bros. have not paid for this material.

Date of removal	Sand cu. yds.	Top Soil cu. yds.
4/2/79	20	50
4/3/79		30
4/4/79		30
4/6/79		10
4/9/79		60
4/11/79		60
4/13/79		20
Total	20	260

Sand @ $.20/cu. yd. — $4.00

Topsoil @ $3.00/cu. yd. — $780.00

Total due — $784.00

The quarry is located at R#1, Box 506 Warrenton, Ore. I understand the Bonding Agent is Safeco Ins. Co., Keene, N. Hamp.

RECEIVED
NOV 14 1979
COMMISSION SERVICES
DEPARTMENT OF TRANSPORTATION

R F Tagg Nov 10/79
14730 Bramblewood Dr
Houston, Tx. 77079

8651

Form FHWA 121 (6/79)

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

THE OREGON DIVISION - Salem
UNITED STATES GOVERNMENT

memorandum

Subject: Oregon Project RS-134(2)
Skipanon River (Warrenton) Bridge
Contractor's Claim

Date: November 13, 1979

From: G. L. Green, Division Administrator

Reply to Attn. of: HFO.8-OR

To: Mr. H. S. Coulter, State Highway Engineer, ODOT

This will acknowledge Mr. C. T. Keasey's October 29, 1979, notification of Contractor's claim on the subject project.

Reimbursement of costs will be in accordance with FHPM 1-4-2.4.

for G. L. Green

cc:
OSHD (C T Keasey, Const)
OSHD (D E Swan, Proj Mgmt)
ODOT (R Hacek, Acctg)

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FOR
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VICTOR ATIYEH
GOVERNOR

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

October 23, 1979

Ross Bros. Construction, Inc.
3501 Brooklake Road N.
Salem, OR 97303

Gentlemen:

Re: Time Extension Request
Skipanon River (Warrenton) Br.
Contract No. 8651
RS-134 (2)

Your request for an extension of contract time on the above project has been carefully reviewed. A time extension of 53 calendar days is hereby granted due to utility delays, delays in placement of concrete rail and extra work. This will eliminate all liquidated damages under this contract.

Should you wish a more detailed review of this matter, please contact Resident Engineer Chet Anderson.

Sincerely,

C. T. Keasey
Assistant State Highway Engineer

By
O. B. Jackmond
Contract Administration Engineer

OBJ/db

cc: H. S. Coulter
C. O. Fredrickson
Chet Anderson
Bob Church
FHWA

RECEIVED
STATE HWY ENGR.
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REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

STATE OF OREGON

Highway Construction — DEPT. | 378-6318 — TELEPHONE

INTEROFFICE MEMO

FILE: CON 5 #8651

TO: Memo to File

DATE: October 23, 1979

FROM: O. B. Jackmond
Contract Administration Engineer

SUBJECT: Time Extension Request
Skipanon River (Warrenton) Br.
Contract No. 8651
RS-134 (2)

Ross Brothers Construction, Inc., contractor on the above project, has requested a time extension of 139 calendar days in which to complete this contract. The contractor claimed delays are tabulated as follows:

1.	Utility Relocation Delay	60 calendar days
2.	Concrete Rail Placement Delay	26 calendar days
3.	Paving Delay	18 calendar days
4.	Extra Work Delay	5 calendar days
5.	Erroneous Day Count	30 calendar days
	TOTAL	139 calendar days

The attached copy of Resident Engineer Chet Anderson's analysis and evaluation of the contractor's claim confirms that additional time should be granted for the utility delay, the concrete rail placement delay, and the required extra work. I concur with the Resident Engineer's findings and contract time should be extended as follows:

Utility Delays	22 calendar days
Concrete Rail Placement Delays	26 calendar days
Extra Work	5 calendar days
TOTAL	53 calendar days

This will eliminate all liquidated damages on this contract. This is a Federal Aid Secondary project and FHWA concurrence will not be required. The 22 calendar day utility delay is Federal Aid non-participating.

OBJ/db

cc: H. S. Coulter w/attach.
C. O. Fredrickson
Chet Anderson
Bob Church
FHWA w/attach.
Don Bedford w/attach.

FORM 01 714.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Astoria, Oregon

October 4, 1979

FILE: 104-1024

FROM: Chet Anderson
Resident Engineer

TO: Ted Litchfield
Region 2 Operations Engineer

SUBJECT: Request for Extension of Time
Skipanon River (Warrenton) Bridge
Warrenton - Astoria Highway
Clatsop County
Contract No. 8651

Enclosed, a request for extension of time on the subject project:

Concerning delay in relocation of utilities: A request is made for 60 days extension for delay in work on the project caused by Pacific Power and Light Co. taking more time than could be expected to remove their facilities from conflict with pile driving work on the project. Delaying pile driving work at the beginning of work on the project, set back subsequent work thereby leaving work to be done after the alloted time had expired that could have been done earlier had the delay not occured.

Adjustment of the power lines that were in conflict required removing from the project a line of poles carrying the main transmission lines serving the Warrenton area and carrying local service lines for houses and businesses along the roadway. The power company rerouted the transmission lines southerly of the project and installed new poles near each end of the project to service the nearby residences and businesses.

For the amount of relocation work involved it could probably be expected to take one month for the power company to mobilize and one month to perform the needed relocation of their facilities. It took the power company from mid January until mid April to complete adjustment of their facilities, or 30 days more than would probably be expected. Suggest that 30 days extension due to delay in relocation of utilities would be appropiate.

Concerning Concrete Rail Delay: The contractor was not allowed to pour concrete rail until grout had been poured between the prestressed slabs and the grout had attained 2,000 p.s.i. strength. This direction was given to lessen the amount of sag that would occur in the concrete rail due to the rail's dead weight being supported by only • one• slab if the prestressed slabs were not tied together with grout in the shear keys..This is beyond any requirement in the plans and specifications and an appropriate extension for any delay caused should be given. The contractor's description of 26 days delay due to this extra requirement is essentially correct. Recommend 26 days extension be given.

Concerning Paving Delay: Just after nearly completing the base lift of A. C. on the half width approaches to the new bridge, the contractor intended to pave the base leveling lift of A. C. on the half width bridge deck. This was not allowed as it was raining, (11-28-78). There were puddles of water on the bridge. When the bridge deck was dry, paving was allowed, (12-7-78).

REGION 2 ENGINEER
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For work on the project to continue as set forth in the plans, it was necessary to get the new bridge deck paved. Traffic could then be routed over the new half width bridge. This would allow tearing down the old bridge and building the remaining half of the new bridge.

Not being able to pave the half width bridge due to weather conditions was an insignificant factor in delaying the routing of traffic over the new bridge. The temporary guard rail along the incompleted side of the new bridge was not installed until 12-2-79. Traffic could not have been routed over the new bridge until the temporary rail was installed. Also the approaches to the new half width bridge were not completed to full 2 lane width, (widening the ends of the fills, laying base rock and paving with A. C. at the ends of the fills needed to be done) until 12-7-78.

It is recommended that not being able to pave the bridge deck from 11-14-78 to 12-1-78 is not cause for delay of the project. Not having other needed work done on time was the controlling cause of the delay.

Concerning Miscellaneous Work: For the amount of work done the 5 extra days requested are reasonable. It is recommended that 5 additional days be given for the extra time needed to accomplish the required extra work.

It was indicated to the foreman on the project that consideration for stopping the day count would be more likely after traffic had full use of the new bridge and approaches. On May 29, 1979, all but seeding and mulching, connecting guard rail to the bridge, mounting a sign on the bridge rail, completing surfacing and installing barrier rail on Ensign Avenue under the new structure and general clean up was completed. Traffic had full use of the new bridge and bridge approaches since 5-26-79. The day count was continued through 6-15-79 when all work but replacing of ungalvanized bolts with galvanized bolts at the guard rail bridge connections was completed.

Concerning Day Count:

It is suggested that continuation of the day count with only minor items remaining and with the new roadway in full use was not proper as there were no damages suffered by the public. The days were charged to encourage the contractor to complete the remaining project work. Sufficient money was being withheld to insure remaining work would be completed.

It is suggested that there was no basis for charging days from 5-30-79 through 6-16-79. Other occurances during the project justify extending more time than was used making extending time to offset unsupportive charge days unnecessary or cancelling unsupportive days unnecessary.

8651

file 105

ROAD DESIGN SECTION

Chet Anderson
Resident Engineer

October 4, 1979

Lyle K. Watson
Design Engineer Supervisor

Subject: Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County

We have reviewed your construction narrative on the subject section.

The stage construction plans are provided as a method of moving traffic through the work areas. Not all of the details can be worked out in the design stage. Some temporary drainage should have been included in the plans but was overlooked.

Foundation problems for sewers should be determined during the location stage and recommendations made for correction. An effort will be made to do this on future projects, especially in the coastal areas.

Completion Time:

Completion times for such projects are provided by the Bridge Section or Cost Analysis Unit. The Specifications Unit is now more closely analyzing completion times in order to try to resolve such conflicts. Completion times should also be analyzed by the Field during their preliminary review of the special provisions and possible conflicts discussed with Salem prior to advertising.

Temporary Surfacing:

Allowing commercial mix A.C. for temporary surfacing probably can be provided for in the special provisions. We will be looking for appropriate projects on which to include such a provision.

LKW:ja

cc C. T. Keasey
C. O. Fredrickson

NARRATIVE REPORT

Skipanon River (Warrenton) Bridge Project
Warrenton - Astoria Highway
Clatsop County
Contract No. 8651

REFERRED TO
Beard Stoudenmeyer
Cole Semple
Eriksen FE 2 Wemen
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Return Discuss Do File Copy Due
BY FINAL DESIGN ENGINEER
Prepare Ltr.

The Skipanon River (Warrenton) Bridge project consisted of replacing an existing wood bridge with a prestressed pile and prestressed slab bridge. Building approaches to the new bridge was also part of the project.

Stage construction of the new bridge was needed to maintain traffic through the project area. The provisions for staging and handling traffic through the project during construction were in general adequate. The plans provided for closing Anchor Avenue. It was not actually necessary to close this street. The contractor was able to accomplish the storm sewers and paving work in the area and keep the street open except for short periods during working hours. Traffic moved through the project area at a relatively slow speed and use of traffic markers to delineate the detour route was not needed, use of cones and barricades provided sufficient delineation through the detour routes.

The layout in the plans of the storm drains, inlets, manholes, ditches and other items associated with drainage was for the final condition. No consideration was given as how drainage would be taken care of during the various stages of construction. It is suggested that consideration be given to incorporate inlets, culverts, ditches, and other features on project drainage can be taken care of under all stages of construction.

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ROAD DESIGN SECTION
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Construction of storm sewer drains required trenching through existing roads and also in some cases coming back later and building a roadway over these trenches. On the coast, in low ground near rivers and bays it is doubtful if the material dug out of trenches is suitable for backfilling. On this project a Price Agreement was written to backfill these trenches with sand. It is suggested that on projects where it is known or likely the excavated material cannot be put back in the trench that provisions be made in the project for a granular backfill.

One of the last items of work to be done on the project was paving the bridge and applying the chipseal on the bridge deck. Yet the completion time and stage construction sequence required that this work be done during the winter and early spring, when there is the least chance that satisfactory conditions would occur. Request that the completion time and work sequence be reviewed and made compatible so we do not end up with critical paving work being done in winter.

Stage construction on this project required that some temporary roadway be built. A Price Agreement was written allowing use of "commercial" mix A. C. on the temporary roadway. This allowed the contractor to obtain surfacing material from local suppliers without waiting for detailed testing of rock and getting a mix design. Suggest that use of "commercial" mix A. C. for temporary surfacing be provided for in the Special Provisions on projects where temporary surfacing will be needed.

The vertical alignment of the new bridge is on a vertical curve, the horizontal alignment is in reversing curves. This results in a constantly varying transverse and longitudinal slope of the finish surface on the bridge. To warp the deck of the bridge into this shape the plans called for the prestressed beams to be set on "stepped" grout pads, (stepped transversely along the pile cap), formed and cast on top of the pile caps. Forming and building an evenly shaped grout pad on the pile caps was used in place of the "stepped" configuration. The evenly sloped pad is much easier to form and set grades for.

It is suggested that concrete, poured with the pile cap, be used to form the bearing pad area on top of the pile caps. Pouring the bearing pad nonolithically with the cap will eliminate comming back afterwards and placing a thin lift of grout on top of the cap. It is doubtfull the thin layer of grout is as durable or as strong as monolithically poured concrete would be. Also it is difficult to get grout which turns out to be of the right consistancy and the proper strength in the quantities that are usually needed, (usually less than one cubic yard), when pouring the bearing pads.

A concrete guard rail was called for on the subject bridge. The guard rail was also built as part of the impact panels on the ends of the bridge. The ends of the concrete guard rail will move down with the impact panel as the fill settles. Eventually there will be an unsightly dip in the concrete guard rail at the ends of the bridge. It will not be possible to raise the rail as it is attached to the impact panel. Suggest that rail at the ends of the bridge not be attached to the impact panels.

There is no indication in the plans or specifications on when the concrete guard rail on the bridge should be poured. On this project contractor was required to pour the rail after the slabs had been grouted and the grout attained a reasonable strength, (2,000 psi). It was thought that if the rail was poured before the slabs had been grouted there would be excessive deflection of the rail as the entire weight of the rail would be supported by only one slab. Suggest the sequence for pouring the rail on prestressed slabs be indicated somewhere on the plans or specifications. Definite control of the contractors activities are needed if the desired results are to be obtained.

It was noticed that the weight of the concrete guard rail on the outside of the prestressed slab tend to rotate the slab outward, (the horizontal bolts were in place and torqued tight). This tendency to rotate caused a hairline seperation in the longitudinal grout key between the outer slab and the adjacent slab. Suggest the concrete rail be placed a few inches closer to the center of the outside slab.

The standard drawing for slab bridges indicates that no "traffic" will be allowed on the slabs until the grout between the slabs reaches 4ooo psi. The term "traffic" is not appropriate. If the slabs are not to be subject to any load whatsoever until the grout attains strength then this limitation should be definetly stated on the plans.

SKIPANON RIVER (WARRENTON) BRIDGE

Warrenton - Astoria Highway
Clatsop County
Contract No. 8651

Grading, Paving, Structure, Signing & Illumination

STATEMENT OF OVERRUNS AND UNDERRUNS

Item	Original Contract Amount	Final Project Amount	Percent + or -
Contract Items	$1,271,927.50	$1,229,920.66	- 3.30
Anticipated Items	$13,600.00	$13,663.80	+ 0.47
Contingencies	$57,848.74	$27,490.32	- 52.48
Liquidated Damages		-$10,600.00	+ 100
Engineering	$104,842.20	$ 139,940.08	+ 33.48
Total	$1,448,218.44	$1,400,414.86	- 3.30

Overruns and Underruns
Contract No. 8651

Item No.	Item	Unit	Contract Quantity	Final Quantity	Percent + or -
1	Mobilization	Lump Sum	100%	100%	0
2	Temporary Protection and Direction of Traffic	Lump Sum	100%	100%	0
3	Temporay Signs	Sq. Ft.	371	326	-12.13
4	Temporary Barricades	Each	6	8	+33.33
	Additional barricades were required to control and protect traffic.				
5	Temporary Continuous Rail Traffic Barriers, Reflectorized	Lin. Ft.	800	400	-50.00
	Due to the short length of the project and the position of the side streets 400 feet of rail was all that could be used.				
6	Temporary Guard Rail Type 1	Lin. Ft.	325	363	+11.69
7	Temporary Guard Rail Type 1A	Lin. Ft.	675	716	+ 6.07
8	Temporary Plastic Safety Markers	Each	16	0	-100
9	Flagmen	Hour	600	1050.5	+75.08
10	Temporary Reflective Pavement Markers	Each	130	117	-10.00
11	Temporary Illumination	Lump Sum	100%	100%	0
12	Clearing and Grubbing	Lump Sum	100%	100%	0
13	Removal of Structures and Obstructiona	Lump Sum	100%	100%	0

14	General Excavation	Cubic Yard	2,150	1,625.7	-24.39
15	Embankment in Place	Cubic Yard	9,860	10,975.7	+ 11.32
16	Trench Excavation	Cubic Yards	835	901.2	+ 7.93
17	Finishing Roadbed and Slopes	Lump Sum	100%	100%	0
18	Furnishing and Placing Top Soil	Cubic Yard	1,074	318.5	- 70.34
19	Watering	M-Gal	300	4.5	-98.50

Water was not required on this project because the weather provides enough moisture to do the job.

20	Structure Excavation	Cubic Yards	153	105.4	-31.11

The original quantity for excavation for the gabion wall was overestimated.

21	1" - 0 Aggregate Base	Ton	7,000	6293.82	- 10.9
22	Class B or Class C Asphalt Concrete Mix	Ton	2,520	2082.07	- 17.38

Detour Paved with commercial mix asphalt at reduced price see PA # 8.

23	Asphalt Cement in Mixture	Ton	164	152.39	- 7.08
24	Asphalt Rubber Chip Seal	Square Yard	3,280	3,486	+6.10
25	8 - inch Sewer Pipe	Lin Ft.	70	144	+105.71

Additional pipe was installed to accomadate drainage problems that were encountered during the 2 stage construction.

26	12 - inch Sewer Pipe	Lin Ft.	784	1,165	+48.60

Additional pipe was installed to drain low areas that were formed during construction.

27	18 - inch Sewer Pipe	Lin. Ft.	830	820	-1.20
28	Concrete Manholes	Each	5	8	+60.00

The additional manholes were necessary for drainage and 2 for telephone cable connections.

29	Concrete Inlets Type CG-1	Each	9	10	+11.11
30	Concrete Inlets Type G-2	Each	1	6	+500.00

Additional inlets are essential to take care of run off during the first stage of construction.

31	8 - inch Drain Pipe	Lin. Ft.	180	180	0
32	Fiber Filter	Square Ft.	2,580	3,114	+20.70

An additional amount was needed to line the trench for drain pipe according to the manufacturers recommendations.

33	3/4" - 1/2" Gravel for Drains	Cubic Yard	7	6.7	-4.30
34	Guard Rail, Type 2A	Lin. Ft.	750	687.5	-8.33
35	Guard Rail, Type 3	Lin. Ft.	100	100	0
36	Guard Rail Anchors Type 1	Each	4	5	+25.00
37	Rail End Pieces, Type A	Each	2	3	+50.00
38	Rail End Pieces, Type B	Each	2	0	-100
39	Rail End Pieces, Type C	Each	4	5	+25.00
40	Concrete Walks	Square Yard	60	54	-10.00

41	Concrete Curbs	Cubic Yards	42	39.3	-6.67
42	Concrete Barier	Lin. Ft.	175	175	0
43	Rock Gabions	Cubic Yard	360	357.8	-0.61
44	Adjusting Manholes	Each	1	1	0
45	Roadside Mulching	Acre	1	1	0
46	Mulch Binder	Acre	1	1	0
47	Roadside Seeding	Acre	1	1	0
48	Water Main Installation	Lump Sum	100%	100%	0
49	10 - inch Concrete Sewer Pipe	Lin. Ft.	70	86	+22.86

Additional pipe was required because the pump station was relocated.

50	6 - inch PVC Pressure Sewer Pipe	Lin. Ft.	206	210	+1.94
51	Concrete Sump	Lump Sum	100%	100%	0
52	Sewage Pump Station Equipment Relocation	Lump Sum	100%	100%	0
53	Remodel and Remove Existing Bridge	Lump Sum	100%	100%	0

54	Structure Excavation	Cubic Yard	50	87.6	+75.20

Apparently the Structural Excavation required for remodelling the old bridge was overlooked on the original estimate.

55	Furnish Pile Driving Equipment	Lump Sum	100%	100%	0
56	Furnish 16 - inch Prestressed Concrete Piling	Lin. Ft.	5,704	5,704	0
57	Drive Prestressed Concrete Piles	Lin. Ft.	3,759	3,483	-7.34
58	Furnish Untreated Timber Piling	Lin. Ft.	420	518	+23.33

Longer piling had to be furnished than was originally planned to get suitable bearing.

59	Drive Timber Piles	Lin. Ft.	231	298	+29.00

See Item 58.

60	Structural Concrete	Lump Sum	100%	100%	0
61	3' X 35'/40' Prestressed Slabs	Each	7	7	0
62	4' X 35'/40' Prestressed Slabs	Each	77	77	0
63	3' X 40'/45' Prestressed labs	Each	5	5	0
64	4' X 40'/45' Prestressed Slabs	Each	55	55	0
65	3' X 55'/60' Prestressed Slabs	Each	3	3	0

66	4' X 55'/60' Prestressed Slabs	Each	33	33	0
67	Reinforcement	Lump Sum	100%	100%	0
68	Reinforced Concrete Bridge End Panel	Square Yard	220	215	-2.27
69	Metal Parapet Railing Single Pipe	Lin. Ft.	1,430	1,426	-2.80
70	Lumber and Timber Treated	M-FBM	10	10.2	+ 2.00
71	1 1/4 - inch Electrical onduit	Lin. Ft.	725	726	+0.14
72	4 - inch Telephone Conduit	Lin. Ft.	2,880	0	-100

The Telephone Company decided to attach the conduit to the outside of the structure eliminating this item. The contractors price was too high.

73	Removal of Existing Sign Installations	Lump Sum	100%	100%	0
74	Wood Sign Posts	Lump Sum	100%	100%	0
74A	" " "	M-FMB	0	0.032	100

Replaced wood sign post damaged by traffic.

75	Bridge Rail Sign Mount	Lump Sum	100%	100%	0
76	Type C and D Signs in Place	Square Ft.	70	66.8	- 4.57
77	Type EE Signs in Place	Square Ft.	13	12.6	- 3.08
78	Type U Signs in Place	Square Ft.	26	26	0

79	Roadway Lighting Poles & Bracket Arms	Lump Sum	100%	100%	0
80	Luminaires and Ballasts	Lump Sum	100%	100%	0
81	Wiring Lamps ETC	Lump Sum	100%	100%	0
82	Non-Metallic Electrical Conduit	Lin. Ft.	500	352	- 29.6

The elimination of one luminaire and a closer power source was available.

Price Agreements

1	On The Job Training	Hour	2,000	2,311	+15.55
3	Extra for Pipe Under Pavement	Lin. Ft.	502	502	0
4	Document Plan Change				
5	Sand Backfill	Cubic Yard	461.5	541.5	+17.33

The original estimate was insufficient to do the job as planned.

6	6 - inch Sewer Pipe	Lin. Ft.	95	95	0
7	4" Mechanical Joint Retaining Gland	Each	7	7	0
8	Commercial Class C A. C. Mix	Ton	674.99	674.99	0

Extra Work Orders

1	Install Conduit Support Brackets	419.93
2	Remove Structure and Foundation	860.00
3	Install Wiring for Project Illumination	1,050.00
4	Connect Roof Drain to New Sewer	813.81
5	Remove Old Piling	2,600.00

8651

FORM 81-734-3001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Skipanon River (Warrenton) Bridge		WEEK ENDING: June 23, 1979
		SECTION PREFIX: 104-1024
HIGHWAY: Warrenton - Astoria		COUNTY: Clatsop
NAME OF JOB: Skipanon River (Warrenton) Bridge	KIND OF WORK: Grading, Paving, Structure, Signing and Illumination	
CONTRACTOR: Ross Bros. Construction Co., Inc.	CONTRACT NUMBER: 8651	FEDERAL AID PROJECT NUMBER: RS 134(2)
DATE OF CONTRACT: December 19, 1977	DATE WORK STARTED: January 19, 1978	ESTIMATED COMPLETION DATE: June 16, 1979
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: SUPERVISION:	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS 425	CALENDAR DAYS USED 478
PROJECT AUTHORIZATION: $1,446,218.44	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED: 112
EXCLUSIVE OF ENGINEERING: $1,343,376.24	ENGINEERING AUTHORIZATION $102,842.20	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 100
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $1,343,376.24	ENGINEERING COST TO DATE $140,000.00	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 100
ESTIMATED PERCENT: OVERRUN / UNDERRUN 0 %	PERCENT OF AUTHORIZATION 136 %	DATE PROJECT WAS COMPLETED: June 16, 1979

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		
100	100	100	100	100			

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT	0.28	0.28			0.28
MILES PARTIALLY COMPLETED					
MILES COMPLETED	0.28	0.28			0.28
TOTAL ESTIMATED QUANTITIES (CONTRACT)	9,860 Cu Yd	7,000 Tons			2,520 Tons
TOTAL QUANTITIES CORRECTED TO DATE	10,400 Cu Yd	5,987 Tons			2,080 Tons
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE	10,400 Cu Yd	5,987 Tons			2,080 Tons
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.	1122A							
PERCENT	100							

		WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY	17	Cloudy & Showers	0		
MONDAY	18	Cloudy & Showers	0		
TUESDAY	19	Cloudy & Showers	0		
WEDNESDAY	20	Overcast	0		
THURSDAY	21	Partly Cloudy	0		
FRIDAY	22	Partly Cloudy	0		
SATURDAY	23		0		

RECEIVED
JUN 25 1979
CONSTRUCTION BRANCH

Kessey, Jackmon, Hopkins, Williams, Johnsen, Glenn, Richards, Berg, Inloes, Widmer, Gebauer, Church

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY 17	No activity
MONDAY 18	No activity
TUESDAY 19	No activity
WEDNESDAY 20	Spacers on sign post installed and rail members at ends of bridge installed. Ungalvanized bolts used until proper bolts are available.
THURSDAY 21	No activity
FRIDAY 22	No activity
SATURDAY 23	No activity

REMARKS

All work on the project except spacers on the back of the sign post and connections of guard rail to the ends of the bridge was completed on June 15, 1979 Spacers on the sign posts were installed and the guard rail connected to the bridge on June 20, 1979. This is the last weekly report.

SIGNED Robert M Walling for Chet Anderson LOCATION Astoria

PRIME RESIDENT SUBMIT 2 COPIES. WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES

SP-F216

8651 5359

bc Secretary of State. Please acknowledge receipt of the attached claim on the enclosed copy of this letter.

ROBERT W. STRAUB
GOVERNOR

Department of Transportation

TRANSPORTATION BUILDING, SALEM, OREGON 97310

IN REPLY REFER TO
FILE NO:

June 18, 1979

FILED
JUN 19 1979
NORMA PAULUS
SECRETARY OF STATE

Howard E. Speer
Speer & Jones, Lawyers
835 East Park Street
Eugene, OR 97401

RECEIVED
JUN 19 1979
NORMA PAULUS
SECRETARY OF STATE

Dear Mr. Speer:

This will acknowledge your letter of June 7, 1979, with attached Notice of Claim of Grass Fiber, Inc., indicating that Allen's Landscaping owes them $3,401.10, plus interest, for supplying grass fiber mulch.

The Notice of Claim indicates that these materials were furnished on the following Ross Bros. Construction, Inc., contracts:

Contract No. 8651 for work on the Skipanon River (Warrenton) Bridge Section in Clatsop County.

Contract No. 8726 for work on the Upper Calapooia River Bridge Section in Linn County.

The Safeco Insurance Company of America furnished the bond on both of these contracts. We will advise the surety and the prime contractor of the receipt of this claim and we will also forward it to the Secretary of State for filing.

Please advise this office when this claim has been satisfied.

Sincerely,

ORIGINAL SIGNED
C. W. HEAD

C. W. Head
COMMISSION SERVICES

NOTED ON CARDS
6-20-79
dda

CWH:dda

cc Safeco Insurance Company of America
1500 S.W. First Avenue
Portland, OR 97201

Ross Bros. Construction, Inc.
3501 Brooklake Rd. N.
Salem, OR 97303

NOTED
C. W. HEAD

RECEIVED
JUN 20 1979
COMMISSION SERVICES
DEPARTMENT OF TRANSPORTATION

FORM 731-0027

SPEER & JONES, Lawyers, P.C.
835 EAST PARK STREET
EUGENE, OREGON 97401

HOWARD E. SPEER
J. KENNETH JONES

345-3333
AREA CODE 503

June 7, 1979

State of Oregon Transportation Commission
Commission Services
121 Transportation Bldg.
Salem, OR 97310

RE: Ross Bros. Construction, Inc. and Leonard Allen, dba Allen's Landscaping, contract nos. 8651 and 8726

Gentlemen:

Enclosed is a notice on behalf of Grass Fiber, Inc., in accordance with the provisions of ORS 279.528.

As the notice states, Grass Fiber, Inc., has not been paid by Leonard Allen, dba Allen's Landscaping, and there is due and owing to Grass Fiber $3,401.10 including interest accrued through June 4 on an account for supplying grass fiber mulch used by Allen's Landscaping in the performance of the two jobs noted in the notice of claim. Unless Grass Fiber, Inc., is paid in full within 30 days, action will be taken in the appropriate course to insure that payment is made.

Sincerely yours,

SPEER & JONES, LAWYERS

Howard E. Speer

HES:imd
enc.
cc: Sec. of State, State of Oregon
Safeco Bonding Co.
Allen's Landscaping
Ross Bros. Construction, Inc.
Grass Fiber, Inc.

RECEIVED
JUN 11 1979
COMMISSION SERVICES
DEPARTMENT OF TRANSPORTATION

NOTED
C. W. HEAD

NOTICE OF CLAIM ON BOND

TO: STATE OF OREGON HIGHWAY DEPARTMENT, OREGON TRANSPORTATION COMMISSION, ROSS BROS. CONSTRUCTION, INC., LEONARD ALLEN, dba ALLEN'S LANDSCAPING and SAFECO BONDING AND INSURANCE CO.:

Notice is hereby given that Grass Fiber, Inc., has a claim for the unpaid balance, plus interest, costs and attorney's fees, due and owing to it for the furnishing of materials to Leonard Allen, dba Allen's Landscaping, which it used in the performance of subcontract with Ross Bros. Construction, Inc., on the following State Highway Department jobs:

1. Skipanon River (Warrenton) Bridge section of the Warrenton-Astoria Highway - F.A.P. No. RS-134(2) contract no. 8651 and,

2. Upper Calapooia River Bridge section of F.A.S. - A482 (Calapooia River Rd.) F.A.P. No. RS-A482(1) contract no. 8726.

The Claimant sold to Leonard Allen, dba Allen's Landscaping, 19.98 tons of grass fiber mulch on November 8, 1978, at $158.02 per ton, a total price of $3,157.24, which together with interest accruing to June 4, 1979, there is a balance due and owing and unpaid to the Claimant of $3,401.10 plus accruing interest at the rate of 1 1/2% per month from June 4, 1979, until paid. The materials were either used by Leonard Allen, dba Allen's Landscaping, in the performance of the above two jobs or will be used in the performance of the above two jobs.

Ross Bros. Construction, Inc., provided a bond to the public agency for whom the contract was being performed with Safeco Bonding and Insurance Co. assuring that all claims for work done by subcontractors including materials furnished through subcontractors by suppliers such as the Claimant, Grass Fiber, Inc., would be paid in full. Grass Fiber, Inc., has not been paid.

DATED this 8th day of June, 1979.

GRASS FIBER, INC.

BY: Russell A. Anderson
Russell A. Anderson,
Vice President

RECEIVED
JUN 11 1979
COMMISSION SERVICES
DEPARTMENT OF TRANSPORTATION

8651

9

Victor Atiyeh

Department of Transportation

STATE HIGHWAY DIVISION

May 10, 1979

RECEIVED
STATE HWY ENGR
MAY 11 '79
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

TO: G. L. Green
Division Administrator
Federal Highway Administration

FROM: George Hopkins
Construction Field Engineer (Structures)

H. S. COULTER

SUBJECT: HBR-OR
Skipanon River Bridge
Clatsop County
Oregon Project RS-134(2)
Contract No. 8651

Your letter of April 18, 1979 requested additional information assuring that the prestressed slabs were still adequate and acceptable after spalling.

A visual inspection shows no damage to the slabs other than a portion of the shear key. This shear key has been repaired with an epoxy grout. There is no indication that the allowable stresses for the slabs has been exceeded, therefore we feel that their future structural integrity has not been impaired.

I am attaching a copy of a letter from T. W. Litchfield, Region Construction Engineer, which indicates that he has taken action necessary to prevent a reoccurrence of this sort.

GH:fr
Attachment

bc: H. S. Coulter (w/att.)
Walt Hart
T. W. Litchfield

Form 81-734 3123

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

May 7, 1979

Salem, Oregon

FILE: 104-1024

FROM: T. W. Litchfield
REGION CONSTRUCTION ENGINEER

TO: George Hopkins
CONSTRUCTION FIELD ENGINEER

SUBJECT: Shear Key Damage
Skipanon River (Warrenton)
Bridge Section
Warrenton-Astoria Highway
Clatsop County
Contract No. 8651

Your letter dated April 30, 1979, had attached to it Glen Hossner's letter to Mr. Coulter dated April 18, 1979, in which he expressed concern regarding the shear key fracture on the above captioned structure.

You will find attached a copy of Chet Anderson's letter to me dated May 1, 1979, in which he describes how the failure occurred and also a copy of his letter to the contractor dated March 9, 1979, describing what precautions the contractor must take when pulling the old piling from the new bridge.

You will note the instructions to the contractor were developed after consultation with the Bridge Design Section and they were followed substantially by the contractor during the pile pulling operation. In hindsight, it appears that in item (2) of Anderson's March 9 letter, he should have stated the "load" shall be centered over a bent center line, rather than the "crane."

In any event, this occurrence has caused us to be more vigilant with regard to contractor activities around new structures and you may rest assured that adequate provisions to protect the structure will be taken on all contracts in the future.

TWL/gl
attachments
cc: Walt Hart w/attach.
Chet Anderson w/attach.

RECEIVED
MAY 9 1979
CONSTRUCTION BRANCH

Kessey, Jeckmond, Hopkins, Williams, Johnsen, Glenn, Richards, Berg, Inloes, Widmer, Gebauer, Church

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
The Oregon Division - Oregon

SUBJECT: Oregon Project RS-134(2)
Skipanon River (Warrenton) Bridge Section
Multnomah County

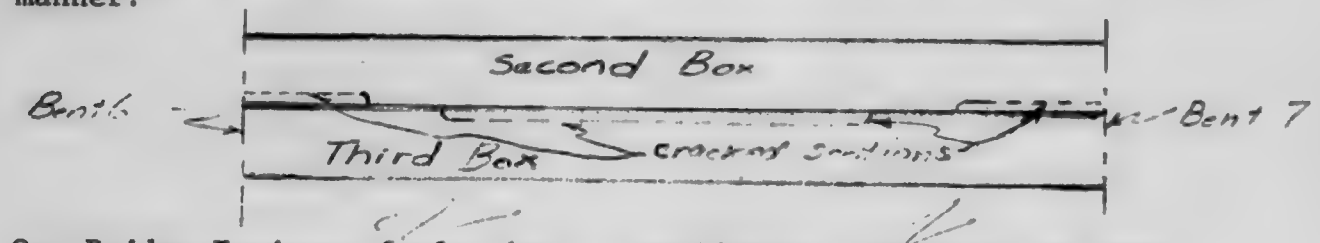
DATE: April 18, 1979

In reply refer to: HBR-OR

FROM : G. L. Green, Division Administrator

TO : Mr. H. S. Coulter, State Highway Engineer, ODOT

Attached is a copy of Area Engineer Kappus' inspection report, dated April 6, 1979, on the Skipanon River Bridge. A review of the comments and a discussion with Mr. Kappus indicates that the contractor was not only walking his crane across the unfinished structure but was removing a line of piles of the old structure from the new bridge. It is difficult for us to imagine why the shear key should fracture with this load. The shear key between the second and third box sections has cracked in the following manner:



Our Bridge Engineer feels that a considerable overload has been placed on the structure, probably due to pile extraction (extraction probably was performed with a faulty jet) which might place all the load on one track when a pile was being extracted. The cracks show independent action between sections.

Please furnish us with information that the in-place box section (second from the right) in span 6 is adequate for all design assumptions. We would appreciate further assurance on future projects that adequate wooden pads will be used under all tracks or outriggers to distribute the load and that any pile extraction will be done off the structure or with the confirmation of the Bridge Design Section.

G. L. Green

Attachment

1 Keasey
Jackmond
2 Hopkins
Williams
Johnsen
Glenn

RECEIVED
APR 24 1979
CONSTRUCTION BRANCH

Richards
Berg
Inloes
Widmer
Gebauer
Church

4.33

RECEIVED
STATE HWY ENGR
APR 19 '79
REFER TO
FOR
Info | Inves | R/D | D/R | Spec | Act | File

Form FHWA 121 (Rev. 8-73)

#8651

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
The Oregon Division - Oregon

DATE: April 18, 1979

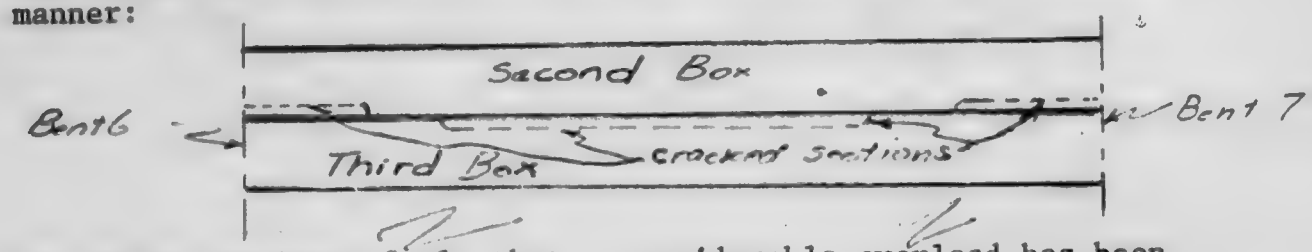
In reply refer to: HBR-OR

SUBJECT: Oregon Project RS-134(2)
Skipanon River (Warrenton) Bridge Section
Multnomah County

FROM : G. L. Green, Division Administrator

TO : Mr. H. S. Coulter, State Highway Engineer, ODOT

Attached is a copy of Area Engineer Kappus' inspection report, dated April 6, 1979, on the Skipanon River Bridge. A review of the comments and a discussion with Mr. Kappus indicates that the contractor was not only walking his crane across the unfinished structure but was removing a line of piles of the old structure from the new bridge. It is difficult for us to imagine why the shear key should fracture with this load. The shear key between the second and third box sections has cracked in the following manner:



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Please furnish us with information that the in-place box section (second from the right) in span 6 is adequate for all design assumptions. We would appreciate further assurance on future projects that adequate wooden pads will be used under all tracks or outriggers to distribute the load and that any pile extraction will be done off the structure or with the confirmation of the Bridge Design Section.

G. L. Green

Attachment

RECEIVED
STATE HWY ENGR
APR 19 '79
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

cc: State (H. S. Coulter)

STATE COPY

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

INTERMEDIATE AND FINAL INSPECTION REPORT

(Check appropriate box) ☒ INTERMEDIATE INSPECTION ☐ FINAL INSPECTION

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	2	Clatsop	Oregon

IN COMPANY WITH

T. Litchfield, C. Anderson, G. Hopkins, and E. Paton, OSHD Engineers

DATE OF INSPECTION	INSPECTION MADE BY	PROJECT NO.
4-6-79	W. H. Kappus, Area Engineer	RS 134(2)

QUALITY OF WORK*	PROGRESS OF WORK	TIME ELAPSED	WORK COMPLETED
Satisfactory	Unsatisfactory	107 %	90 %

SKIPANON RIVER (WARRENTON) BRIDGE SECTION
WARRENTON-ASTORIA HIGHWAY
Grading, Structure & Paving

This project provides for a new structure over the Skipanon River at Warrenton. On April 4, 1979 an inspection of the project was made. A crane had been moved onto the new structure. The crane was being used to pull the piling which had supported the old bridge. Some damage to the new deck had resulted from this operation.

On span six--between the second and third prestressed slabs--from the right, the edge area of the slabs above the grouted key had sheared. On the second slab, the area above the key was sheared for approximately six feet in length extending in from each end. On the other side of the joint, on the third slab, approximately 20 feet in the center of the span, the key area had sheared. The remaining length of keyed area--two areas approximately 3' each--appeared sound. The prestressed slabs and their bearing pads were closely inspected and no other damage was apparent.

After much deliberation and consultation with the Bridge Design Section of the Oregon State Highway Division, the decision was made to repair the damaged area by grouting with an epoxy grout. This damage occurred as a result of a crane operating on the deck of an unfinished structure without an adequate temporary support pad. It is unfortunate that such an easily preventable accident occurred.

I recommend that action be taken to assure that adequate structural support is provided when such operations are undertaken on future projects of this type.

8651

March 15, 1979

Ross Bros. Construction, Inc.
3501 Brooklake Road N.
Salem, OR 97303

Gentlemen:

Time Extension Request
Skipanon River (Warrenton) Bridge Section
Clatsop County
Contract No. 8651

We have carefully reviewed your request for an increase in calendar days on the above project. Consideration was given to prohibitive weather, parapet rail construction, and utility dealys but were found without cause for granting additional time. Your request for additional time is therefore denied.

Should you wish to submit additional information in support of your request, please contact the Resident Engineer.

Sincerely,

H. S. Coulter
State Highway Engineer

OBJ:DA:fr
cc: C. T. Keasey
C. O. Fredrickson
Chet Anderson

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

March 9, 1979

FILE: CON 5 #8651

FROM: O. B. Jackmond
Contract Administration Engineer

TO: H. S. Coulter
State Highway Engineer

SUBJECT: Time Extension Request
Skipanon River (Warrenton)
Bridge Section
Clatsop County
Contract No. 8651

Ross Bros. Construction, Inc., contractor on the above project, has requested an additional 68 calendar days in which to complete the project. Pertinent project time data are as follows:

Award	12-19-77
Calendar day count began	1- 5-78
Work began	1-23-78
Calendar days specified	425
Calendar days expire	3- 5-79

Reasons given which delayed the progress of the work are, 1) Prohibitive weather conditions (18 days), 2) Concrete parapet rail delays (20 days), and 3) Utility delays (30 days).

The contractor's paving operation was held up over two weeks due to excessive wet weather. This was mostly during the month of November 1978. Wet, rainy weather would not be abnormal in this area during this time of year. As reasonably predictable weather conditions are ordinarily not a valid reason for an adjustment of contract time, no additional time is recommended.

The grout for the slabs was to obtain a strength of 4000 psi before traffic would be allowed on the structure. The contractor states he lost 20 days, as he was not allowed to pour any parapet rail until the designated strength had been obtained.

The contractor was not allowed to pour the rail until a reasonable strength (2000 psi) had been reached. Pouring of the rail was not prevented once this reasonable strength had been achieved. Only the use of trucks to pour the rail was prevented after this time. Pumping or a crane with bucket could have been used. The contractor was performing other work on the project while waiting to pour the parapet rail. Recommend no additional time.

Thirty (30) days is also requested for time lost while waiting utility adjustment, specifically the power lines. The work to adjust power lines was extensive and required more time than originally anticipated. It did delay the pile driving operation for about a week. This did not have an effect on the overall project, however, as the pile driving was further delayed waiting completion of Stage 1 work which was the controlling activity and the contractor's responsibility. The Stage 1 detour construction

was not delayed by adjustment of utilities. It appears any additional time due to utility delays is not justified.

It is recommended the contractor's request for an increase in the contract time be denied.

A rough draft letter to the contractor is attached.

OBJ:DA:fr

Att.

cc: C. O. Fredrickson
Chet Anderson

RECEIVED
STATE HWY ENGR
MAR 12 '79
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

M-230 (Rev.)—SM—8-64

OREGON STATE HIGHWAY COMMISSION

Contractors Request
for
Increase in Number of Workdays
to
Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon 97310

Date Dec 7, 1978

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from 425 days to 493 days, within which to complete our Contract No. 8651, without the assessment of liquidated damages. The said contract is described as follows:

Skipanon River (Warrenton) Bridge

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows:

See attached letter requesting extra time for the following reasons;
18 1. Prohibitive weather conditions for paving.
20 2. Concrete parapet rail delay.
3. Utility delay.
28

Respectfully submitted,

ROSS BROS CONSTRUCTION, INC.
Contractor

By Stan M. Ross

CONSENT OF SURETY

Date December 12, 1978

We, SAFECO INSURANCE COMPANY OF AMERICA

, as

surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

Gail A. Custer
Attorney-in-fact Gail A. Custer

(SEAL)

Robert W. Lagler
Resident Agent Robert W. Lagler

K L & K ASSOCIATES INC.

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request

for

Increase in Number of Workdays

to

Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8651 Contractor Ross Bros. Construction, Inc.

Highway Warrenton-Astoria

Section Skipanon River (Warrenton) Bridge

Kind of Work Grading, Paving, Structure, Signing, Illumination

It is recommended that the request for increase in the number of workdays within which to complete said contract be **DENIED** or ~~GRANTED~~ The reasons for such recommendation are as follows:

Consideration was given to prohibitive weather, parapet rail construction, and utility delays, but were found without cause for granting additional time.

Recommended for Approval:

R. L. Elstad
Asst. Division Engineer

O. B. Jackmond
For Construction Engineer or ~~Bridge Engineer~~

J. S. Coulter
State Highway Engineer

Contract No.	8651
Project designation	Federal (State-Federal)
Date awarded	Dec. 19, 1977
Work started	Jan. 23, 1978
Per cent completed	80% on 2/3/79 (Date)
No. of ~~Work~~ Calendar days Allowed	425
No. of ~~Work~~ Calendar days Used	395
No. of Added ~~Workdays~~ Calendar Requested	68

SP*8296-734

December 7, 1978

Chet Anderson
P.O. Box 1104
Astoria, Oregon 97103

RE: Skipanon R Bridge; Attachment to Request for Increase in Number of Workdays

Gentlemen:

1. We have been wanting to pave for over two weeks. Our whole job has been practically shutdown because most of our work hinges on the opening of the detour. We realise that we cannot pave in a downpour of rain, however in the spec's it states special conditions that can be met in order to pave in minor rain and wet conditions. There have been days like this when the resident did not allow paving, hoping for dryer conditions. To wait for dry conditions on the Oregon coast in the winter is unreasonable, especially when dry conditions are not an absolute requirement. We feel a stop work order should be written for these days and work days not charged.

   For these reasons we are requesting 18 calendar days increase for days lost to Dec 1, 1978, on which day paving was performed.

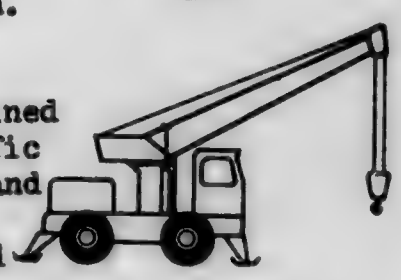
2. On Sep 13 and Sep 22 the bridge slabs were grouted. We were informed that no parapet rail could be poured until grout attained a strength of 4000 psi. This requirement is to allow for traffic on the bridge. This does not include the pouring of the rail and this has never been mentioned on any previous projects. We have been informed that this was required whether or not we had a concrete truck on the bridge to pour. We could have made the pour without being on the bridge by craning or pumping the concrete.

   We were delayed from Sep 18 to Sep 28 to October 7. For these days we are requesting an increase in the day count by 20 days.

3. At the preconstruction conference in Jan 1978, we were informed that it would take 3 weeks to relocate the lines. This seemed to us reasonable and within our responsibility of cooperating with the utilities. However when the 3 weeks becomes 4 months, we do not feel that we should be held accountable for having to schedule arround them. We had our pile driving equipment standing idle and work at practically a standstill.

   We do not feel we should be charged calendar days when it is up to the Division to negotiate with them and make all arrangements for there relocation, adjusmments, etc. All we are requesting is 1 months delay (30 days) for this inconvience in which we had absolutly no control.

ROSS BROS. CONSTRUCTION, INC.



GENERAL CONTRACTOR

3501 BROOKLAKE ROAD N.
SALEM, OREGON 97303

393-5885

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

SAFECO

POWER OF ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

No. 5470

KNOW ALL MEN BY THESE PRESENTS:

That **Safeco Insurance Company of America**, a Washington corporation, does hereby appoint

----------GAIL A. CUSTER, Portland, Oregon----------

its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company fidelity and surety bonds or undertakings and other documents of a similar character issued by the company in the course of its business, and to bind **Safeco Insurance Company of America** thereby as fully as if such instruments had been duly executed by its regularly elected officers at its home office.

IN WITNESS WHEREOF, Safeco Insurance Company of America has executed and attested these presents

this 22nd day of December, 19 77.

CERTIFICATE

Extract from the By-Laws of Safeco Insurance Company of America:

"Article VI, Section 12.–FIDELITY AND SURETY BONDS . . . the President, any Vice President, and the Secretary shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business . . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of
Safeco Insurance Company of America adopted July 28, 1970

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,
(i) The provisions of Article VI, Section 12 of the Bylaws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,
the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, W. D. Hammersla, Secretary of Safeco Insurance Company of America, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of this corporation, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 12th day of December, 1978.

S-1300 R1 7/77

PRINTED IN U.S.A.

8151

8

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

March 6, 1979

Salem, Oregon

ORIGINAL SIGNED BY
C. O. FREDRICKSON

FROM: C. O. Fredrickson
REGION II ENGINEER

SUBJECT: Construction Engineering Costs

TO: C. T. Keasey
ASST. STATE HIGHWAY ENGINEER

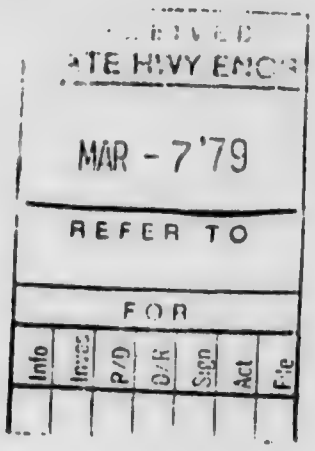
Engineering charges for supervision and inspection of projects within this Region are high and will continue to be high until certain projects within the Region are completed. The charges which are overrunning the most are those for the inspection of the painting projects in Astoria, which do not allow much flexibility. When the painters are working, there will be inspectors on those projects unless the Region receives instructions to the contrary. There is, unfortunately, no other way to provide assurance that we are obtaining the specified results. This applies to contract nos. 8470, 8668, and 8669. The other two bridge contracts, contract nos. 8651 and 8726, have not progressed at a satisfactory rate and have required undue amounts of inspection time.

Other projects, with two exceptions, do not appear to be doing badly so far as engineering charges are concerned. Contract no. 8767 took a beating when we we required to send crews to the project on per diem for extended periods of time to respond to pressure from the contractor. We could have refused to do this, but I doubt that our refusal would have been upheld by your office. Contract nos. 8788 and 8752 were held up by weather and utility conflicts and reflect the additional time involved.

I do not expect the engineering cost picture to change for the better until we are finished with these jobs. We will continue to be plaqued with a lack of experienced help and will only be able to obtain increased efficiency if we can train and retain our field personnel.

COF/rgl

cc: H. S. Coulter



#9651

8

JAMES A. REDDEN
ATTORNEY GENERAL

NOTED
H. S. COULTER

DEPARTMENT OF JUSTICE
TRIAL DIVISION
100 State Office Building
Salem, Oregon 97310
Telephone: (503) 378-6313

January 18, 1979

H. S. Coulter
State Highway Engineer
129 Transportation Building
Salem, OR 97310

Re: Skipanon Waterway Assn., et al v. State of Oregon
Case No. CC-78-58 (L-7562)

Dear Mr. Coulter:

When I reported to you that the trial court granted summary judgment to the state in the above-mentioned case, I expressed doubts that the plaintiffs would appeal. Plaintiffs time for appeal has now expired, which concludes this proceeding for all purposes.

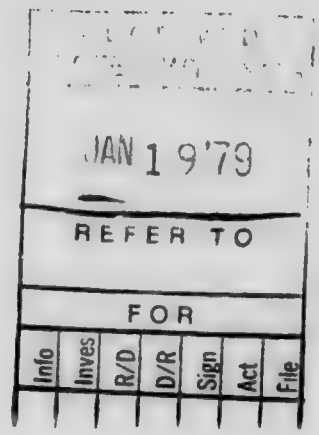
Sincerely,

Les Hampton

Leslie B. Hampton
Assistant Chief Trial Counsel

jls
cc: James A. Redden
Jack Sollis
C. T. Keasey
C. O. Fredrickson
C. A. Anderson

cys Hunter
Hart
Vanstoy
1/23



8651

JAMES A. REDDEN
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

TRIAL DIVISION
100 State Office Building
Salem, Oregon 97310
Telephone: (503) 378-6313

NOTED
H. S. COULTER

December 8, 1978

Commander
13th Coast Guard District
618 2nd Avenue
Seattle, WA 98104

Re: Skipanon Waterway Association, et al v. State of Oregon
Clatsop County, Oregon Circuit Court Case No. CC78-58
Our File - L-7562
Skipanon River Bridge

Dear Sir:

We are pleased to report that the State has prevailed in the above-mentioned litigation. The Court has entered summary judgment in favor of the State.

Sincerely,

Leslie B. Hampton
Assistant Chief Trial Counsel

jls

cc: Mr. H. S. Coulter
State Highway Engineer
129 Transportation Building
Salem, OR 97310

by Walt Hart
CO Fralickson
12-12-78

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FOR
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#9651

JAMES A. REDDEN
ATTORNEY GENERAL

NOTED
H. S. COULTER

DEPARTMENT OF JUSTICE
TRIAL DIVISION
100 State Office Building
Salem, Oregon 97310
Telephone: (503) 378-6313

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November 30, 1978

Mr. H. S. Coulter
State Highway Engineer
129 Transportation Bldg.
Salem, Oregon 97310

Re: Skipanon Waterway Assn., et al v. State of Oregon
Case No. CC-78-58

Dear Mr. Coulter:

I am pleased to advise you that Judge Edison allowed the State's Motion for a Summary Judgment in the above-mentioned case. As you know, plaintiff Association sought to enjoin construction of the State's fixed-span bridge over the Skipanon River in Warrenton, Oregon. Because the plaintiffs did not ask for a temporary injunction, we did not hurry in getting this case to issue but it was set for trial for December 15. The bridge is now 70% complete.

This effectively concludes this case subject to the possibility of an appeal from the Summary Judgment. Herb Palmberg, the predominant member of the Association attended the hearing and is quite bitter about the results. However, I seriously doubt that he will appeal.

Sincerely,

Les Hampton

Leslie B. Hampton
Assistant Chief Trial Counsel

dlw

cc: James A. Redden
Walter Hart
C. T. Keasey
Gary A. Potter
C. O. Fredrickson
C. A. Anderson

#8651 11-27-78 Coulter

REPORT OF TRIAL OF CASES OTHER THAN CONDEMNATION

File: L- 7562

Case No.: _____

To be submitted to Commission: 1-16-79 Approved by Commission: _____

Name of Case: Skipanon Ass'n v. State County: Clatsop

Cause of Action: Suit for Declaratory Judgment to enjoin bridge construction

Demands of Plaintiff: Construction of bridge enjoined

Date(s) of Trial: November 27, 1978 Judge: Thomas E. Edison

Attorney for State: Leslie B. Hampton

Attorney for Plaintiff: Nicholas D. Zafiratos

Verdict or Judgment: Summary Judgment for State Interest: _____

Attorney Fees: None Court Costs: State recover

REMARKS:

See Attached

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NOTED
H.S.COULTER

Leslie B Hampton
Signed

cc File
Jack L. Sollis

REPORT OF TRIAL OF CASES OTHER THAN CONDEMNATION

File: L- 7562

Case No.:

To be submitted to Commission: 1-16-79 Approved by Commission:

Name of Case: Skipanon Ass'n v. State County: Clatsop

Cause of Action: Suit for Declaratory Judgment to enjoin bridge construction

Demands of Plaintiff: Construction of bridge enjoined

Date(s) of Trial: November 27, 1978 Judge: Thomas E. Edison

Attorney for State: Leslie B. Hampton

Attorney for Plaintiff: Nicholas D. Zafiratos

Verdict or Judgment: Summary Judgment for State Interest:

Attorney Fees: None Court Costs: State recover

REMARKS:

See Attached

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NOTED
H.S.COULTER

Leslie B Hampton
Signed

cc File
Jack L. Sollis
L. B. Hampton
H. S. Coulter
Walter Hart
C. T. Keasey
C. O. Fredrickson

Report of Trial of Cases Other Than Condemnation
(Attachment)

The plaintiff's are dissatisfied with the fixed-span bridge now being constructed over the Skipanon River in Warrenton. They have always wanted a draw-span structure.

The State has a valid Coast Guard license for its structure and had prior approval from the Port of Astoria, and the City of Warrenton. Prior to the award of the contract some of the plaintiffs induced the Port Commissioners to pass a resolution instructing the Highway Division to withhold the award of the contract pending further economic studies. Bids had already been received and the Highway Engineer refused to delay the award. This law suit was then filed.

The Port of Astoria was brought in as a defendant in response to our Demurrer to the original Complaint. The Port District has been cooperative. At our suggestion they modified their original action to clarify that they did not intend to "instruct" but only "request" that the award be delayed.

ORS 380.125(2) provides that construction of a structure over a navigatable stream within a port district cannot begin until and unless the "plans, elevations and clearances" are approved by the Port District. The Port of Astoria had never formally complied with that statue. However at the time it passed a resolution urging the Coast Guard to grant a license for this structure, the Commissioners were familiar the with plans, elevations and clearances. We argued that informal approval was adequate. However the Port, at my request, through its attorney, passed another resolution reciting its prior informal approval and also formally approved the plans, elevations and clearances.

The Court in granting our Motion for Summary Judgemnt ruled as a matter of law that any deficiencies in the action of the State or Port had been cured by the subsequent resolution that ratified its earlier informal actions. We recover statutory costs.

8651

JAMES A. REDDEN
ATTORNEY GENERAL

NOTED
H. S. COULTER

DEPARTMENT OF JUSTICE
TRIAL DIVISION
100 State Office Building
Salem, Oregon 97310
Telephone: (503) 378-6313

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November 16, 1978

Walter Hart
Bridge Engineer
329 Transportation Building
Salem, OR 97310

Re: Skipanon Waterway Association v. State, et al
Case No. CC-78-58 (L-7562)

Dear Walter:

The above-mentioned case has been set for trial for December 15, 1978. As you know, this case seeks to enjoin contstruction of the above-mentioned bridge. The plaintiff did not ask for a temporary injunction. We therefore had no motive to facilitate the preliminary proceedings in this case. Our bridge is now approximately 70% complete.

As you know, I filed a Motion for Summary Judgment last week. That Motion has now been set for argument for November 27, 1978. There is a substantial chance that our Motion will be allowed and the case will be disposed of by entry of a Summary Judgment. In fact, the Court should take that action, but has enough discretion to require a trial.

If we do go to trial, we will need to have available testimony and exhibits related to:

1. Our plans and specifications and comparisons thereof to the plans, elevation and clearances included with our draft environmental impact statement. We will also want to compare our plans and specifications with the plans, elevations, clearances, etc. utilized in connection with the Coast Guard hearings.

2. We will need to identify and explain our various hearings and our reports thereon.

This letter is to alert you as to the potential trial. As I mentioned above, I have high hopes that a trial will not be necessary.

Sincerely,

Les Hampton

Leslie B. Hampton
Assistant Chief Trial Counsel

jls
cc: H. S. Coulter ✓
E. S. Hunter
C. T. Keasey
Gary A. Potter
C. O. Fredrickson
C. A. Anderson

#8651

FHWA

THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

NOV 8 1978

Honorable Les AuCoin
Member, United States
House of Representatives
1716 Federal Building
1220 SW Third
Portland, Oregon 97204

Dear Les:

Thank you for your letter of October 11, 1978, in behalf of Mr. H. G. Palmberg of Warrenton, Oregon.

The matter has been reviewed with the Coast Guard as requested. I must confirm the position of the Coast Guard as extensively discussed in their letter of August 10, 1978, to you explaining why they cannot comply with Mr. Palmberg's request to defer construction of the bridge across the Skipanon River at mile 2.0 in Warrenton, Oregon.

Sincerely,

Brock Adams

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THIS FILE COPY WAS RECEIVED

#8651 10-18-78

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

INSPECTION REPORT

REGION NO.	REPORT ON	DIVISION
10	Skipanon R. Bridge	Oregon
DATE OF INSPECTION	**INSPECTION MADE BY**	**PROJECT NO.**
10-18-78	R. W. Pillsbury	RS134(2)
IN COMPANY WITH		% Time 67
Chet Anderson, ODOT		% Work 65

REMARKS

Findings and Recommendations

At the request of Mr. Hossner I inspected this structure, especially the deck slab units. This bridge is on a horizontal and vertical curve. The individual spans are prestressed slabs. As a result, each span is in a plane and each span is on a different plane than the adjacent spans. At each bent, along the north rail, the western span is 1" to 2" higher than the eastern span, except at Bent 8. At this point the western span is about 2" lower than the eastern span. This indicates that the east end of span 7 is about 4" below grade and will require that much additional wearing surface to bring it up to grade.

I notified the Salem bridge office, who informed me that these slabs could handle 6" of A.C., but they would check the situation. I recommended they also consider adjusting the final grade to reduce the A.C. It is not possible to move the slabs as they are bolted down and grouted in place.

This appears to be an engineering staking error. Resident Engineers should be reminded to check, and check again, all grades and cut-off points. Perhaps if the grade line had been plotted before staking this would have been discovered.

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Fredrickson

FOR

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10-23
cy Keasey – Provide appropriate reminding to all Res. Engrs. –

FORM PR-33 (REV. 5-70) EDITION OF 7-67 MAY BE USED

8651

9

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION
INTER-OFFICE CORRESPONDENCE

FILE:

NOTED
H. S. COULTER

Salem, OR
August 23, 1978

FROM: George Hopkins
Field Engr. (Structures)

SUBJECT: Skipanon River Bridge
Clatsop County
Contract No. 8651

TO: C. O. Fredrickson
Regional Engineer
SALEM

Attn: Ted Litchfield

The Special Provision of subject contract requires that surcharge materials remain in place a minimum of six months unless otherwise directed by the engineer.

If the embankment is surcharged for the specified time, it appears that the contractor's current rate of progress will not meet the completion date of March 5, 1979. Traffic would also be routed over the detour during the winter and until paving weather next spring, delaying completion of the structure until well into tourist season of next year.

I have discussed this situation with Fred Yarbrough at some length. It appears that if the surcharge is removed, base rock and the first lift of A.C. placed and put under traffic for the winter, we would have approach fills almost equivalent to that resulting from the specified surcharge. This would also allow the contractor to continue with the remaining structure work during the winter months with only the membrane and final lift of A.C. to be performed next spring.

In view of these and other considerations, it is recommended that the six month surcharge be modified immediately to allow all work on the approach fills up to and including the first lift of A.C. to be completed during the month of September, 1978.

GH:mk

cc: H. S. Coulter
Fred Yarbrough

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STATE HWY ENGR
AUG 23 '78
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

8651

105
Skipanon R. Br

Division of State Lands

1445 STATE STREET, SALEM, OREGON 97310 PHONE 378-3805

OREGON STATE LAND BOARD

VICTOR ATIYEH
Governor

NORMA PAULUS
Secretary of State

CLAY MYERS
State Treasurer

RECEIVED
JUL 18 1979
CONSTRUCTION BRANCH

July 13, 1979

Mr. Harry Claterbos
Harry Claterbos Co., JV
Route 1, Box 984
Astoria, OR 97103

Dear Mr. Claterbos:

This is in response to a request by Mr. Dean Hedrick of your company to modify State Removal-Fill Permit No. 2537 for bridge construction at Skipanon River Mile 4.5 in Clatsop County.

This letter authorizes the placement of a 48-inch culvert and clean sand fill to construct a temporary crossing of the stream. The purpose of the crossing is to allow access to both sides of the waterway to enable completion of in-stream work required for bridge construction prior to the September 15 deadline provided in conditions 3. and 4. of your permit. Mr. Hedrick explains that the crossing is in the section of stream which is to be rechanneled and thus, upon completion of the new channel, will be filled. He expected that the fill and culvert would remain in place over the winter season.

All conditions of the permit not affected by this project modification remain in force. Please call us if there are any questions.

Sincerely,

WILLIAM S. COX
Director

Earle A. Johnson, Supervisor
Environmental Management Unit

EAJ:kp

cc: Corps of Engineers
Oregon Dept. of Fish & Wildlife
Dept. of Environmental Quality
Water Resources Dept.
Soil & Water Conservation Comm.
CREST
Clatsop County Planning

#8651

NOTED
H. S. COULTER

PRELIMINARY
REPORT OF TRIAL OF CASES OTHER THAN CONDEMNATION

File: L- 7369

Case No.: 76-8-116

To be submitted to Commission: July 18, 1978 Approved by Commission: _____

Name of Case: SKIPANON WATERWAY ASSOCIATION v. STATE County: CLATSOP

Cause of Action: Declaratory Judgment Action

Demands of Plaintiff: Bridge Construction Postponed Pending Economic Study

Date(s) of Trial: April 20, 1978 Judge: Thomas Edison

Attorney for State: Leslie B. Hampton

Attorney for Plaintiff: Nicholas Zafaratas

Verdict or Judgment: States Demurrer Sustained Interest: None

Attorney Fees: None Court Costs: None

REMARKS Plaintiff seeks to delay construction of the Skipanon Bridge until further economic studies are made. After a motion by the state , the court required plaintiff's to file an amended complain.

This hearing was on the states demurrer to the complaint. The court sustained our position and dismissed the amender complaint, on the basis that the Highway Division could not be sued unless the Port of Astoria was also a defendant.

Plaintiff can refile this cause of action and add the Port of Astoria as a defendant, but has not done so to this date. It is possible, that, Herbert Palmberg, the principal plaintiff has had enough, but it is probable that he will continue this case, regardless of his mounting attorney fees.

Leslie B Hampton
Signed

cc File

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STATE HWY ENGR

REPORT OF TRIAL OF CASES OTHER THAN CONDEMNATION

File: L- 7369

Case No.: 76-8-116

To be submitted to Commission: July 18, 1978 Approved by Commission: _____

Name of Case: SKIPANON WATERWAY ASSOCIATION v. STATE County: CLATSOP

Cause of Action: Declaratory Judgment Action

Demands of Plaintiff: Bridge Construction Postponed Pending Economic Study

Date(s) of Trial: April 20, 1978 Judge: Thomas Edison

Attorney for State: Leslie B. Hampton

Attorney for Plaintiff: Nicholas Zafaratas

Verdict or Judgment: States Demurrer Sustained Interest: None

Attorney Fees: None Court Costs: None

REMARKS: Plaintiff seeks to delay construction of the Skipanon Bridge until further economic studies are made. After a motion by the state , the court required plaintiff's to file an amended complain.

This hearing was on the states demurrer to the complaint. The court sustained our position and dismissed the amender complaint, on the basis that the Highway Division could not be sued unless the Port of Astoria was also a defendant.

Plaintiff can refile this cause of action and add the Port of Astoria as a defendant, but has not done so to this date. It is possible, that, Herbert Palmberg, the principal plaintiff has had enough, but it is probable that he will continue this case, regardless of his mounting attorney fees.

Leslie B Hampton

Signed

cc File
Jack L. Sollis
[illegible]
H.S. Coulter
E.S. Hunter
Walter Hart
Carroll Keasey

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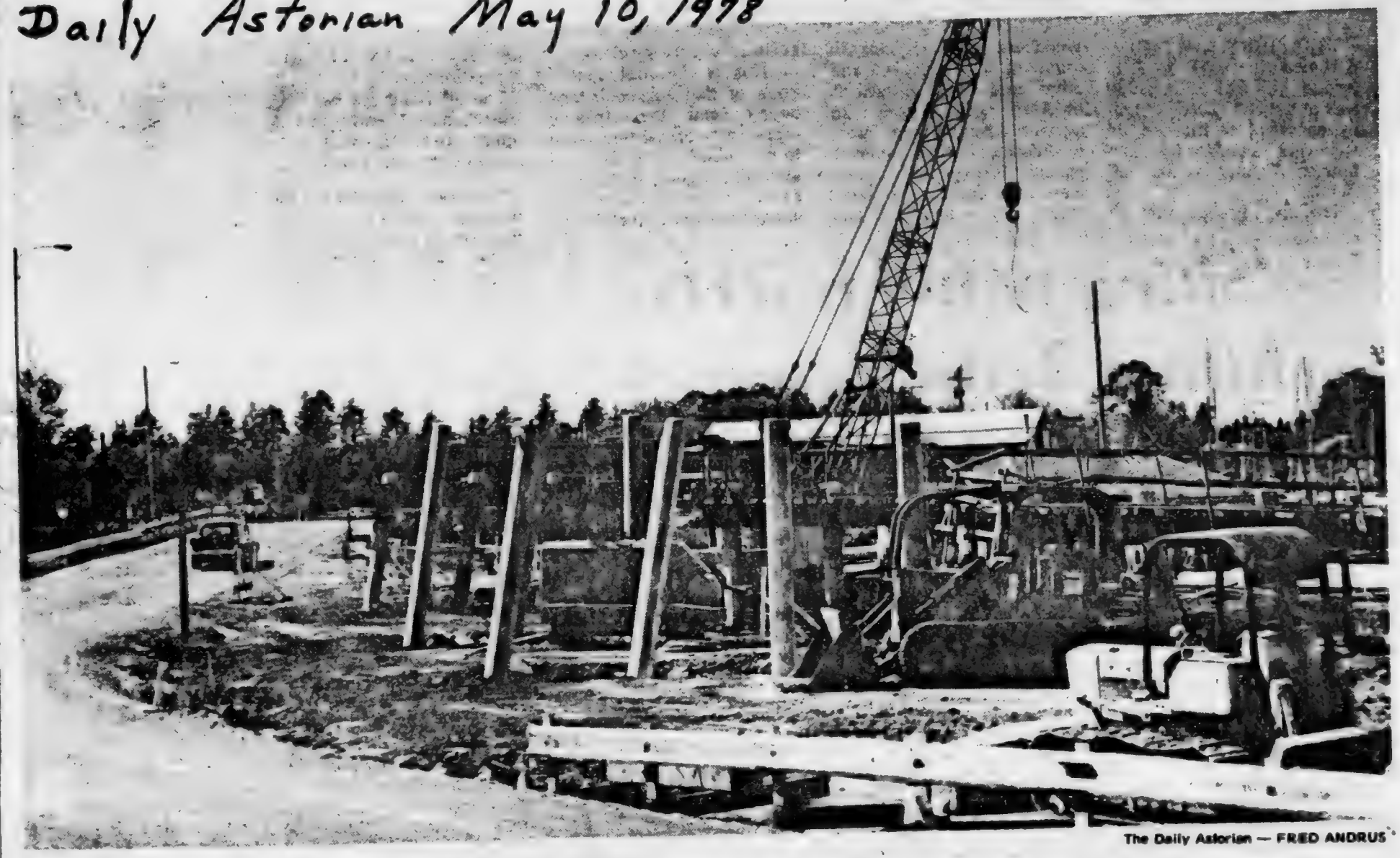
Daily Astorian May 10, 1978



The Daily Astorian — FRED ANDRUS

Construction progresses on the new Skipanon River bridge at Harbor Street in downtown Warrenton. A suit has been filed, naming the Oregon Transportation Department as a defendant, which contests construction of a fixed-span bridge. Port of Astoria officials also may become parties in the suit.

Seeking to block bridge construction

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NOTED
D. KLABOE

Port officials may be named in suit

Port of Astoria commissioners may be named as defendants along with the State of Oregon in a lawsuit filed to halt construction of the Harbor Street bridge across the Skipanon River in Warrenton.

A ruling by Clatsop County C[illegible] Court Judge Thomas Ed[illegible] put the port commission on the spot — commissioners must join the suit either as defendants or plaintiffs in the case, filed by Skipanon Waterway Association against the state Department of Transportation.

Port attorney George Fulton told commissioners that Judge Edison approved a motion which would give the waterway association the right to name the port as a defendant if the port didn't join in the suit against the state.

"I would say that if you joined the plaintiff, you would be extremely inconsistent in your position," Fulton said.

"I have been advised that if you don't make a decision tonight you will be enjoined as a defendant," Fulton added.

Based on Fulton's advice, port commissioners voted to take no position on the suit. The action, or non-action, may put the port commission in court over the Skipanon bridge controversy, which has been debated before local and state public bodies for the last five years.

The suit was filed in January after the State of Oregon awarded a contract for construction of the fixed-span bridge. Opponents, arguing that a fixed span would obstruct river traffic on the Skipanon, are attempting to prove the Port of Astoria has authority over navigable waterways in Clatsop County and is empowered to remove obstructions to navigation.

The port's official position was to take no stand in the much-debated Skipanon issue, preferring to go along with whatever position the City of Warrenton took. The city endorsed the fixed span.

However, port commissioners — after pressure from maritime interests lead by Herb Palmberg of Warrenton — asked the state to delay the bid award and study alternatives. That request, however, came the day before construction bids were opened. The port's request was ignored.

Tuesday night, Fulton told commissioners it would be ill-advised to get into a legal debate on whether the port had authority over waterways. He said a similar legal case involving the Port of Portland resulted in a decision that the port had no such authority over bridges.

"Who's the judge that is telling us that we have to spend taxpayers' money?" asked Al Risaman, port commission president.

Fulton said the state most likely would assume legal costs in the case.

Joining Skipanon Waterway Association in the suit are Palmberg Construction Co. and several maritime-oriented businesses and individuals.

#81651

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

March 14, 1978

FROM: Frank E. Terpin
Location Engineer F.E.T.

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County

TO: E. S. Hunter, Manager
Office of Technical Services

Attached is a listing of major events and file letters relative to the development of the Skipanon River Bridge project. You requested this information last December.

Don Keyes has scanned the many files and made these brief notes, by date, of the happenings that appeared to be most pertinent.

Attachment

WNH:mc

cc J. H. Versteeg
W. N. Hackleman

NOTED
E. S. HUNTER

RECEIVED
TECHNICAL SERVICES
MAR 15 '78
REFER TO
cy - Walt Barrie
FOR

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MAJOR EVENTS AND DEVELOPMENT ACTIVITIES

FOR

SKIPANON RIVER BRIDGE AT WARRENTON
WARRENTON-ASTORIA HIGHWAY
CLATSOP COUNTY

Sept. 5, 1916	Date of original permit to Clatsop County.
Feb., 1933	Clatsop County, without a permit, widened the roadway and removed the drawspan and replaced with an "A" frame floatout span. About this same time, a water line was attached to the bridge.
Oct. 9, 1964	Request from State Highway Department to Corps of Engineers to permanently close the removable span.
Nov. 3, 1964	Corps of Engineers public notice for requested closure.
Dec. 2, 1964	State Highway Department withdrew the request for closure because of several objections.
May 28, 1965	Clatsop County objected to a suggested closure of the Skipanon River to navigation.
Oct. 12, 1965	Letter from Palmberg requesting that an opening span be constructed.
Oct. 13, 1965	Clatsop County recommends that a bascule span be constructed when the water traffic warrants.
Oct. 14, 1965	Letter from the Port of Astoria reserving the right to review at a later time to determine if water traffic increased enough to warrant construction of an opening span.
Nov. 19, 1965	Letter from Corps of Engineers reserving the right to re-evaluate at a later time to determine if water traffic increased enough to warrant an opening span.
1965	Sometime in 1965 the State Highway Department replaced the timber "A" frame span with a steel beam floatout span.
July 22, 1968	Notice from the Coast Guard that they now have the responsibility for issuing permits regarding bridges.
Aug. 27, 1971	Palmberg Construction Company requests the bridge be opened on September 21, 1971.
Aug. 31, 1971	City of Warrenton sent a letter to Corps of Engineers objecting to the opening of the bridge and requested that the Skipanon Channel be closed to navigation above the Burlington Northern Railroad bridge.

Oct. 8, 1971	Because of a letter from Palmberg dated September 29, 1971, Corps of Engineers asked for comments on the Skipanon River Bridge regarding openings.
June 26, 1972	Letter from Coast Guard ordering the State to restore the Skipanon River Bridge to a single leaf bascule span or State should send them a proposed plan of action to revise or construct a new structure.
Sept. 8, 1972	Letter from Tom Edwards to F. B. Klaboe to put project in planning process to go to a hearing within one year.
Dec. 5, 1972	Schedule for replacement of bridge sent to Coast Guard.
Aug. 7, 1973	Sketch of bascule span opening bridge (Alternate 2) sent to Coast Guard. State intended to proceed with State funds.
Aug. 9, 1973	Clatsop County approved Alternate 2 as per sketch sent to Coast Guard in August 7, 1973 letter.
Aug. 20, 1973	Eight alternate proposals to replace the Skipanon River Bridge were presented to the Warrenton City Council.
Aug. 27, 1973	Petitions requesting a structure with more vertical clearance and an opening span.
Aug. 31, 1973	Governor's letter to Corps of Engineers objecting to a permit re Public Notice 70-10 and 70-12 for placing piling and dredging in the Skipanon River (applicant was H. G. Palmberg).
Sept. 18, 1973	Letter from City of Warrenton agreeing to accept recommendation of State Highway Division.
Dec. 20, 1973	Public meeting in Warrenton and the Highway Division presented plans to reconstruct the bridge to a configuration comparable to the original plan. Public input indicated the plan was not acceptable.
Dec. 26, 1973	Letter from Palmberg discussing public meeting and proposed detour.
Dec. 26, 1973	Letter from Dant & Russell Timber Company and Warrenton Lumber Company. Dant & Russell requested Highway Division to consider impact of alternative selected.
Dec. 31, 1973	Letter from Board of County Commissioners for Clatsop County: A. Delay decision until local, State and Federal agencies can study. B. If decision cannot be delayed, bridge should have clearance for a majority of sport vessels and minimum clearance of 14 feet at high tide.

Jan. 22, 1974	Letter from City of Warrenton requesting: A. Bascule span, without tower. B. Realignment on east end. C. Increase vertical clearance 5 feet.
Jan. 24, 1974	Two letters from Palmberg requesting the same things as City of Warrenton plus plugging for a detour over the 8th Street dam.
April 26, 1974	Corps of Engineers public notice to place the 6-inch water main in the bottom of the Skipanon River Channel.
May 14, 1974	Letter from Port of Astoria objecting to lift span because of delays and also objecting if a detour is not built. In both cases it would cause delays or increase distance, which will cost money.
May 16, 1974	Memo to the file by E. S. Hunter regarding a May 14 meeting. The City of Warrenton and Clatsop County are to give their firm position within a month on which alternate they want.
May 24, 1974	Letters and petitions: "Highway transportation takes precedence over river usage."
June 11, 1974	Letter from Palmberg contemplating many openings of the bridge and requesting standby payment.
June 5, 1974	Letter from City of Warrenton with a May 31, 1974 Warrenton Planning Commission memo: A. Bridge opening hours to be restricted. B. Build detour near present bridge. C. Quick opening span. D. Construct bridge at present location.
June 24, 1974	Letter from Coast Guard stating that no further approval needed. Get on with the restoration work.
July 23, 1974	Letter to Coast Guard (Washington DC) submitting the project critical path for construction of bascule span with 18 to 20 feet above mean or low water. January 1977 would be as soon as a contract could be let.
July 30, 1974	Highway Commission approved the project and the project is to be added to the Federal-aid Program.
Aug. 30, 1974	Project Assessment.
Sept. 6, 1974	Application to Corps of Engineers to place the 6-inch water line in the Skipanon River streambed 75 feet upstream.

Sept. 10, 1974	City of Warrenton objected to moving the 6-inch water main.
Oct. 22, 1974	Letter to the Governor signed by F. B. Klaboe objecting to work covered in Corps of Engineers Public Notices 70-10 and 70-12 (H. G. Palmberg's request to dredge and drive piling in the Skipanon River).
Nov. 7, 1974	Corps of Engineers Public Notice 071-0YA-1-001580 regarding placing of 6-inch water line in the Skipanon River streambed.
Nov. 19, 1974	Letter from E. S. Hunter to G. L. Green giving history of events to the present date.
Dec. 22, 1974	Governor approved the placing of 6-inch pipe in the Skipanon River streambed.
Jan. 8, 1975	Letter from FHWA indicating that an E.I.S. is needed.
Jan. 10, 1975	State Clearinghouse A-95 review (no significant conflict).
Jan. 22, 1975	Letter from Clatsop-Tillamook Intergovernment Council encouraging modification of existing bridge to meet original permit.
Jan. 29, 1975	E. S. Hunter's letter to Coast Guard stating that the Coast Guard agreed to delay any action pending Highway Division's proposal for an accelerated resolution of the problem.
Jan 26, 1975	Letter from Coast Guard stating that the matter had been referred to the U. S. Department of Justice for prosecution and that they did not agree to a delay.
Mar. 21, 1975	Investigation into costs of purchasing, leasing or renting a barge.
April 7, 1975	Corps of Engineers Public Notice 071-0YA-1-001836 - Palmberg Construction Company request to build a moorage above the bridge.
April 14, 1975	Letter from Oregon Fish Commission recommending a fixed span bridge.
April 18, 1975	Draft E.I.S. signed by FHWA.
April 28, 1975	Draft E.I.S. sent to all agencies.
April 28, 1975	Public Notices sent out informing of a public hearing on June 5, 1975.

May 8, 1975	Letter from Governor to the Corps of Engineers requesting the Corps to deny a permit for construction of a moorage above the bridge.
May 28, 1975	The State purchased a barge to float out bridge span.
June 5, 1975	Public hearing. Two alternates were presented: A. A fixed span with 27 feet of vertical clearance at low tide. B. A double leaf bascule span with 16 feet vertical clearance at low tide.
June 13, 1975	Dant & Russell, Inc. opposes a new bridge but if a new bridge is built, it should be a fixed span 27 feet high. They also opposed a bypass on 9th Street as either permanent or temporary.
June 16, 1975	Warrenton City Commission unanimously passed a resolution endorsing a fixed span design.
June 19, 1975	Letter from the City of Warrenton supporting a high fixed span bridge.
July 17, 1975	Agreement between Coast Guard and State regarding bridge opening. Also agreed that State will proceed as fast as possible to a replacement bridge.
Sept. 4, 1975	Location Study Report recommending fixed span with 27-foot clearance.
Oct. 6, 1975	Highway Division applied to the Coast Guard for a permit to construct a high level fixed span bridge with 24.8 feet of vertical clearance above mean lower low water.
Oct. 23, 1975	Revised drawing for the permit sent to the Coast Guard.
Oct. 29, 1975	Coast Guard Public Notice No. 75-N-26 for construction of a bridge over the Skipanon River by the State was circulated.
Nov. 12, 1975	Warrenton Planning Commission voted for a fixed span bridge.
Nov. 19, 1975	Letter from the Governor to the Coast Guard supporting the Highway Division's proposal.
Dec. 1, 1975	Final E.I.S. was approved.
Jan 12, 1976	Palmberg in response to Coast Guard's public notice objects to the State building a high fixed span.
March 9, 1976	Letter from FHWA referring to a March 8 meeting with the Coast Guard. FHWA asked the State to review:

A. Rolling lift span at the proposed high level with a 40±-foot opening.
B. High fixed span designed for a possible future movable span.

April 7, 1976	Answer to FHWA letter of March 9, 1976: A. Increased cost. B. Most pleasure boats could go under proposed fixed span. C. Had considerable public input. D. Coast Guard may want to hold their own hearing.
June 18, 1976	Coast Guard notice of public hearing, Public Notice 76-N-14.
July 28, 1976	Coast Guard public hearing.
Oct. 26, 1976	Coast Guard permit 60-76 was issued for the construction of a high fixed span bridge over the Skipanon River.
Jan. 14, 1977	Sent a revised "Activity Schedule" to the Coast Guard.
April 26, 1977	FHWA approved relocation plan and right of way purchasing.
June 21, 1977	Transportation Commission approved Highway Corridor and Design Resolution No. 425 covering Skipanon River Bridge.
July 6, 1977	Petitions being circulated for a high opening span bridge.
July 8, 1977	Notice of Transportation Commission's approval was sent to Clatsop County and the Mayor of Warrenton.
Nov. 22, 1977	FHWA approval to proceed with the project.
Nov. 28, 1977	Letter to Clatsop County Commissioners informing them of the project and the December 14, 1977 bid letting.
Dec. 15, 1977	Letter from Palmberg's attorney threatening lawsuit if the State proceeds with the plan to construct a high fixed span bridge.
Dec. 15, 1977	Letter from the Port of Astoria requesting the State to defer construction until more studies are made.
Dec. 16, 1977	Letter from State to the Port of Astoria stating that the State Highway Engineer is recommending that the contract be awarded to the low bidder. (Bids taken on December 14, 1977.)

#9651

8

OREGON STATE
HIGHWAY DIVISION

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

March 13, 1978

Glen L. Green
Division Administrator
Federal Highway Administration
The Equitable Center, Suite 100
530 Center Street N.E.
Salem, Oregon 39701

NOTED
E. S. HUNTER

Attention: Vern Cusack

Dear Mr. Green:

Re: Soils Investigation Reports

Per your request of December 15, 1977, we are furnishing the following data for the Thomas Creek (Devaney) Bridge project (contracts plans being prepared), the Skipanon River (Warrenton) Bridge contract and the Denney Road Interchange contract:

1. Contract plans
2. Foundation Investigation Report
3. Soils Investigation Report
4. Copy of Special Provisions noting where information is available to bidders.

All of the above information is submitted to the Resident Construction Engineer and F.H.W.A. prior to bidding of the project.

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TECHNICAL SERVICES
MAR 14 '78
REFER TO
FOR
Info | Invs. | R/D | D/R | Sign | Act | File

Very truly yours,

J. H. Versteeg
Engineering
By:

Duane O. Christensen

Duane O. Christensen
Final Design Engineer

DOC:ab
cc: E. S. Hunter
F. E. Terpin
W. J. Hart

Form 81-734 3122

8651 3-13-78

U.S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.
RS-134(2)

STATE PROJECT NO.
See Below

COUNTY NAME
Clatsop

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

FROM:
G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.

ITEM NO.
80040

TO:

Mr. F. B. Klaboe
Chief of Operations, ODOT
State of Oregon
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER / STATE ROUTE NUMBER
11-22-77	3-13-78	Secondary 134 / Secondary 105

GENERAL LOCATION:

"Skipanon River (Warrenton) Br Section"

GENERAL DESCRIPTION OF WORK:

Utility Adjustment

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE

☐ LOCATION ONLY

☐ PRELIMINARY ENGINEERING FOR SURVEY AND PLAN PREPARATION

☐ ACQUISITION OF RIGHT-OF-WAY

☐ CONTRUCTION - ADVERTISE FOR RECEIPT OF BIDS

☒ OTHER (Specify): Utility Adjustment
City of Warrenton
TEC NTE $5,816, Fed funds $4,990

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Swan's 3-3-76 letter you are authorized to proceed with the actua adjustments of the City of Warrenton's Water facilities. Reimbursement will be on an actual cost basis.

I approve the agreement with the City of Warrenton consisting of verbal notice of conflict and the plans and estimate furnished by Mr. Swan's 3-3-76 letter.

Approval and participation for the portion of work authorized above is subject to the provisions of the Federal-aid Program Manual.

Swan 3-14

NOTED
F. B. KLABOE

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
3-13-78	[signature]	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

ROBERT W. STRAUB
GOVERNOR

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

March 3, 1978

NOTED
E. B. HUNTER

Mr. Glen L. Green
Division Administrator
Federal Highway Administration
530 Center Street NE, Suite 100
Salem OR 97301

Water Facilities Adjustment
City of Warrenton
Skipanon River (Warrenton)
Bridge Section
Clatsop County
Project No. RS-134(2)

Dear Mr. Green:

Here is a copy of an estimate of cost to adjust the City of Warrenton's water facilities dated February 17, 1978. The major water relocation work is being done as part of the subject project.

A certification prepared by Don Bedford as to the City's rights in the land occupied by their facilities is in our files.

The conflict was originally anticipated. The City was advised verbally of the conflict as soon as it was known. The relocation agreement will, therefore, consist of verbal notification of conflict, the estimate and sketch submitted herewith and our letter authorizing them to proceed with the work.

An appropriate permit for the utility's proposed relocation will not be issued as the facilities occupy City street right of way.

The State is not entitled to a credit for expired service life under the provisions of Paragraph 9b (1)(b) of PPM 30-4, as the relocation involves a segment of facilities less than one mile in length of the project by the facilities.

There is a betterment derived from the proposed adjustment of the City's facilities accomplished as part of thessubject project and has been provided for in a separate agreement.

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Your approval of the actual cost agreement, as evidenced above, and authorization to proceed with the work under the provisions of PPM 30-4 and 30-4.1 is requested. Estimated cost to the State is $5,816.

Yours truly,

D. E. Swan
Federal-Aid Engineer

DES:JMC:de
enclosure
cc: E. S. Hunter
Jack M. Cartwright
Ted Inloes

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8

ROBERT W. STRAUB
GOVERNOR

Oregon State Highway Division

HIGHWAY BUILDING, SALEM, OREGON 97310

RECEIVED
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DATE: February 17, 1978

City of Warrenton
P.O. Box 250
Warrenton, OR 97146

RE: Domestic Water Main Conflict
Skipanon River (Warrenton)
Bridge Section
Clatsop County
Project No. RS-134(2)

Gentlemen:

Bids were received by the Oregon Transportation Commission on the above-titled highway project on December 14, 1977. Approximately 1125 feet of 6-inch water main located northerly of highway centerline between stations 113+00 and 124+25 owned by the City of Warrenton was found to be in conflict with construction requirements of the subject project and requires relocation.

The water main is located on City street right of way, therefore, pursuant to the terms of ORS 366.321 the cost of relocation, to provide a functional replacement of the water main, is reimbursable.

In response to your request, the State has designed and included as a lump sum bid item in the contract for the subject project the relocation of the conflicting water main. The size of the relocated main, per your request, has been increased from 6-inches to 10 inches to provide for future growth.

The difference in cost between a 6-inch (existing main size) and a 10-inch ductile iron pipe, as previously agreed, will be borne by the City of Warrenton. The City will, upon completion of the water main relocation, pay State the estimated difference in material cost, $4,100. between a 6-inch and a 10-inch water pipe. (See attached estimate)

If the terms, as set forth above, for a lump sum payment of $4,100.00 for the requested over sizing of the relocated main from 6-inches to 10-inches is acceptable to the City of Warrenton, please execute two copies of this letter in the space provided below and return the two copies to this office.

Your cooperation in this matter is greatly appreciated.

Yours truly,

Jack M. Cartwright
Utility Engineer

JMC:bam

APPROVED:

CITY OF WARRENTON

DATE: 3-1-78

BY Leslie W Newton
Mayor

BY Gilbert Gramson
City Recorder

xc: G. L. Green
H. S. Coulter
C. T. Keasey
C. O. Fredrickson
D. E. Swan
Gene Hickam
C. A. Anderson
D. R. Bedford

RECEIVED
MAR 6 1978
RR & UTILITY UNIT

Pipe Material Cost Estimate
Water Main Relocation
City of Warrenton
Skipanon River (Warrenton) Bridge Section
Warrenton-Astoria Highway
Clatsop County
Project No. RS-134(2)

Type of Pipe: Push-on-joint, ductile-iron, class 50 conforming to ANSI Standard A21.51 (AWWA C151) and Federal Specification WW-P-421c.

Price Quotation: US Pipe and Foundry Co.
4520 S.E. Belmont St.
Portland, OR 97215

Estimate Cost:

10-inch Pipe — 1125 l.f. @ $8.24 =	$9,270.00
6-inch Pipe — 1125 l.f. @ $4.58 =	$5,152.50
Cost Difference	$4,117.50
Lump Sum to be paid State by City	$4,100.00

#8451

9

ROBERT W. STRAUB
GOVERNOR

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

DATE: February 17, 1978

City of Warrenton
P.O. Box 250
Warrenton, OR 97146

RE: Domestic Water Main Conflict
Skipanon River (Warrenton)
Bridge Section
Clatsop County
Project No. RS-134(2)

Gentlemen:

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If the terms, as set forth above, for a lump sum payment of $4,100.00 for the requested over sizing of the relocated main from 6-inches to 10-inches is acceptable to the City of Warrenton, please execute two copies of this letter in the space provided below and return the two copies to this office.

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A DIVISION OF THE DEPARTMENT OF TRANSPORTATION

Your cooperation in this matter is greatly appreciated.

Yours truly,

Jack M. Cartwright
Utility Engineer

JMC:bam

APPROVED:

CITY OF WARRENTON

DATE: _____

BY _____
Mayor

BY _____
City Recorder

bc: G. L. Green
H. S. Coulter
J. H. Versteeg
Gene Hickam
J. W. Valentine
C. O. Fredrickson
C. A. Anderson
D. R. Bedford

Pipe Material Cost Estimate
Water Main Relocation
City of Warrenton
Skipanon River (Warrenton) Bridge Section
Warrenton-Astoria Highway
Clatsop County
Project No. RS-134(2)

Type of Pipe: Push-on-joint, ductile-iron, class 50 conforming to ANSI Standard A21.51 (AWWA C151) and Federal Specification WW-P-421c.

Price Quotation: US Pipe and Foundry Co.
4520 S.E. Belmont St.
Portland, OR 97215

Estimate Cost:

10-inch Pipe — 1125 l.f. @ $8.24 =	$9,270.00
6-inch Pipe — 1125 l.f. @ $4.58 =	$5,152.50
Cost Difference	$4,117.50
Lump Sum to be paid State by City	$4,100.00

8651

THE PORT OF ASTORIA

At the entrance to the mighty Columbia River

P. O. BOX 569 ASTORIA, OREGON 97103 PHONE (503)325-4521

COMMISSIONERS:
ALBERT RISSMAN, PRESIDENT
VERN DAVIS, VICE-PRESIDENT
DAVID D. CORKILL, SECRETARY
HOWARD B. JOHNSON, TREASURER
ROBERT J. HANSON, ASST. TREASURER
GEORGE R. GROVE, EXECUTIVE DIRECTOR

February 15, 1978

Oregon State Highway Dept.
Oregon State Highway Bldg.
Salem, Oregon 97310

Gentlemen:

Please refer to our earlier correspondence to you of December 15, 1977. In that correspondence we notified you that the Port of Astoria Commission had passed a motion as follows:

> "Moved that the Port of Astoria instruct the Oregon State Highway Department to defer construction of the Skipanon Bridge until proper economic study is made and investigation of any alternate routes should be considered."

In order to clarify the intent of the motion, the Commission at it's Regular Meeting of February 14th deleted the word "instruct: and inserted the word "request". The motion now reads:

> "Moved that the Port of Astoria request the Oregon State Highway Department to defer construction of the Skipanon Bridge until proper economic study is made and investigation of any alternate routes should be considered."

As pointed out above, this revised motion more clearly indicates the original intent and we are accordingly forwarding it to you.

Yours sincerely,

George R. Grove

George R. Grove
Executive Director

GRG:ph

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9

JAMES A. REDDEN
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
TRIAL DIVISION
100 State Office Building
Salem, Oregon 97310
Telephone: (503) 378-6313

February 10, 1978

NOTED
E. S. HUNTER

Mr. E. S. Hunter
Deputy State Highway Engineer
129 Transportation Building
Salem, Oregon 97310

Re: Skipanon Waterway Association, et al v. State of Oregon
Case No. CC78-58

Dear Mr. Hunter:

I forward herewith a copy of a Complaint filed against the State in the above mentioned case. As you will see, the Complaint is a declaratory judgment action seeking the declaration that our planned fixed bridge over the Skipanon River is an obstruction and impediment to navigation. They also seek a declaration that we cannot proceed with the construction of the bridge until further economic studies are made.

The plaintiffs in this Complaint do not seek to enjoin our contractor from proceeding with the work. It is doubtful that they will seek an injunction by a separate motion in view of the mandatory requirement for posting a bond. Presumably, the court would set a very substantial amount on such a bond.

We have until February 20, 1978 within which to appear by answer or preliminary motion. I have discussed the background of this case to some extent with Bob Ellison. I have requested that he supply me with a copy of the Coast Guard hearing transcript and a copy of our Environmental Impact Statement. I will be primarily occupied with finishing the DeLong (U. S. Steel) Reply Memorandum for the next two weeks, but will need to be filled in on additional background as soon as possible.

Sincerely,

Les Hampton

Leslie B. Hampton
Assistant Chief Trial Counsel

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2-10-78
Called Hampton requested him to send copy to Coast Guard.
ESH

ksb

Enclosure

cc: Mr. Walter Hart
Bridge Engineer
329 Transportation Building
Salem, Or 97310

Mr. C. O. Frederickson
Regional Engineer
P. O. Box 14030
Salem, OR 97310

Mr. E. L. Everton
District Engineer
P. O. Box 686
Astoria, OR 97103

Mr. Walter L. Barrie
Asst. Attorney General & Counsel
211 Transportation Building
Salem, OR 97310

7801131

In the CIRCUIT Court of the State of Oregon

for the County of CLATSOP

SKIPANON WATERWAY ASSOCIATION, an unincorporated association, DAVID E. PALMBERG, KARL R. HELLBERG, NORMAN KUJALA, MAX SCHWARZENBACH, DON SCHULER, ELMER SALMI, PALMBERG CONSTRUCTION CO., an Oregon Corporation, E. H. CARRUTHERS, CO., AN Oregon Corporation, PACIFIC SCHRIMP INC, an Oregon Corporation, WARRENTON DEEP SEA INC., an Oregon Corporation, SKIPANON CORPORATION, an Oregon Corporation, members of said association,

v. Plaintiff,

STATE OF OREGON by and through its Department of Transportation and Oregon Transportation Commission,

Defendant

No. CC 78-58

SUMMONS

To Department of Transportation, Highway Division
Robert Burco
State Transportation Building
Salem, Oregon 97310 *Defendant*

IN THE NAME OF THE STATE OF OREGON: *You are hereby required to appear and answer the complaint filed against you in the above entitled cause within* ~~xxx xxxx

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF CLATSOP

SKIPANON WATERWAY ASSOCIATION, an unincorporated association, DAVID E. PALMBERG, KARL R. HELLBERG, NORMAN KUJALA, MAX SCHWARZENBACH, DON SCHULER, ELMER SALMI, PALMBERG CONSTRUCTION CO., an Oregon Corporation, E. H. CARRUTHERS, CO., an Oregon Corporation, PACIFIC SHRIMP INC., an Oregon Corporation, WARRENTON DEEP SEA INC., an Oregon Corporation, SKIPANON CORPORATION, an Oregon Corporation, members of said association. Plaintiffs. v. STATE OF OREGON by and through its Department of Transportation and Oregon Transportation Commission, Defendants.	Case No. CC-78-58 COMPLAINT FOR DECLARATORY JUDGMENT

Plaintiffs allege:

I

This is a proceeding for declaratory relief under ORS Chapter 28 for the purpose of determining a question in actual controversy between the parties hereto.

II

That at all times mentioned herein, Skipanon Waterway Association was and is now an unincorporated association and Plaintiffs, David E. Palmberg, Karl R. Hellberg, Norman Kujala, Max Schwarzenbach, Don Schuler Elmer Salmi, Palmberg Construction Co., an Oregon corporation, E. H. Carruthers Co., an Oregon corporation, Pacific Shrimp Inc., an Oregon

STEPHEN L. ROMAN
ATTORNEY AT LAW
170 6TH ST.-P.O. BOX 793
ASTORIA, OREGON 97103

corporation, Warrenton Deep Sea Inc., an Oregon corporation, and Skipanon Corporation, an Oregon corporation, are members of said association; that all of the aforesaid corporations are Oregon corporations in good standing and authorized to do business in the State of Oregon; that the remaining Plaintiffs are individuals.

III

That the foregoing Plaintiffs are property owners resident within the boundaries of the Port of Astoria and are tax payers in and to the Port of Astoria and each has an economic interest in the use of the Skipanon River.

IV

That the Department of Transportation is a department of the State of Oregon and the Oregon Transportation Commission is a commission of the State of Oregon.

V

That the Skipanon River is a river within the limits and boundaries of the Port of Astoria and by virtue of ORS 777.120, the Port of Astoria has full control of the Skipanon River and the navigatio and the placing and removal of obstructions in the Skipanon River; that Plaintiffs further allege that Defendants presently have no authority to control the Skipanon River or the navigation thereon or to place or remove obstructions in the river.

VI

That the Defendants are proceeding to obstruct the Skipanon River and interferring with navigation by placing a fixed bridge over said river in the City of Warrenton.

STEPHEN L. ROMAN
ATTORNEY AT LAW
170 6TH ST.-P.O. BOX 755
ASTORIA, OREGON 97103
325-5251

VII

That on or about December 13, 1977 and prior to the Defendant's awarding the contract for construction of the aforesaid fixed bridge, the Port of Astoria instructed the Defendants that construction of the Skipanon Bridge be deferred until a proper economic study is made and investigation of alternative routes considered.

VIII

That although Defendants were aware of the Port of Astoria's instructions, they refused to abide by those instructions to defer constructions and entered into a contract for the building of a fixed bridge over the Skipanon River even though no proper economic study had been made nor had an investigation been made of alternative routes as instructed by the Port of Astoria.

IX

The Plaintiffs contend:

(1) That the fixed bridge over the Skipanon River is an obstruction in the Skipanon River;

(2) That a fixed bridge over the Skipanon River is an impediment to navigation;

(3) That the Port of Astoria has the full control of the Skipanon River, the navigation thereon and the placing and removing of obstructions.

(4) That the Defendants have no authority to construct the fixed bridge over the Skipanon River in contravention of the Port of Astoria's motion to defer construction of the Skipanon Bridge until proper economic study is made and investigation of alternative routes

STEPHEN L. ROMAN
ATTORNEYS AT LAW
170 6TH ST.-P.O. BOX 720
ASTORIA, OREGON 97103
325-3664

should be considered.

(5) That the Defendants have no authority to construct a fixed bridge over the Skipanon River without the express authorization of the Port of Astoria.

WHEREFORE, Plaintiffs pray:

1. That a declaratory judgment be rendered and entered declaring and adjudging the respective rights and duties of the Plaintiffs and Defendants concerning the Defendants authority to proceed with the construction of a bridge over the Skipanon River; and

2. Further declaring that the proposed bridge is an obstruction on the Skipanon River and the Port of Astoria has the full control of navigation thereon and the placing or removing of obstructions on the Skipanon River; and

3. Further declaring that a fixed bridge over the Skipanon River is an impediment to navigation;

4. Further declaring that Defendants have no authority to construct the fixed bridge over the Skipanon River in contravention of the Port of Astoria's motion to defer construction of the Skipanon Bridge until proper economic study is made and investigation of alternative routes considered.

5. Further declaring that Defendants have no authority to construct a fixed bridge over the Skipanon River without the express authorization of the Port of Astoria; and

6. For Plaintiff's costs and disbursements incurred herein.

ZAFIRATOS & ROMAN

Nicholas D. Zafiratos
Of Attorneys for Plaintiffs

ATTORNEYS AT LAW
176 6TH ST.-P.O. BOX 793
ASTORIA, OREGON 97103
325-3061

8651

February 8, 1978

TO G. L. Green, Division Administrator
Federal Highway Administration

FROM G. W. Wimer
Local Government Manager

SUBJECT Construction Agreement
Oregon Project No. RS-134(1)
Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway, No. 105
City of Warrenton

Transmitted herewith are two fully-conformed copies of a Construction Agreement covering right-of-way acquisition, utility adjustments, construction, and future maintenance responsibilities along subject section.

An advance copy of this agreement was forwarded to you under the date of November 3, 1977.

Please give this matter your consideration and, if your concurrence is required, notify this office and original copies from the Oregon Transportation Commission files will be presented for the proper endorsements.

MCH:dmc
Attachments
cc: E. S. Hunter
J. L. Sollis
C. W. Head
D. E. Swan

#8651

7801131 L

In the CIRCUIT Court of the State of Oregon

for the County of CLATSOP

DIRECTOR'S FILE

SKIPANON WATERWAY ASSOCIATION, an unincorporated association, DAVID E. PALMBERG, KARL R. HELLBERG, NORMAN KUJALA, MAX SCHWARZENBACH, DON SCHULER, ELMER SALMI, PALMBERG CONSTRUCTION CO., an Oregon Corporation, E. H. CARRUTHERS, CO., AN Oregon Corporation, PACIFIC SCHRIMP INC, an Oregon Corporation, WARRENTON DEEP SEA INC., an Oregon Corporation, SKIPANON CORPORATION, an Oregon Corporation, members of said association,

v. Plaintiff,

STATE OF OREGON by and through its Department of Transportation and Oregon Transportation Commission,

Defendant

No. CC 78-58

SUMMONS

To Department of Transportation, Highway Division
Robert Burco
State Transportation Building
Salem, Oregon 97310

Defendant

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and answer the complaint filed against you in the above entitled cause within ~~xxxx

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF CLATSOP

SKIPANON WATERWAY ASSOCIATION, an unincorporated association, DAVID E. PALMBERG, KARL R. HELLBERG, NORMAN KUJALA, MAX SCHWARZENBACH, DON SCHULER, ELMER SALMI, PALMBERG CONSTRUCTION CO., an Oregon Corporation, E. H. CARRUTHERS, CO., an Oregon Corporation, PACIFIC SHRIMP INC., an Oregon Corporation, WARRENTON DEEP SEA INC., an Oregon Corporation, SKIPANON CORPORATION, an Oregon Corporation, members of said association.

Plaintiffs.

v.

STATE OF OREGON by and through its Department of Transportation and Oregon Transportation Commission,

Defendants.

Case No. CC-78-58

COMPLAINT FOR DECLARATORY JUDGMENT

Plaintiffs allege:

I

This is a proceeding for declaratory relief under ORS Chapter 28 for the purpose of determining a question in actual controversy between the parties hereto.

II

That at all times mentioned herein, Skipanon Waterway Association was and is now an unincorporated association and Plaintiffs, David E. Palmberg, Karl R. Hellberg, Norman Kujala, Max Schwarzenbach, Don Schuler, Elmer Salmi, Palmberg Construction Co., an Oregon corporation, E. H. Carruthers Co., an Oregon corporation, Pacific Shrimp Inc., an Oregon

STEPHEN L. ROMAN
ATTORNEY AT LAW
170 6TH ST.—P.O. BOX 763
ASTORIA, OREGON 97103
325-3066

corporation, Warrenton Deep Sea Inc., an Oregon corporation, and Skipanon Corporation, an Oregon corporation, are members of said association; that all of the aforesaid corporations are Oregon corporations in good standing and authorized to do business in the State of Oregon; that the remaining Plaintiffs are individuals.

III

That the foregoing Plaintiffs are property owners resident within the boundaries of the Port of Astoria and are tax payers in and to the Port of Astoria and each has an economic interest in the use of the Skipanon River.

IV

That the Department of Transportation is a department of the State of Oregon and the Oregon Transportation Commission is a commission of the State of Oregon.

V

That the Skipanon River is a river within the limits and boundaries of the Port of Astoria and by virtue of ORS 777.120, the Port of Astoria has full control of the Skipanon River and the navigation and the placing and removal of obstructions in the Skipanon River; that Plaintiffs further allege that Defendants presently have no authority to control the Skipanon River or the navigation thereon or to place or remove obstructions in the river.

VI

That the Defendants are proceeding to obstruct the Skipanon River and interferring with navigation by placing a fixed bridge over said river in the City of Warrenton.

STEPHEN L. ROMAN
ATTORNEY AT LAW
178 8TH ST.-P.O. BOX 783
ASTORIA, OREGON 97103
325-3096

VII

That on or about December 13, 1977 and prior to the Defendant's awarding the contract for construction of the aforesaid fixed bridge, the Port of Astoria instructed the Defendants that construction of the Skipanon Bridge be deferred until a proper economic study is made and investigation of alternative routes considered.

VIII

That although Defendants were aware of the Port of Astoria's instructions, they refused to abide by those instructions to defer constructions and entered into a contract for the building of a fixed bridge over the Skipanon River even though no proper economic study had been made nor had an investigation been made of alternative routes as instructed by the Port of Astoria.

IX

The Plaintiffs contend:

(1) That the fixed bridge over the Skipanon River is an obstruction in the Skipanon River;

(2) That a fixed bridge over the Skipanon River is an impediment to navigation;

(3) That the Port of Astoria has the full control of the Skipanon River, the navigation thereon and the placing and removing of obstructions.

(4) That the Defendants have no authority to construct the fixed bridge over the Skipanon River in contravention of the Port of Astoria's motion to defer construction of the Skipanon Bridge until proper economic study is made and investigation of alternative routes

STEPHEN L. ROMAN
ATTORNEYS AT LAW
176 6TH ST.--P.O. BOX 783
ASTORIA, OREGON 97103
325-3096

should be considered.

(5) That the Defendants have no authority to construct a fixed bridge over the Skipanon River without the express authorization of the Port of Astoria.

WHEREFORE, Plaintiffs pray:

1. That a declaratory judgment be rendered and entered declaring and adjudging the respective rights and duties of the Plaintiffs and Defendants concerning the Defendants authority to proceed with the construction of a bridge over the Skipanon River; and

2. Further declaring that the proposed bridge is an obstruction on the Skipanon River and the Port of Astoria has the full control of navigation thereon and the placing or removing of obstructions on the Skipanon River; and

3. Further declaring that a fixed bridge over the Skipanon River is an impediment to navigation;

4. Further declaring that Defendants have no authority to construct the fixed bridge over the Skipanon River in contravention of the Port of Astoria's motion to defer construction of the Skipanon Bridge until proper economic study is made and investigation of alternative routes considered.

5. Further declaring that Defendants have no authority to construct a fixed bridge over the Skipanon River without the express authorization of the Port of Astoria; and

6. For Plaintiff's costs and disbursements incurred herein.

ZAFIRATOS & ROMAN

Nicholas D. Zafiratos
Of Attorneys for Plaintiffs

STEPHEN L. ROMAN
ATTORNEYS AT LAW
178 6TH ST.-P. O. BOX 783
ASTORIA, OREGON 97103
325-3081

THE DAILY ASTORIAN

103TH YEAR NO 34 TUESDAY, JANUARY 31, 1978 20 CENTS

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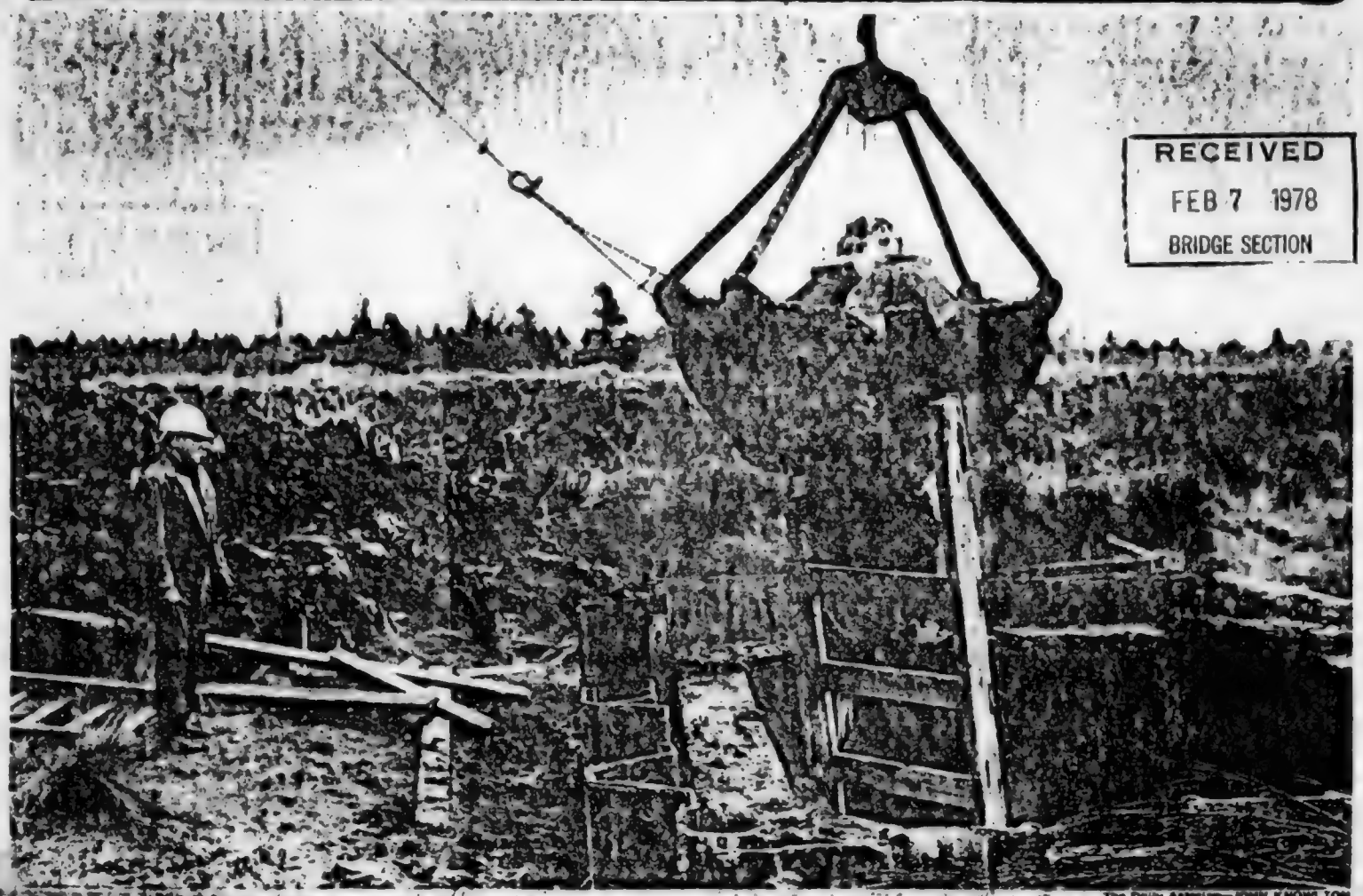
BRIDGE SECTION



The Daily Astorian—JOHN KNOWLTON

While a lawsuit affecting the bridge project works its way through the courts, Paul Lingo of Ross Bros. Construction Co., Salem, continues work to relocate a sewage pump station into the opening on right. That should be completed in about 10 days.

Despite lawsuit seeking to halt project

Work proceeds on new Skip bridge

By JOHN KNOWLTON
Of The Daily Astorian

WARRENTON — Despite a lawsuit against the project, construction is continuing today on a fixed-span bridge over the Skipanon River here.

Workers from Ross Bros. Construction Co., Salem, which was awarded a $1.27 million contract to build the bridge, were relocating a sewage pump station Monday.

And, Pacific Power & Light Co. crewmen were rerouting utility lines in the area of the planned bridge.

Six persons, five corporations and an unincorporated association filed a complaint for declaratory judgment against the Oregon Dept. of Transportation Friday questioning the authority of the state to allow bridge construction. Each of the plaintiffs has an interest in navigation along the Skipanon River.

The lawsuit doesn't seek an injunction to halt construction of the bridge. It asks the Clatsop County Circuit Court judge to define the authority of the Dept. of Transportation to proceed with bridge construction.

The plaintiffs, through their attorney Nick Zafiratos, contend the Port of Astoria has sole control over Skipanon River navigation and the placement of bridges or any obstructions to river navigation.

The suit also says the Oregon Transportation Commission shouldn't have opened bids on the controversial project because port commissioners asked it to delay the matter until an economic study was made and other bridge locations investigated.

The suit also asks the court to rule that a fixed-span bridge is "an impediment to navigation."

A spokesman for the Dept. of Transportation said today the state hasn't been served with a copy of the lawsuit and has no comment on it.

But Jack Sollis of the state attorney general's office said he doesn't think the port commission has sole authority over the Skipanon because it is designated by the U.S. Coast Guard as a navigable waterway.

He also said the port commission "heartily approved" the fixed-span bridge when the Coast Guard held its hearings on the project last year.

The state has 20 days to file an answer to the complaint. It isn't known how long it will be before the suit could be brought to trial.

Plaintiffs in the suit have long sought an opening-span bridge to allow ocean going commercial fishing vessels to pass upriver.

The most ardent of the opening-span bridge advocates is Herb Palmberg, Warrenton marine engineer and owner of Palmberg Construction Co., one of the plaintiffs.

Other plaintiffs include Palmberg's son David, his son-in-law Norm Kujala and the Skipanon Waterway Association, an informal group of persons who own property or have an interest in the Skipanon and an opening-span bridge.

Not all property owners along the river were asked to join the association, however. Dant & Russell, which owns a large amount of land along the river and favors a fixed-span bridge, wasn't asked to join the association, City of Warrenton officials said Monday.

Other plaintiffs include Eben Carruthers Co., Warrenton Deep Sea, Inc. and Pacific Shrimp Inc. Carruthers is part-owner of the property on which Warrenton Deep Sea is located. Pacific Shrimp is owned by Ken Berg, whose wife is Carruthers' office manager.

Seaside clarifies care center intent

NOTED
R. W. ELLISON

By LESLEY FORNAS
Of The Daily Astorian

Lack of money has forced Seaside General Hospital to give up plans to add nursing home care now, possibly spelling the end of the hospital's chances ever to provide that care.

Hospital Administrator Keith Lundberg has written a letter to the State Health Planning and Development Agency (SHPDA) notifying the agency that the hospital's financial condition prevents it from adding nursing home care at this time.

That notification clears the way for SHPDA to review two proposals to turn convert the old Columbia Hospital building into a nursing home.

SHPDA, which must grant a certificate of need before any nursing home can begin operation, announced last week it would delay action up to 90 days on the Lee and Washer proposals while it waited for Seaside General Hospital to clarify its stand.

Tsuda said the delay was necessary because SHPDA had received word from Seaside General Hospital that the publicly owned facility would apply to add nursing home care.

Lundberg's letter said it may be six months before the hospital can afford to

Feds reject higher limits

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STATE COPY 9

TO BE COMPLETED BY FHWA MONTHLY TRANSACTION NO. 2-26	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION FEDERAL-AID PROJECT AGREEMENT 1-30-78	Oregon County Clatsop Project No. RS-134(2)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

Skipanon River (Warrenton) Bridge

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	11-22-77	0.279
OTHER *(Specify)*		

FUNDS Pro rata 85.8%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 1,445,093.00	$ 1,239,889.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E S Hunter

Technical Services Engineer
(Title)

By H. J. Coulter

State Highway Engineer
(Title)

By

(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By
(Division Administrator)
For: G. L. Green

Date executed by Division Administrator JAN 3 ? 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtednesss of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

file

Oregon State Highway Division
Salem, Oregon, January 9, 1978

Federal Aid Project
No. RS-134(2)

Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County

Project Agreement Estimate.

Type Code 6201
Roadway (Sta. 11+50 to Sta. 15+94)(Sta. 22+65 to Sta. 26+25)

Mobilization	All Required		$ 95,000.00
Temporary Protection and Direction of Traffic	All Required		5,000.00
Temporary Signs	371 Sq.Ft.	7.00	2,597.00
Temporary Barricades	6 Only	100.00	600.00
Temporary Continuous Rail Traffic Barriers, Reflectorized	800 Lin.Ft.	5.00	4,000.00
Temporary Guard Rail, Type 1	325 Lin.Ft.	5.00	1,625.00
Temporary Guard Rail, Type 1A	675 Lin.Ft.	12.00	8,100.00
Temporary Plastic Safety Markers	16 Only	70.00	1,120.00
Flagmen	600 Hour	17.00	10,200.00
Temporary Reflective Pavement Markers	130 Only	5.00	650.00
Temporary Illumination	All Required		12,000.00
Clearing and Grubbing	All Required		7,500.00
Removal of Structures and Obstructions	All Required		7,000.00
General Excavation	2,150 Cu.Yd.	5.00	10,750.00
Embankment in Place	9,860 Cu.Yd.	3.50	34,510.00
Trench Excavation	835 Cu.Yd.	10.00	8,350.00
Finishing Roadbed and Slopes	All Required		5,000.00
Furnishing and Placing Topsoil	1,074 Cu.Yd.	10.00	10,740.00
Watering	300 M-Gal.	6.00	1,800.00
Structures Excavation	153 Cu.Yd.	15.00	2,295.00
1"-0 Aggregate Base	7,000 Ton	8.00	56,000.00
Class "B" or Class "C" Asphalt Concrete Mixture	2,520 Ton	21.00	52,920.00
Asphalt Cement in Mixture	164 Ton	100.00	16,400.00
Asphalt-Rubber Chip Seal	3,280 Sq.Yd.	9.00	29,520.00
8-inch Sewer Pipe	70 Lin.Ft.	12.00	840.00
12-inch Sewer Pipe	784 Lin.Ft.	13.00	10,192.00
18-inch Sewer Pipe	830 Lin.Ft.	18.00	14,940.00
Concrete Manholes	5 Only	1,000.00	5,000.00
Concrete Inlets, Type CG-1	9 Only	500.00	4,500.00
Concrete Inlets, Type G-2	1 Only	700.00	700.00
8-inch Drain Pipe	180 Lin.Ft.	10.00	1,800.00

Fiber Filter	2,580 Sq.Ft.	0.30	$ 774.00
3/4"-1/2" Gravel in Drains	7 Cu.Yd.	20.00	140.00
Guard Rail, Type 2A	750 Lin.Ft.	9.00	6,750.00
Guard Rail, Type 3	100 Lin.Ft.	18.00	1,800.00
Guard Rail Anchors, Type 1	4 Only	250.00	1,000.00
Rail End Pieces, Type A	2 Only	80.00	160.00
Rail End Pieces, Type B	2 Only	60.00	120.00
Rail End Pieces, Type C	4 Only	100.00	400.00
Concrete Walks	60 Sq.Yd.	16.00	960.00
Concrete Curbs	42 Cu.Yd.	110.00	4,620.00
Concrete Barrier	175 Lin.Ft.	15.00	2,625.00
Rock Gabions	360 Cu.Yd.	50.00	18,000.00
Adjusting Manholes	1 Only	200.00	200.00
Roadside Mulching	1 Acre	1,000.00	1,000.00
Mulch Binder	1 Acre	800.00	800.00
Roadside Seeding	1 Acre	1,000.00	1,000.00
Water Main Installation	All Required		24,000.00
10-inch Concrete Sewer Pipe	70 Lin.Ft.	20.00	1,400.00
6-inch PVC Pressure Sewer Pipe	206 Lin.Ft.	10.00	2,060.00
Concrete Sump	All Required		13,500.00
Sewage Pump Station Equipment Relocation	All Required		10,000.00
Removal of Existing Sign Installations	All Required		100.00
Wood Sign Posts	All Required		1,000.00
Bridge Rail Sign Mount	All Required		300.00
Type "C" and "D" Signs in Place	70 Sq.Ft.	8.00	560.00
Type "EE" Signs in Place	13 Sq.Ft.	8.00	104.00
Type "U" Signs in Place	26 Sq.Ft.	9.00	234.00
Roadway Lighting Poles and Bracket Arms	All Required		5,000.00
Luminaires and Ballasts	All Required		500.00
Wiring, Lamps, Etc.	All Required		200.00
Non-Metallic Electrical Conduit	500 Lin.Ft.	5.00	2,500.00
			$523,456.00

Anticipated Items

Railroad Protective Costs	All Required	$ 5,100.00
Permanent Pavement Striping (S.F.)	All Required	200.00
Temporary Pavement Striping (S.F.)	All Required	200.00
Temporary Erosion Control (E.W.)	All Required	2,500.00
On-the-Job Trainees	All Required	1,600.00
City of Warrenton (Water)	All Required	3,000.00
		$ 12,600.00

	Subtotal		$536,056.00
	Engineering		67,007.00
	Total		$603,063.00

Type Code X080
Structure, Bridge No. 11226A (Sta. 15+94 to Sta. 22+65)

Remodel and Remove Existing Bridge	All Requried		$ 35,000.00
Structure Excavation	50 Cu.Yd.	10.00	500.00
Furnish Pile Driving Equipment	All Required		55,000.00
Furnish 16-inch Prestressed Concrete Piling	5,704 Lin.Ft.	12.50	71,300.00
Drive Prestressed Concrete Piles	3,759 Lin.Ft.	0.50	1,680.00
Furnish Untreated Timber Piling	420 Lin.Ft.	4.00	1,680.00
Drive Timber Piles	231 Lin.Ft.	2.00	462.00
Structural Concrete, Class 4000 (625 Cu.Yd.)	All Required		136,000.00
3' x 35'/40' Prestressed Slabs	7 Only	1,400.00	9,800.00
4' x 35'/40' Prestressed Slabs	77 Only	1,460.00	112,420.00
3' x 40'/45' Prestressed Slabs	5 Only	1,560.00	7,800.00
4' x 40'/45' Prestressed Slabs	55 Only	1,760.00	96,800.00
3' x 55'/60' Prestressed Slabs	3 Only	2,720.00	8,160.00
4' x 55'/60' Prestressed Slabs	33 Only	2,890.00	95,370.00
Reinforcement (78,500 lbs.)	All Required		24,000.00
Reinforced Concrete Bridge End Panels	220 Sq.Yd.	38.00	8,360.00
Metal Parapet Railing, Single Pipe	1,430 Lin.Ft.	20.00	28,600.00
Lumber and Timber, Treated	10 MFBM	1,500.00	15,000.00
1-1/4-inch Electrical Conduit	725 Lin.Ft.	4.00	2,900.00
4-inch Telphone Conduit	2,880 Lin.Ft.	13.00	37,440.00
	Subtotal		$748,471.50
	Engineering		93,558.50
	Total		$842,030.00

Length of Roadway . . . . . 0.152 Mile
Length of Structure . . . . . 0.127 Mile

Total 0.279 Mile.

Cost of Roadway Per Mile. $3,967,519.74

SUMMARY OF FUNDS (85.8%)

Description	Total Cost	Federal Funds	State Funds
Roadway	$ 603,063.00	$ 517,428.00	$ 85,635.00
Structure	842,030.00	722,461.00	119,569.00
Total	$1,445,093.00	$1,239,889.00	$205,204.00

Group 1 100%
Contract No. ~~8561~~ 8651
Prefix No. 104-1024

Skipanon River (Warrenton) Bridge
(Nonparticipating - State Work)

State Responsibility for Damages	All Required	$ 1,000.00

#8151

1-30-78

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Oregonian

Fresh OLC

PORTLAND, Ore. (AP) — New reports of irregular activities in the troubled Oregon Liquor Control Commission, object of a state attorney

Suit seeks to halt start of new bridge

A group of North Coast residents and businesses have asked Clatsop County Circuit Court Judge Thomas Edison to stop the state Department of Transportation's plan to build a fixed-span bridge across the Skipanon River in Warrenton.

In a complaint for declaratory judgment filed Friday, the plaintiffs contend the Port of Astoria has full control over the river and that the state's planned bridge would impede navigation and obstruct the river.

The plaintiffs contend the state ignored the Port of Astoria Commission's request last month that bids for the fixed-span bridge not be accepted until an economic impact study is conducted. Despite the request, the state awarded a contract for construction of a fixed-span bridge. Plaintiffs include David Palmberg of Warrenton, who wants an opening-span bridge built.

Other plaintiffs include Skipanon Waterway Association, an unincorporated group, Palmberg Construction Co., E.H. Carruthers Co., Pacific Shrimp, Inc., Warrenton Deep Sea, Inc., and Skipanon Corp.

Defendants are the Department of Transportation and the Oregon Transportation Commission.

general's investigation, have
in Portland.

The Oregonian reported Su
had learned the state investiga
been expanded to (allegat
corruption within the con
(OLCC).

The newspaper also said
OLCC employees began s
documents at the agency's M
headquarters when it became
Gov. Bob Straub was going t
probe.

The Oregon Journal quoted
OLCC enforcement officer on
as saying he was ordered by a
to secretly investigate a repo
wrote articles critical of the a

Former OLCC Sgt. James
reversed an earlier denial
tified the target of his probe
Mulligan, writer for the W
Week, a Portland weekly n
the Journal said.

The Oregonian said Attorne
Jim Redden's office is inv
allegations of illegal gratuitie
officials.

Shredding of documents be
Straub ordered the investig
29 and continued until at lea
the Oregonian said.

Supervisors in both the er
and special investigation d
the agency were observe
shredder for abnormally lo
the Oregonian quoted
sources.

OLCC Administrator K
Underdahl, a defendant in
false imprisonment law
Friday by an enforcement
agency, declined comme
shredding activity.

Underdahl cited the
general's investigation, ex
completed in about 60 day
own discretion."

The administrator said

Daily Astorian

1-31-78
By Bureau
Salem

RECEIVED
DOT OPERATIONS
JAN 31 '78
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

NOTED
F. B. KLABOE

...strict the board to ...ording to legislative ...and another would be to ...e annual sessions of the legislature.

The last solution is coming and when it does, having the Emergency Board to act between legislative sessions will no longer be necessary. But annual sessions are not coming immediately so an interim solution must be found. Legislative leaders should resolve the problem for if they don't they may get a solution they won't like.

continents and rubbing shoulders with emperors and kings — and nobody wanted to see his slides.

Of eighteen questions, only two related to his odyssey.

Nobody asked him what he and Giscard D'Estaing had talked about on their long train ride from Normandy Beach to Paris, or what Francois Mitterand, the French Socialist, had told him about Eurocommunism, or how he liked Versailles.

Jimmy Carter wasn't treated like a homecoming world statesman. Reporters were asking him questions fit for a clubhouse politician. And everybody knows, or should, that Jimmy Carter is not a clubhouse politician. He has told us often enough.

making waves in Pennsylvania by prosecuting Democratic politicians. But Marston is going to lose his job. Why? Well, he's a Republican, you know.

That is politics as usual, of course. But Jimmy Carter was going to be different. He promised us that judges and federal attorneys would be chosen on the basis of merit, and merit alone.

When reminded of his pledge, he plunged into a series of preposterous claims and howling contradictions. It was a performance which could guarantee that David Marston will become a household word, at least in the United States.

The President couldn't get his story straight.

Democratic congressmen to be involved in "trying to influence the attorney general about who should be the new U.S. attorney there."

Some minutes later, he admitted having taken a call from a Democratic congressman, Joshua Eilberg of Pennsylvania, who urged him to expedite the removal of Marston. The President promptly passed the word to the attorney general. Notice the sophistry. Democratic congressmen are allowed to counsel on the firing, but not on the hiring of U.S. attorneys. How many angels can dance on the head of a pin?

Carter said that Eilberg, who, as it happens, is under investigation, gave no reason for the urgency of the firing.

so part in the ment that the to inform the investigatior congressmen.

When corner little mean. Al "the U.S. attorr suggested that something of a

Marston ha perience prior convicting Der Carter said ir noticed his "ve calling press co

Five queries "the U.S. attorr

It was not the a high official, over foreign tri back to earth s

In June, 19 Henry Kissin ference, confid would press h Middle East p of peace.

But the repo glory and wond chose instead t domestic mess did not inquir had said to Sa Jordan had wanted to kn House aides was actually g

Kissinger fl staged a histo resign. How c of the West if conferences station-house desired effect promptly fell his forgiveness

Carter does option open threaten to res

We know ho hiring — Ber same on a bad

The night homecoming Kissinger mad stately affair backdrop. Ca that he was as for his views o

ist desist

break-up of a Soviet nuclear reactor. It still is not known why the Soviets did not notify the United States and Canada when they first learned of the certainty that the reactor would be coming down. Did they think it wasn't serious or did they fear the outrage of other nations?

Only the experts know how much material is in orbit in outer space. There are defunct nuclear reactors o here. Near-earth space has a lot of discarded junk along with necessary communications satellites.

The whole thing is being treated carelessly and that must cease. No nation has the right to fire anything it wishes to into orbit. But that's what the U.S. and Soviet Union have been doing. If they can't agree to controls that will protect the world from nuclear tragedy the other nations should force them to.

Open Forum

Contributing editor

I have read many letters written by Mr. H. G. Palmberg in your newspaper and the most recent one has irritated me to the point that I must write and give my views. I have read so many of Mr. Palmberg's letters that I would think by now The Daily Astorian would want to consider him as a "contributing editor."

The continuing Skipanon bridge controversy is a personal issue with only Herb Palmberg and family benefitting from an opening span bridge. Palmberg's statement that he is representing navigation and has no personal motives is wrong. The Port of Astoria did not change their stand on the bridge but was trying to get Herb off their backs by passing a motion that an economic study should be done by the highway department.

The experts that have studied this issue, which includes the Coast Guard and CREST, have come up with the present bridge as being the best one. The Port of Astoria took action at a meeting when people from Warrenton were not present to protest. The county commissioners . . . what do they know about this issue? Do they know more than the agencies that have made the studies? I doubt it.

As far as I know, Mr. Palmberg has never offered to spend his own money. It's always federal dollars or state money or city money. Who pays? The taxpayers. Who benefits? The answer is obvious, the Palmberg family who owns land above the bridge. Now he has asked the port to use taxpayers' money to bring suit to stop the bridge construction. I was glad to see the port finally stand up to this man and refuse to take this action.

Mr. Herb Palmberg has fought a one-man campaign by letters and phone calls to get his supporters. Work on the bridge is now beginning. Lots of money has been spent and still Herb is fighting and trying to stop the bridge construction. I think it is time he is man enough to admit that he has lost and do something else to amuse himself.

DEAN CHAMBERLAIN
820 S.E. Main Street
Warrenton

On tax package

Thanks for putting in a good word for the 1977 Oregon income tax packet. We're trying to get the word out about some important changes in this year's forms. We appreciate your help.

However, the packet does not contain information about the senior citizen property tax deferral program. Seniors who are interested in the deferral should send for our information circular, "Senior Citizen's Property Tax Deferral." Free copies of the circular are available by writing Publications, Oregon Department of Revenue, State Office Building, Salem, Oregon 97310. Or, they may contact their county assessor, who has the information and the necessary forms and instructions for filing.

The 1977 income tax packet does contain all of the forms necessary to file for a homeowner or renter property tax refund (HARRP) or an elderly rental assistance refund (ERA). Both of these are strictly refund programs, and do not impose any lien on a taxpayer's residence. There seems to be a lot of public confusion on that point. The refund programs and the senior citizen's deferral are completely unrelated.

JEAN ANDERSON
Assistant Director
Department of Revenue

#8651

January 27, 1978

U.S. Army Corps of Engineers

Draft Environmental Impact Statement re. Construction and Operation of Pacific Fabricators' Steel Structure Fabrication Yard at Warrenton, Oregon.

SEE: INT 7-19

#8651

January 27, 1978

City of Warrenton
City Hall
Warrenton, OR 97146

Attention: Gilbert Ormsen
City Recorder

MISC. CONTRACTS and
AGREEMENTS No. 6329

Gentlemen:

Attached for your records is a fully executed copy of an agreement with the City of Warrenton and the Highway Division for construction of the Skipanon River (Warrenton) Bridge Section of the Warrenton-Astoria Highway.

We have retained a fully executed copy of this agreement for the Transportation Commission's files.

Very truly yours,

C. W. Read
COMMISSION SERVICES

fhm

Att.

cc Don Harwell (agree. att.)

TO: Oregon Transportation Commission

SUBJECT: Report of Actions Taken Under Delegated Authority

(1) Options or Other Documents Relating to Property Acquisition

Number	Name	Consideration
49526	Rawls, Noel B. and Eleanor R.; Johnson, Earl	$ 2,300.00
	1 Transaction	$ 2,300.00

(2) Agreement with City of Warrenton for construction of the Skipanon River (Warrenton) Bridge Section of the Warrenton-Astoria Highway, Clatsop County. City has agreed to accept jurisdiction of certain reconstructed streets and connections following completion of the project. (Local Government Unit)

(3) Agreement with Lane County for the State to relinquish a portion of the Junction City-Eugene Secondary Highway No. 223 (ORE99W in Junction City to NCL Eugene) to Lane County in exchange for the Belt Line Road (I-5 northeasterly of Eugene to West 11th Avenue, westerly of Eugene), including a portion of West 11th Avenue lying between Belt Line Road and Oak Hill. Included in the exchange would be that the respective entities would at time of transfer be responsible for the maintenance of the facilities passing to their jurisdiction, consisting of 11.62 miles to Lane County and 12.9 miles to the State of Oregon. (Local Government Unit)

By your duly adopted delegation order, you authorized me in my official capacity to exercise certain authority on behalf of the Oregon Transportation Commission. Pursuant to that authority, and acting in accordance therewith for the Commission, I approve all actions listed above and report this action for your official records.

Dated this Jan 23 day of _____, 1978

Glenn L. Jackson, Chairman
Oregon Transportation Commission

APPROVED

STATE HIGHWAY ENGINEER

Date 1-17-78

8651

January 4, 1978

Captain K. Gpdges
U.S. Coast Gd
400 Seventh Set, N. W.
Washington, D. 20591

Dear Sir:

Update of Activities
panon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County

My lasppdating of progress on the replacement of the subject sture was sent to you January 7, 1977 and included a pret critical path schedule. That schedule indicated awarf a construction contract in December 1977.

I am ased to inform you that the contract was awarded in acc with the schedule and construction of the project shouldgin soon. Specified completion is February 1979.

Gettinp this point has been a long and involved process. We aciate the indulgence and cooperation of the Coast Guarn this matter. The cooperative attitude of the Permit Secn in your Seattle office has been especially helpful.

Sincerely,

E. S. Hunter
Technical Services Engineer

cc Commander
U.S. Coast rd
Seattle, Wangton

bc F. B. Klabo
J. H. Verst
Walt Hart
C. O. Fredrton
Eldon Everto

RWE:dh ja

8651 Skipanon River (Warrenton) 1977
Br. Sec. of Warrenton-Astoria Hwy.
(Grade, pave, struc, sign & illum) #7

C-Q 5389 6-11-76

NOTED
H. S. COULTER

Astoria, Oregon
Daily Astorian
(Cir. D. 8,498)

DEC 23 1977

Allen's P. C. B Est. 1888

Council blasts unscheduled vote

Warrenton protests port stall

106

WARRENTON — The Port of Astoria Commission's request for a delay in construction of a fixed span bridge over the Skipanon River here has met with a letter of bitter protest from Warrenton city officials.

The manner in which the port commission took the action, by voting on the issue even though it wasn't on the agenda and Warrenton officials weren't notified of it, "can lead only to a lack of confidence by the city in all future dealings with the Port of Astoria," the letter says.

It was signed by City Manager Gil Gramson, Mayor Les Newton and former city manager and now a city consultant, Dick Baldwin. The letter was mailed to Port Commission Chairman Al Rissman, with copies sent to each port commissioner and port executive director George Grove.

The port commission voted 3 to 1 to ask the state Transportation Commission to delay opening bids on the fixed span bridge until further study on the issue was conducted. Previously the commission had decided to remain neutral on the issue, which effectively was an endorsement of the city's position favoring a fixed span bridge.

The port commission took its recent action after marine interests led by Herb Palmberg urged an opening span bridge. They said such a bridge would
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marine proper

The letter t
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Astoria, Oregon
Daily Astorian
(Cir. D. 8,498)

DEC 23 1977

Allen's P. C. B Est. 1888

Council blasts unscheduled vote

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706

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The port commission took its recent action after marine interests led by Herb Palmberg urged an opening span bridge. They said such a bridge would allow ocean-going vessels to pass upstream to developable marine property.

The letter to Rissman says the port commission's decision was "a disappointment to the city of Warrenton; but even more disappointing was the manner in which this decision was reached."

The city specifically quarreled with the lack of public notice by the port commission.

"Something of this magnitude and controversy should not have been acted upon without having been placed on the agenda so that other parties to the controversy could have been represented," the letter says.

It also says Port Commissioner Robert Hanson personally had assured Gramson and Baldwin that he wouldn't take any action which could delay construction of the bridge.

However, Hanson was one of the three port commissioners who asked for the delay in bid opening. Port Commissioner Howard Johnson voted against asking for a delay.

Contacted Thursday, Hanson acknowledged he had been in favor of the fixed span bridge and still opposes construction of a high opening span bridge.

He said he voted to ask for the delay because he felt there could be some benefit from more study of the issue.

"There were a lot of things that came up in the meantime that made me wonder if it wouldn't be wiser to study other aspects of this thing," Hanson said. He wouldn't say specifically what it was that caused him to change his mind.

Newton stridently objected to the port commission's action and wondered if another study would be done of the controversial bridge proposal.

The answer to that is probably no, state officials say. The state Highway Division says it has mailed the contract for a fixed span bridge to Ross Bros. Construction Co., Inc., Salem.

865

STATE OF OREGON

INTERCHANGE MEMO

TO: Mr. John Sheldrake
Region Engineer

DATE: December 23, 1977

FROM: R. W. Ellison
Administration Engineer
Structural Design Section

ORIGINAL SIGNED
R.W. ELLISON

SUBJECT: Skipanon River Bridge
Oregon Coast Highway
River Mile 4.4
Coast Guard Permit
Bridge 8317

Attached for your use and eventual forwarding to the resident engineer, is a copy of the Coast Guard permit for the subject project.

The Coast Guard requests notification of the start of work. Two weeks' advance notice should be given in order that they may notify mariners through their monthly publication. They also require a monthly report of progress in the form of a marked copy of the permit drawings. Work to date should be shown in blue and work anticipated in the next six week period shown in red.

The notice of commencement and monthly reports should be sent to this office for forwarding to the Coast Guard with other reports. The monthly report should be in this office prior to the first of each month.

cc: E. S. Hunter

RWE:dls

RECEIVED
TECHNICAL SERVICES
DEC 27 '77
REFER TO
FOR

Info	Inve.	C/D	D/R	Mgr.		Gro

81-125-1367

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442 5864

11226A

16590
Serial 674
20 December 1977

State of Oregon
Department of Transportation
ATTN: Mr. R. W. Ellison
Administration Engineer
Structural Design Section
300 Highway Building
Salem, OR 97310

RE: Proposed Skipanon River Mile 4.4
Bridge near Warrenton, OR

Gentlemen:

Please find enclosed a permit for your proposed new bridge across the Skipanon River near Warrenton, Oregon. Your attention is directed to the special conditions of the Permit.

It is requested you inform me at the time of start of construction and at monthly intervals until completion of the work. It is suggested the report include a xerox copy of permit drawings with color-pencil marking of the work performed. A final report is required on completion stating the bridge was constructed according to the approved plans. Note Special Condition No. 1 of the permit specifies there shall be no deviations from these plans without prior approval from the Commandant of the Coast Guard in Washington, D. C.

Sincerely,

R. C. Walton

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Encl: (1) Bridge Permit (161-77)

Copy to: (1) FHWA, Herb Schell, Salem, OR

RECEIVED
DEC 22 1977
BRIDGE SECTION
NOTED
R. W. ELLISON

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD
WASHINGTON, D.C. 20590
PHONE:

BRIDGE PERMIT
(161-77)

DEC 14 1977

WHEREAS by Title V of an act of Congress approved August 2, 1946, entitled "General Bridge Act of 1946," as amended (33 U.S.C. 525-533), the consent of Congress was granted for the construction, maintenance and operation of bridges and approaches thereto over the navigable waters of the United States;

AND WHEREAS under Section 502(b) of that act, the authority of which was transferred to and vested in the Secretary of Transportation by Section 6(g)(6)(C) of the Department of Transportation Act (80 Stat. 931) and delegated by the Secretary to the Commandant, U. S. Coast Guard by Section 1.46(c) of Title 49 Code of Federal Regulations, it is required that the location and plans for such bridges be approved by the Commandant before construction is commenced and in approving the location and plans of any such bridge, the Commandant may impose any specific conditions relating to the construction, maintenance and operation of the structure which he deems necessary in the interest of public navigation, such conditions to have the force of law;

AND WHEREAS the - STATE OF OREGON - has submitted the location and plans of a bridge to be constructed across the Skipanon River near Warrenton, Oregon;

NOW THEREFORE, This is to certify that the location and plans revised 9 May 1977 are hereby approved by the Commandant, subject to the following conditions:

1. No deviation from the approved plans may be made either before or after completion of the structure unless the modification of said plans has previously been submitted to and received the approval of the Commandant.

2. The construction of falsework, cofferdams or other obstructions, if required, shall be in accordance with plans submitted to and approved by the Commander, Thirteenth Coast Guard District prior to construction of the bridge. All work shall be so conducted that the free navigation of the waterway is not unreasonably interfered with and the present navigable depths are not impaired. Timely notice of any and all events that may affect navigation shall be given to the District Commander during construction of the bridge. The channel or channels through the structure shall be promptly cleared of all obstructions placed therein or caused by the construction of the bridge to the satisfaction of the District Commander, when in his judgment the construction work has reached a point where such action should be taken, but in no case later than ninety days after the bridge has been opened to traffic.

RECEIVED
DEC 22 1977
BRIDGE SECTION

DEC 14 1977

BRIDGE PERMIT: Bridge across the Skipanon River near Warrenton, Oregon (161-77)

3. Issuance of this permit does not relieve the permittee of the obligation or responsibility for compliance with the provisions of any other law or regulation as may be under the jurisdiction of the U. S. Army Corps of Engineers, Portland District; Oregon Division of State Lands, or any other federal, state or local authority having cognizance of any aspect of the location, construction or maintenance of said bridge.

4. When the proposed bridge is no longer used for transportation purposes, it shall be removed in its entirety and the waterway cleared to the satisfaction of the District Commander. Such removal and clearance shall be completed by and at the expense of the owner of the bridge upon due notice from the District Commander.

5. The approval hereby granted shall cease and be null and void unless construction of the bridge is commenced within 3 years and completed within 5 years after the date of this permit.

R. D. HODGES
Captain, U.S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

RECEIVED
DEC 22 1977
BRIDGE SECTION

RECEIVED

8651

ROW 13-2

From

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

ROBERT W. STRAUB
GOVERNOR

December 22, 1977

Burlington Northern, Inc.
1101 N.W. Hoyt Street
Portland OR 97207

ATTN: R. A. Osborne

Permit of Entry
Skipanon River (Warrenton)
Bridge Section
Warrenton-Astoria Highway
Clatsop County

RAILROAD COMPANIES
FILE No. 906

Dear Sir:

Enclosed is one copy of the Permit of Entry to the Oregon Department of Transportation, Highway Division, dated November 30, 1977, granting the State the right to enter upon BN property for the purpose of building the Skipanon River Bridge at Warrenton. This Permit of Entry was [redacted] of Way Engineer for the Oregon Department of Transportation, Highway Division.

The Highway Division would like to thank you for providing us with this Permit of Entry so that we may proceed with our work on this project. As soon as the Service Contract and easements documents for this project are prepared, please forward them to my office for execution by the Highway Division.

Yours truly,

J. E. Chidsey, P. E.
Railroad & Utility Engineer

JEC:de
Enclosure
cc: BN, Seattle
BN, St. Paul

bc: G. L. Green-w/copy Permit of Entry
C. W. Head-w/copy Permit of Entry
C. T. Keasey-w/copy Permit of Entry
J. L. Sollis
J. B. Boyd
V. E. Skoog-w/copy Permit of Entry
D. E. Swan-w/2 copies Permit of Entry
John Sheldrake-w/copy Permit of Entry
Chet Anderson- w/copy Permit of Entry

1-13-78 mailed in office - file from

NOTED
C. W. HEAD

#8651

9

NOTED
H. S. COULTER

CLATSOP COUNTY

Courthouse . . . . Astoria, Oregon 97103

December 22, 1977

Mr. H. S. Coulter
State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Coulter:

To correct your files regarding the Clatsop County Commission's position on the proposed Skipanon Bridge, this is to inform you that the present County Commission is on record with the U. S. Coast Guard in supporting an opening span bridge over the Skipanon River on Harbor Drive in Warrenton, Oregon.

Our position regarding the opening span versus the fixed span has consistently been in favor of an opening span. We feel that the restriction imposed by a fixed span to the future development of the Skipanon River is not in the best interest of the county.

We were of the opinion that our position was known to you, however, in checking our correspondence file, we find that copies of our letters to the Coast Guard in this matter were not sent to you.

In informal conversations that we have had with engineers of the Department of Transportation we have expressed our position as stated above.

Sincerely,

Albert W. Palmer

Albert W. Palmer, Chairman
Board of County Commissioners

AWP:mt
Encl.
cc: Mr. George Grove
Port of Astoria

RECEIVED
STATE HWY ENGR
DEC 28 '77
REFER TO
FOR
Info | Invest | R/D | B/R | Spec | Act | File

7Mai 14-1-1

Transportation Commission
R. A. Burco Skipanon
C. W. Head
F. B. Klaboe
D. H. Moehring Sp.
E. S. Hunter
W. J. Hart
John Sheldrake
C. T. Keasey
J. L. Sollis

December 16, 1977

Mr. George R. Grove
Executive Director
The Port of Astoria
Post Office Box 569
Astoria, OR 97103

Dear Mr. Grove:

We have considered your motion regarding the Skipanon Bridge. A review of recent events to date reveals the following:

1. A June 26, 1972 letter from the U. S. Coast Guard required either restoring the bridge to fast opening bascule configuration in conformance with requirements for original bridge (plans approved September 15, 1916) or submit plans for an acceptable alternate.

2. Alternates were studied and a public hearing held June 5, 1975 and the Final Environmental Impact Statement adopted by the Highway Division on October 15, 1975 and by the Region Federal Highway Administrator on December 1, 1975 for a fixed span bridge.

3. The Coast Guard held a hearing in Warrenton on July 28, 1976 and subsequently granted a permit on October 26, 1976.

4. On June 21, 1977 the Transportation Commission adopted a corrider and design resolution.

5. Plans were completed and bids opened December 14, 1977 with proposals received from five bidders.

The proposed bridge has received local support from the City and County and appears to be the appropriate action to comply with Coast Guard requirements. I am therefore recommending that the Transportation Commission award the contract to the low bidder.

Sincerely,

H. S. Coulter
State Highway Engineer

HSC:ia

THE PORT OF ASTORIA

At the entrance to the mighty Columbia River

P. O. BOX 569 ASTORIA, OREGON 97103 PHONE (503)325-4521

COMMISSIONERS:

ALBERT RISSMAN, PRESIDENT
VERN DAVIS, VICE-PRESIDENT
DAVID D. CORKILL, SECRETARY
HOWARD B. JOHNSON, TREASURER
ROBERT J. HANSON, ASST. TREASURER
GEORGE R. GROVE, EXECUTIVE DIRECTOR

December 15, 1977

Oregon State Highway Department
Oregon State Highway Building
Salem, Oregon 97310

Gentlemen:

At the regular Port of Astoria Commission Meeting held on Tuesday, December 13, 1977 the following motion was made and passed by a favorable three to one vote:

> "Moved that the Port of Astoria instruct the Oregon State Highway Department to defer construction of the Skipanon Bridge until proper economic study is made and investigation of any alternate routes should be considered."

The above action by the Port is conveyed to you for your consideration.

Yours sincerely,

George R. Grove

George R. Grove
Executive Director

GRG:ph

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THE DAILY ASTORIAN

E NO. 119 WEDNESDAY, DECEMBER 14, 1977 20 C

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Salem firm apparent low bidder

Port fails to stop bid opening

By JOHN KNOWLTON
Of The Daily Astorian

Despite an eleventh-hour appeal by the Port of Astoria Commission not to open the bids, the Oregon Transportation Commission did open bids today on construction of a fixed span bridge over the Skipanon River in Warrenton.

The apparent low bidder on the controversial project is Rose Bros. Construction Co., Inc., Salem, which bid $1,271,927.50. Four other firms bid on the project.

The bids will be reviewed by state transportation officials and a decision made on awarding the contract. The contract decision must be made within 30 days, but an award usually is made within two weeks, a highway official said today.

At the urging of marine engineer Herb Palmberg and several fishermen, the port commission voted 3 to 1 Tuesday night to ask for the delay.

Palmberg wants an opening-span bridge to allow large ocean-going fishing vessels to travel up the Skipanon. He contends no cost-benefit analysis has been done on the fixed-span versus opening-span bridge controversy.

The port, on two recent occasions, voted to take no stand on the type of bridge to be built, an action which in effect supported the City of Warrenton's request for fixed-span construction.

It was uncertain this morning whether the transportation commission is required to award the contract on the bridge now that the bids have been opened.

The commission's public affairs officer, John Earley, said he thinks the state could be hauled into court by the low bidder if a contract isn't awarded within the required 30 days.

Noting the construction firms submitted "good faith bids," Earley speculated the contract would have to be awarded "unless there is a legal reason that we can't go forward."

The vote on the Skipanon River bridge issue doesn't commit the port commission to either a fixed-span or opening-span bridge.

The decision, which was opposed by Howard Johnson but supported by Dave Corkill, Robert Hanson and Al Rissman, asks that more time be taken to consider the economic consequences of alternative types of bridge design.

Proponents of the opening-span bridge acknowledge the change in bridge design would delay the project.

But they say they would rather live with the existing small bridge for the time being than live with a fixed-span bridge "for the next 50 years."

"The issue shouldn't be resolved by default," Palmberg told the port commission.

Palmberg has an interest in several acres of developable property upriver from the proposed Harbor Street bridge. He plans to develop the property as a marina and boat repair yard.

He says a fixed-span bridge would restrict upriver traffic.

But Warrenton officials want the fixed-span bridge and City Manager Gil Gramson reacted angrily today to the port's action.

He said city officials had "absolutely no idea" the Skipanon River issue would be discussed by port officials. The item wasn't on the port's agenda.

Gramson also said two members of the port commission had told city officials they wouldn't ask for a delay in the project. He didn't name the port commissioners.

The other construction companies and their bids were Hamman Bros. Construction Co. Inc., Portland, $1,348,211; Coast Marine Construction Co. Inc., $1,370,169; Hamilton Construction Co. Inc., Springfield, $1,449,051; and General Construction Co., Inc., Portland, $1,575,484.

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Open Forum

Concerned about bridge

Fishing and other commercial navigation interests as well as all navigation industries on Skipanon River except the lumber mill are deeply concerned about the proposed bridge to cross Skipanon River at Harbor Street.

No economic analysis of benefits and costs has been made in connection with the proposed bridge. The City of Warrenton changed its position from an opening to a fixed span based on an illegal (a court ruling has stated that an election could not be used to determine construction of a Mt. Hood Freeway) election which in no way could reflect navigational needs. These needs and resulting benefits and costs should certainly be studied before constructing a bridge not wanted for navigational and not presently needed for vehicular traffic; else, irreparable loss to all of Clatsop County could result.

At a recent Port Commission meeting, a motion to support a fixed bridge made by one Port Commission member, unalterably opposed to anything but a fixed bridge, died for lack of a second. Obviously, three other Commission members at the meeting who could second a motion, and possibly the Chairman who could not second a motion, thought that there was not enough information available on which to make a decision, or else they did not support the proposed fixed bridge.

Since the Port is the only local public body to whom we can look to protect and preserve navigation on our community waterways and has the legal authority to regulate navigation on Skipanon River as a Federal waterway, it is evident that the Port Commission should either (1) take action immediately to instruct the Oregon State Highway Division to defer construction of the Harbor Street bridge until a proper study is made of the situation, or (2) if the Port has found in favor of a fixed bridge, a motion should be made and passed to this effect. The issue should not be resolved by default.

H. G. PALMBERG
911 S.E. Galena Ave.
Warrenton

#8651

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O'CONNELL, GOYAK & HAUGH, P. C.
ATTORNEYS AT LAW
555 BENJAMIN FRANKLIN PLAZA
ONE SOUTHWEST COLUMBIA
PORTLAND, OREGON 97258

AREA CODE 503
TELEPHONE 227-1681

JOHN J. HAUGH
NICK IVAN GOYAK
KEVIN O'CONNELL
DONALD W. GREEN III
JOSEPH T. HAGEN
DENNIS H. ELLIOTT
ROGER L. KRAGE
JAMES M. KENNEDY

December 15, 1977

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H. S. COULIER

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cy Richter
Hamilton

CERTIFIED - RETURN RECEIPT

Oregon State Highway Division
State Highway Building
Salem, Oregon

RE: Skipanon Bridge

Dear Sirs:

This office represents Herbert Palmberg of Warrenton, Oregon, who as you know owns property up river from a proposed fixed span bridge your department intends to build across the Skipanon River.

Please be advised that in the event you let bids for this project, you do so at your peril. As you are no doubt aware, during the past week the Port of Astoria Commission, by a 3-1 vote, adopted a resolution which opposes construction of this bridge until further studies are completed. As you should also know, Oregon Revised Statutes provide that all power which could be exercised by the State over navigable streams and estuaries are transferred to port commissions. The Skipanon River falls within the jurisdiction of the Port of Astoria Commission. That Commission has voted against construction of the bridge you hope to build.

In the event you proceed to let bids for this project, please be advised that Mr. Palmberg, and potentially others, would intend to seriously consider the institution of various legal actions to require that the law of Oregon be applied, and that no bridge be constructed until the studies which have been requested by the Port of Astoria are completed and reviewed.

I urge you to defer letting bids on this project. I understand your Public Affairs Representative has expressed his

personal opinion that you have no alternative but to "accept" the lowest bid, and might face litigation if you do not. This is not the law of Oregon. I urge you to refer this matter to the Attorney General for an opinion.

We are more than happy to supply additional information regarding why you are not legally able to let the bids in question after the actions voted by the Port of Astoria Commission. Please do not hesitate to contact me if you wish additional information regarding that.

Sincerely yours,

John J. Haugh

John J. Haugh

JJH/kw

8651

U.S. DEPARTMENT OF TRANSPORTATION · FEDERAL HIGHWAY ADMINISTRATION

11-22-77

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: RS-134(2)

STATE PROJECT NO.: See Below

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.:

ITEM NO.: 80040

COUNTY NAME: Clatsop

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. F. B. Klaboe
Chief of Operations, DOT
State of Oregon
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER / STATE ROUTE NUMBER
11-22-77	11-22-77	Secondary 134 / Secondary 105

GENERAL LOCATION:

"Skipanon River Bridge (Warrenton) Section"

GENERAL DESCRIPTION OF WORK:

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

☐ PRELIMINARY ENGINEERING TO DETERMINE LOCATION ONLY

☐ PRLIMINARY ENGINEERING FOR SURVEY AND PLAN PREPARATION

☐ OTHER (Specify)

NOTED
F. B. KLABOE

☐ ACQUISITION OF RIGHT-OF-WAY

☐ CONTRUCTION - ADVERTISE FOR RECEIPT OF BIDS

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

Du 2nd 12-16

REMARKS

I accept the certification of Mr. Rod Henry dated 11-14-77 that provisions of FHPM 7-5-1 have been complied with and you are authorized to advertise for bids subject to the understanding that contractor's working restrictions are included in the specifications and that Federal funds will not participate in extra costs that might occur if parcels have not been cleared as stated in Mr. Swan's 11-17-77 letter.

As requested in Mr. Swan's 11-18-77 letter you are authorized to proceed with actions necessary to advance to completion the physical construction provided for by the above project at a total estimated cost of $1,250,000, Federal funds $1,072,500 in accordance iwth the provisions of your approved Secondary Road Plan. If you subsequently find that exceptions to the procedure will be needed or that your proposed design standards for this project are lower than the minimum design standards as approved May 13, 1970, this office should be notified of such proposed exceptions and reasons thereof.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
11-22-77	G. K. Green	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8651

November 18, 1977

Mr. Trygve Duoos, Partner
T B R Company
364 9th Street
Astoria, Oregon 97103

Dear Mr. Duoos:

1030-H

Mr. Jackson has asked me to answer your November 3 letter in which you expressed support for the planned bridge replacement project across the Skipanon River in Warrenton, Oregon. The fixed bridge which is endorsed by you, the City of Warrenton, and many others, is the alternate that was adopted after a long period of study and information gathering.

Input received from the public at hearings held by the Highway Division and the Coast Guard was carefully considered in making the final decisions on this project. Seldom does a project meet with the complete approval of all interested citizens and this project was no exception. After careful study of all the information, the choice of a fixed span was made because it provided the maximum benefits for the most people at the least cost to taxpayers.

I certainly appreciate receiving comments like yours from citizens who are concerned about bridge and highway projects planned by the Transportation Commission.

Sincerely,

F. B. Klaboe
Assistant Director for Operations

cc: Glenn L. Jackson

bc: Robert A. Burco
E. S. Hunter
W. J. Hart

(Hart) srb

T B R
transportation - building - rentals

phone 325-3521

364 9th street
astoria, oregon 97103
Nov. 3, 1977

Mr. Glenn Jackson, Chairman
Oregon Highway Commission
Salem, Oregon 97301

Dear Mr. Jackson:

May we please tell you of our thinking on the matter of the choice between a fixed-span bridge and a lift-span bridge in Warrenton?

We have seen the local press and virtually every political subdivision and public agency in this area under continuous bombardment with hysterical pleas of one man, Herbert Palmberg, seeking to engender support for a lift-span bridge for his own personal advantage. The local newspaper has printed dozens of his "letters to the editor" on this one theme.

Opposing his lift-span idea is, among others, the city administration of Warrenton, the city in which the bridge is to be built. These people are honorable and public spirited. They are not motivated by greed or avarice but want only what is best for the largest number of people in the area. They certainly have no personal advantage to gain in proposing a fixed-span bridge. We can foresee that if a lift-span bridge were built the full weight of the traffic problems created by such a bridge would fall on them.

On the other hand, Herbert Palmberg seems to care not one fig about causing inconvenience to the traveling public and seems to be concerned only with his own welfare. He has worked long and hard trying to persuade others to support him in this unconscionable proposal to triple the initial cost of the span and of course to increase manyfold the maintenance costs during the life of the structure.

Please understand, Mr. Jackson, that we do not write out of fear that the commission will bow to pressure from vested interests. Our purpose in writing is to express support for the administration of the City of Warrenton which we feel deserves our support and has never given us cause to believe otherwise.

Respectfully yours,

T B R Company
Trygve Duoos
Trygve Duoos, Partner

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DIRECTOR of TRANSPORTATION

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ROBERT W STRAUB
GOVERNOR

Department of Transportation

TRANSPORTATION BUILDING, SALEM, OREGON 97310

November 17, 1977

1 Vertrees V
3 Christensen
George
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Turpin
2 Sullivan JWC
Scott
Lundy

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TO G. L. Green, Division Administrator
Federal Highway Administration

FROM D. H. Moehring, Manager
Office of Project Manager

SUBJECT Skipanon River (Warrenton) Bridge Section
Oregon Project RS-134(2)

We hereby request the requirements of paragraph 5 of FHPM 6-4-2-1 and paragraph 7 of FHPM 6-4-1 (relative to contractor's working restrictions, immediate occupancy and use at the anticipated advertising date) be waived as being in the public interest for the above-mentioned project.

The right-of-way restriction as summarized in our previously submitted right-of-way status report and Mr. J. E. Chidsey's letter of November 14, 1977 will be clear by January 15 and February 1, 1978. We plan to advertise for bids to be received December 14 and our Contract Specifications will contain these dates as a working restriction.

We feel the contractor can utilize the time gained by our early advertising and award of contract to make plans, order material and start construction outside the restricted area to a distinct advantage. This project can be constructed in the winter time as well as any other time.

Clatsop County is a high unemployment area and this project will help aleviate the problem and should be started as soon as possible. Also, the Environmental Considerations are taken care of and the design is complete; therefore, we feel it is not necessary to delay the project because the right-of-way will not be clear for a few days.

DAR:dmc
cc: J. H. Versteeg
J. B. Boyd
J. E. Chidsey
F. C. Lowe

8451

105

ENVIRONMENTAL REVIEW CHECKLIST

ALL CLEAR 11/16/77

Donald L. Bout

John

12-14-77 Bid Letting _____ All Clear Deadline

SECTION SKIPANON RIV. (WARRENTON) BRIDGE
Highway Warrenton-Astoria
County Clatsop Region 2
Type of Work Str. Funds
State __ Consultant __ Plans Avail. __ Yes __ No

	Not Required	Required	Mitigation Required	Mitigation/Plans	ALL CLEAR	
DOCUMENTS:						
EIS		X	X	X	X	Critical area - Must use many precautions during construction
Negative Declaration	X					
Project Assessment	X					
Write-off Letter	X					
PERMITS:						
Division of State Lands	X					
D.O.G.M.I.	X					
Corps of Engineers	X					
Coast Guard		X			X	No specific problems
Co. Conditional Use	X					
NPS Air Pollution	X					
NPS Water Pollution	X					
CULTURAL:						
Cultural Survey		X			X	
Cultural Salvage	X					
NOISE:						
Noise Study		X			X	

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ROBERT W. STRAUB
GOVERNOR

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

November 14, 1977

Mr. Glen L. Green
Division Administrator
Federal Highway Administration
477 Cottage Street N.E.
Salem OR 97310

ATTN: Paul Riedl

Easement from Burlington Northern, Inc.
Skipanon River (Warrenton) Bridge Section
Warrenton-Astoria Highway
Clatsop County
FAP No. RS-134(1)
R/W File: 49479

NOTED
E. S. HUNTER

Dear Sir:

In order to build the subject project, it is necessary to obtain a permanent easement from the Burlington Notthern, Inc. at the west end of the proposed structure. All necessary information was supplied to Burlington Northern for this permanent easement well in advance of the proposed bid receipt date for this project. Due to a retirement and other internal personnel transfers, they advised me on November 10 that they would be unable to grant the State a permit of entry until sometime after January 1. They assured me that by February 1, 1978, they will have permission to us to enter upon their right of way.

In view of this delay by Burlington Northern, it is requested that the Federal Highway Administration approved our receipt of bids for this project on December 14, 1977, with the restriction written into the Special Provisions that the contractor cannot enter upon the Burlington Northern right of way until so authorized by the engineer. It would be anticipated, but not guaranteed, that the contractor would have access to this right of way by February 1, 1978.

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It would be appreciated if you would review this request and advise of its acceptability by the Federal Highway Administration.

Yours truly,

J. E. Chidsey, P. E.
Railroad & Utility Engineer

JEC:db
cc: E. S. Hunter, J. B. Boyd, J. L. Sollis, D. H. Moehring, J. H. Versteeg, W. J. Hart, D. E. Swan, Jack Sullivan, John Sheldrake

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105

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

November 7, 1977

Salem, Oregon

FILE: 104-1915

FROM: J. W. Valentine
REGIONAL UTILITY ENGINEER

TO: Memo to the Files

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County
September 30, 1977
October 26, 1977

On subject dates, I contacted Alvin Birkholz by telephone for information on the City's 6" water line supplementary to that set forth in Mr. Birkholz' letter to Walter J. Hart, dated September 30, 1977:

1. City forces will salvage and retain the 6" water line from the existing bridge, but will not attempt to recover any of the underground portion.

2. Mr. Birkholz stated that although the proposed mainline valve to be installed at the intersection of N.E. Bay Avenue will be in an area vulnerable to construction operations, it is the only place he can locate it because of an important branch line.

3. The City of Warrenton desires our contractor to run the new 10" line to the valves at N.E. Bay Avenue and the driveway to be constructed opposite station 24+, but City forces will make the tie in.

4. Mr. Birkholz stated that the rumor the City has a stockpile of 10" water pipe is false.

5. Mr. Birkholz was advised that the City should submit an estimate of cost for reimbursable work to be performed by City forces.

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JWV/dea
cc: John Sheldrake
J. E. Chidsey
Chet Anderson
Jack Allaway

REFERRED TO
Beard, Dorn, Cole, Sample, Eriksen, Watson, Hager, Lou
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DRAFT FOR GOVERNOR'S SIGNATURE

Mr. Alan C. Batchelder
2380 Manion Drive
Warrenton, OR 97146

November 7, 1977

Skipanon River Bridge
Proposed Realignment US101
near Warrenton
Bridge 11226A

Thank you for your letter of October 28, 1977.

I am pleased to hear that you and your wife concur in my efforts to protect the environment of Oregon and the Columbia River. I appreciate the effort spent when citizens like yourself take time to let me know their feelings on matters of concern for the State of Oregon.

You asked about my recommendation to the Highway Division regarding the new bridge on the proposed realignment of US101 near Warrenton. This project has been the subject of considerable study including an environmental impact statement and public hearings by both the Highway Division and the U.S. Coast Guard.

There are presently three water control structures on the Skipanon.... the main dam and flood gate at 8th Street, the middle structure between 8th Street and Cullaby Lake, and the structure at Cullaby Lake. These structures were installed to maintain river levels for irrigation purposes and provide some flood control. Testimony at the public hearings indicated that the structures are functioning very satisfactorily and are responsible for increased cranberry production and the establishment of the school fish farm.

11-8-77
sig. to
Bonner

In addition to these control structures, there are three bridges across the Skipanon River above the 8th Street dam. All three bridges provide less vertical clearance than the proposed bridge.

In order to develop the Skipanon for navigation, the three water control structures would require removal and the three existing bridges would probably have to be raised for more vertical clearance. Locks would have to be installed to maintain the level of Cullaby Lake and the channel would have to be dredged. The possibility of anyone's financing or undertaking such a project appears remote, especially in light of the success of the existing flood control project and the current benefits it provides.

When due consideration is given all ramifications of this project, it appears that the structure, as planned, is the solution which provides the greatest benefits to the most people at the least cost.

I appreciate receiving your comments and hope I will hear from you again concerning matters of concern to Oregon and Oregonians.

Governor Straub

RWE:dh

bc H. S. Coulter
W. J. Hart
John Sheldrake

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Governor's Office

cc. Len support letter

000083

Please prepare draft reply for Governor's signature by 11-10
Thank you.

PLEASE RETURN ORIGINAL LETTER

2380 Manion Drive
Warrenton, Oregon 97146
October 28, 1977

Governor Robert Straub
State Capitol
Salem, Oregon 97310

Dear Governor Straub:

Thank you! Your position on the use of our Columbia River as an oil-dumping site is a source of genuine pride and comfort to my wife and me.

We think of you as enlightened and a truly effective Governor "of the people." Acknowledging that you know full well what you are doing, and why, I shall not here list our reasons for wanting you to know that we appreciate your position.

DOT

While I have your attention, I should very much like to see your recommendation to the Highway Department regarding a new bridge on the proposed realignment of US 101 near Warrenton.

In my opinion, construction of a bridge which effectively blocks marine-oriented development of the Skippanon River above US 101 is short-sighted and not in the best interests of Clatsop County and the State of Oregon. Is there anything you can do to help?

Thank you, once more, for your protection of Oregon and the Columbia River. You have our solid support.

Sincerely,

Alan C Batchelder

Alan C. Batchelder

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NOTED
E. S. HUNTER

At Warrenton commission meet

Fixed span support affirmed

WARRENTON — With a minimum of fanfare, Warrenton city commissioners reaffirmed their stand in favor of a new fixed-span bridge across the Skipanon River at Harbor Street.

"I see no reason to change our original decision and I so move," said Commissioner Della Wilson. Her motion to maintain the city's support of a fixed span passed by unanimous voice vote.

Wednesday's vote was the latest action in the protracted controversy over the type of structure to be built to replace the old Harbor Street float-out span on the main entrance to downtown Warrenton.

The controversy began several years ago when the U.S. Coast Guard first ordered replacement of the bridge. Proponents of upstream navigation on the Skipanon wanted an opening span but city officials favored a high fixed span.

With the city commission's blessing and Coast Guard authorization, the state Highway Division selected the high fixed-span design. A contract for fixed-span bridge construction is scheduled to be awarded Dec. 22.

But a new round of debate was sparked recently by a proposal to build a 1,000-boat marina and boatyard upstream from the bridge. Developers Dave Palmberg, Jack Hams and others asked local governments to take a second look at the bridge plans in light of the marina proposal. They contend a fixed span would make the marina development uneconomical because it would eliminate access by larger commerical and sailing vessels.

But opening-span opponents contend that any change of design now would delay the project by 3½ years and would add $1 million to the cost.

No one attended Wednesday's city commission meeting to speak for or against either bridge design. However, Warrenton Planning Commission Chairman Fred Andrus informed city commissioners of another bridge-related development. Andrus said the Columbia River Estuary Study Task-force Council voted earlier Wednesday to support plans for the high fixed-span bridge.

Commissioners passed Mrs. Wilson's motion with little discussion.

Open forum

Daily Astorian
Wed 19 Oct '77

Benefit not worth cost

Congratulations! You have now joined a select group which at one time included the Port of Astoria, Clatsop County Commission, City of Warrenton, U.S. Coast Guard and the Oregon State Highway Division — all of whom, at some time or other, have taken exception to Mr. Palmberg's proposed use of the Skipanon River.

The major facts of this long-term controversy can be summarized briefly as follows:

1. The approved fixed-span bridge will accommodate 90 per cent of the vessels using the Skipanon River.

2. The City of Warrenton has adequate space below the bridge for moorage of larger vessels, with the upper river accommodating the smaller recreational vessels and gillnetters.

3. The additional cost for 10 per cent of the boats that might need the opening span is one million dollars, plus $25,000-$75,000 annually for the operation of the opening span.

4. The traffic delay, as a result of an opening span, has been estimated by the Highway Division at five to seven minutes, and most fishing vessels leave in a group, which would extend this time considerably, backing traffic down Warrenton's main streets and blocking passage of any emergency vehicles.

5. Because of its alignment, the present bridge creates a safety problem and should be replaced regardless of the height of any new bridge.

6. The cost benefit-ratio to justify the tremendous expenditures of public monies, as proposed by Mr. Palmberg, cannot be balanced by any possible expected return. These same basic benefits would also exisit with the fixed-span design, as approved by the Coast Guard, at greatly reduced cost to the taxpayer.

7. The U.S. Coast Guard, in approving the fixed-span bridge, made the following comment: "The area upstream of the proposed bridge is limited in size and depth, and future usage is uncertain. It is unreasonable to provide a navigational opening with more vertical clearance than the approved fixed-span bridge because of the limitations the waterway itself imposes on navigation."

As a Palmberg-designated "Johnny-come-lately," Mr. Editor, perhaps this information might be helpful to you in understanding the Skipanon Bridge decision.

LESLIE NEWTON
P.O. Box 471, Warrenton

Rptd Vesterby

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10-13-77

Daily Astorian Thurs. 13 Oct. '77

Warrenton planners support fixed span

By JOHN KNOWLTON
Of The Daily Astorian

WARRENTON — Citing a lack of information about the economic benefits of an opening-span bridge, the Warrenton Planning Commission reaffirmed its support for a fixed-span bridge over the Skipanon River.

The unanimous decision came after a half-hour of comments by upriver landowner Dave Palmberg and Warrenton City Manager Gil Gramson.

The planning commission will send its recommendation to the city commission, which has been asked by Palmberg to reconsider its stand on the controversial bridge issue.

The city commission previously voted to support a fixed-span bridge and is expected to take that position again.

Palmberg, his father Herb, and commercial fishing interests have urged the city to support a bascule bridge so large ocean-going fishing vessels can get upstream.

Palmberg plans to develop a marina above the bridge to serve 600-1,000 boats. Part of that marina would include a boat yard with repair facilities.

But the planning commission said Palmberg could develop his upriver facility without construction of a boat yard.

Planning Commission Chairman Fred Andrus suggested Wednesday Palmberg reach an agreement with the city which would increase the number of moorages for commercial fishing vessels at the city's mooring basin.

That would force pleasure craft owners upstream to Palmberg's marina to moor their boats, Andrus said.

Andrus also said he was persuaded by the U.S. Coast Guard's opinion favoring a fixed-span bridge.

The Coast Guard has required the highway department to replace the present Skipanon Bridge because it doesn't meet Coast Guard standards. After numerous hearings, the Coast Guard decided on a fixed-span bridge.

Letting of the contracts for the bridge is planned for Dec. 22, with construction scheduled to begin in early 1978.

Gramson told the planning commission a change in bridge design would delay construction from two to five years.

But Palmberg said, "I would rather see you wait two to five years and get the correct bridge than approve the wrong bridge."

He contended the opening-span bridge would be needed so high-masted fishing vessels can get upstream. He estimated at least 30 per cent of the boats in the upriver moorage would need an opening span.

Planning commission member Don McCoy pointed out that the bridge would have to open whenever the fishing fleet headed out to sea. That would halt traffic for a lengthy amount of time, McCoy contended.

In other business Wednesday, the planning commission approved a variance for the developers of a 90-unit condominium-motel in Warrenton.

The variance allows 80 9-by-20-foot parking spaces instead of the normal 10-by-20 parking spaces. The parking lot also would have 100 10-by-20 parking spaces.

NOTED
F. B. KLABOE

Open Forum

Information lacking

I am astounded by the editor's lack of information and understanding in his editorial "Silence" of 10-4-77 regarding the Skipanon River Harbor Street Bridge. Consider the following:

1. Chairman Rissman of our Port Commission did not advocate no action — he recommended cooperation of the City of Warrenton with navigation interests, with Port action presumably to follow such efforts.

2. The editor suggests that this important issue involving commercial and recreational navigation interests of the entire West Coast be decided by appeasement between the Port and the City of Warrenton to compromise local petty political differences between them instead of on the overall benefit for the entire community — and this in spite of other local bodies, such as the County Commission, Warrenton Chamber of Commerce, etc., desiring an opening bridge that will not restrict the future of our area.

3. The editor should know that Federal and Oregon laws give the Port — not the City of Warrenton — authority to control navigation on Skipanon River, a federally approved navigation channel project. Navigation interests look to the Port ot assume its responsibility and assert its authority.

4. Two-thirds of the area tributary to Skipanon River lies beyond the city limits of Warrenton.

5. Navigation interests have in the past submitted cost-benefit analysis of the bridge problem. Hasn't the editor read them?

6. The present bridge is illegal and has been since 1932. Navigation interests have only asked that the bridge be restored to legal permit conditions as approved in 1916 and existing until 1932.

7. The logging operation which has long blocked the river has now been terminated by government-edict. Why not let the government restore the river to its previous navigability?

8. Last but not least, the present bridge is in good condition and serves present traffic better and more safely than a higher fixed bridge would.

9. The only need now for a new bridge is to provide a quick-opening span to meet navigation needs.

As a 'Johnny come lately" to our community, the editor is certainly wanting in local knowledge. I therefore suggest he read about early navigation on the upper Skipanon River in the book "Raised By The Sea" by Clarence Sigurdson, an oldtimer of Warrenton and now an owner of the Bell Buoy Crab Co. in Seaside.

H.G. PALMBERG
Warrenton

THE DAILY ASTORIAN
An Independent Newspaper

J. W. Forrester Jr., Editor
Donald J. Budde, Gen. Mgr.
Todd Merriman, News Editor
Charles Savage, Retail Adv. Dir.
Charline McLoughlin, Clsfd. Adv. Mgr.
Kenneth Bue, Production Supt.
James Crowl, Circulation Mgr.

NOTED
E. S. HUNTER

Bridge plan to come to vote tonight

WARRENTON — The city planning commission is expected to vote tonight on a recommendation to the city commission regarding the Harbor Street bridge over the Skipanon river.

The city has been asked by David Palmberg to ask the U.S. Coast Guard to reconsider its decision for a fixed-span bridge with 20-foot vertical clearance. Palmberg wants an opening span instead, to facilitate construction of a proposed marina upstream from the bridge.

The city commission recently asked the planning commission to review the matter and submit a recommendation.

The planning commission, which meets at 7:30 in city hall, also will consider a request by builders of a proposed condominium on the east bank of the Skipanon for a variance permitting reduced size of several parking stalls in its proposed parking lot.

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8651 ○ 105

STATE OF OREGON

INTEROFFICE MEMO

TO: D. O. Christensen
Final Design Engineer

DATE: October 7, 1977

FROM: L. E. George
Traffic Engineer Supervisor

SUBJECT: Sign Study Plans
Skipanon (Warrenton) Bridge Section
Warrenton-Astoria Highway
Clatsop County

Attached are two prints of the approved sign study plans for the above named section.

L. E. George
Traffic Engineer Supervisor

ELS:rah

Attachment

cc: J. W. Sheldrake
F. T. Lacey

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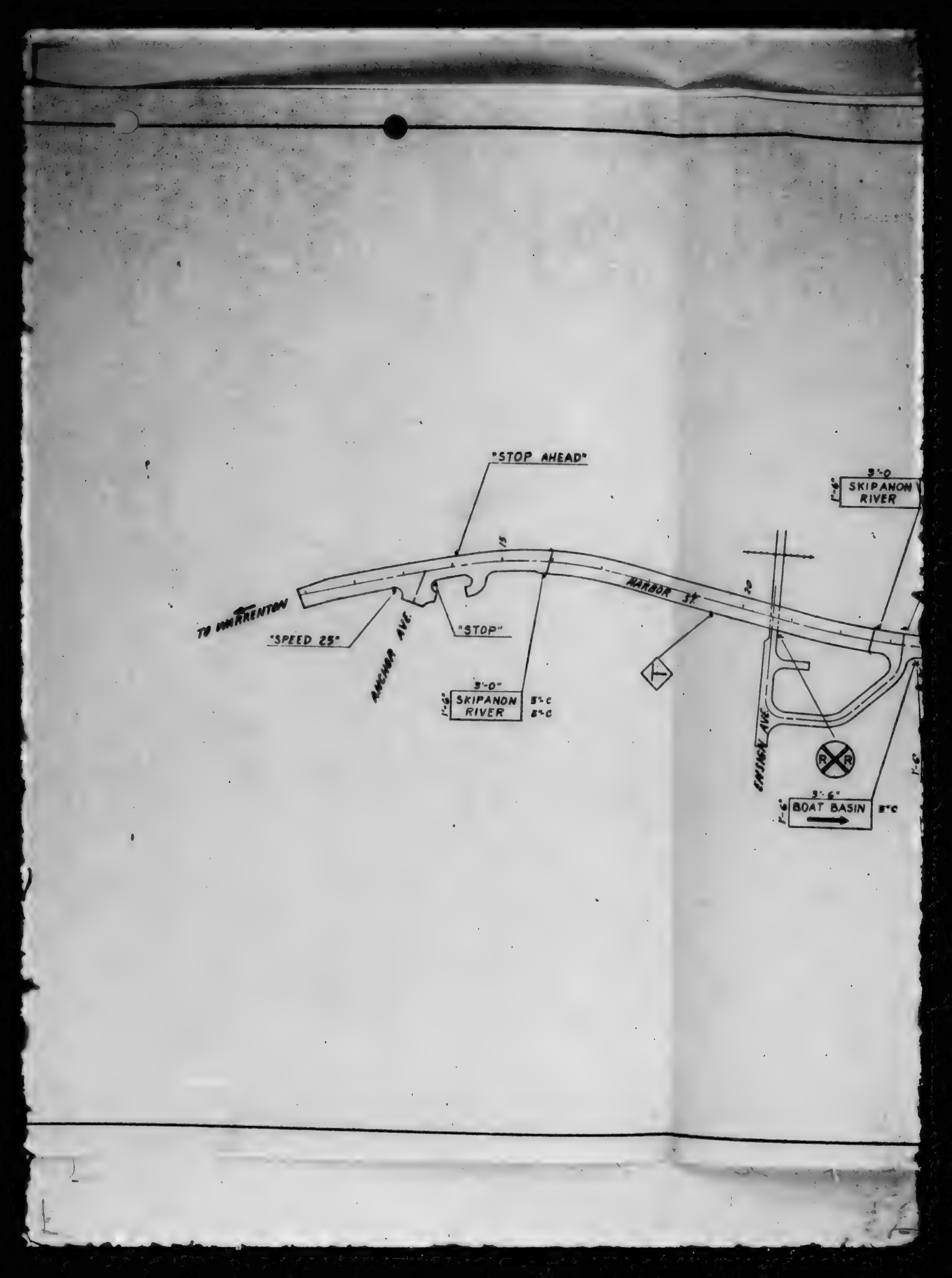
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TO WARRENTON
"SPEED 25"
ANCHOR AVE.
"STOP"
3'-0"
SKIPANON RIVER
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ENSIGN AVE.
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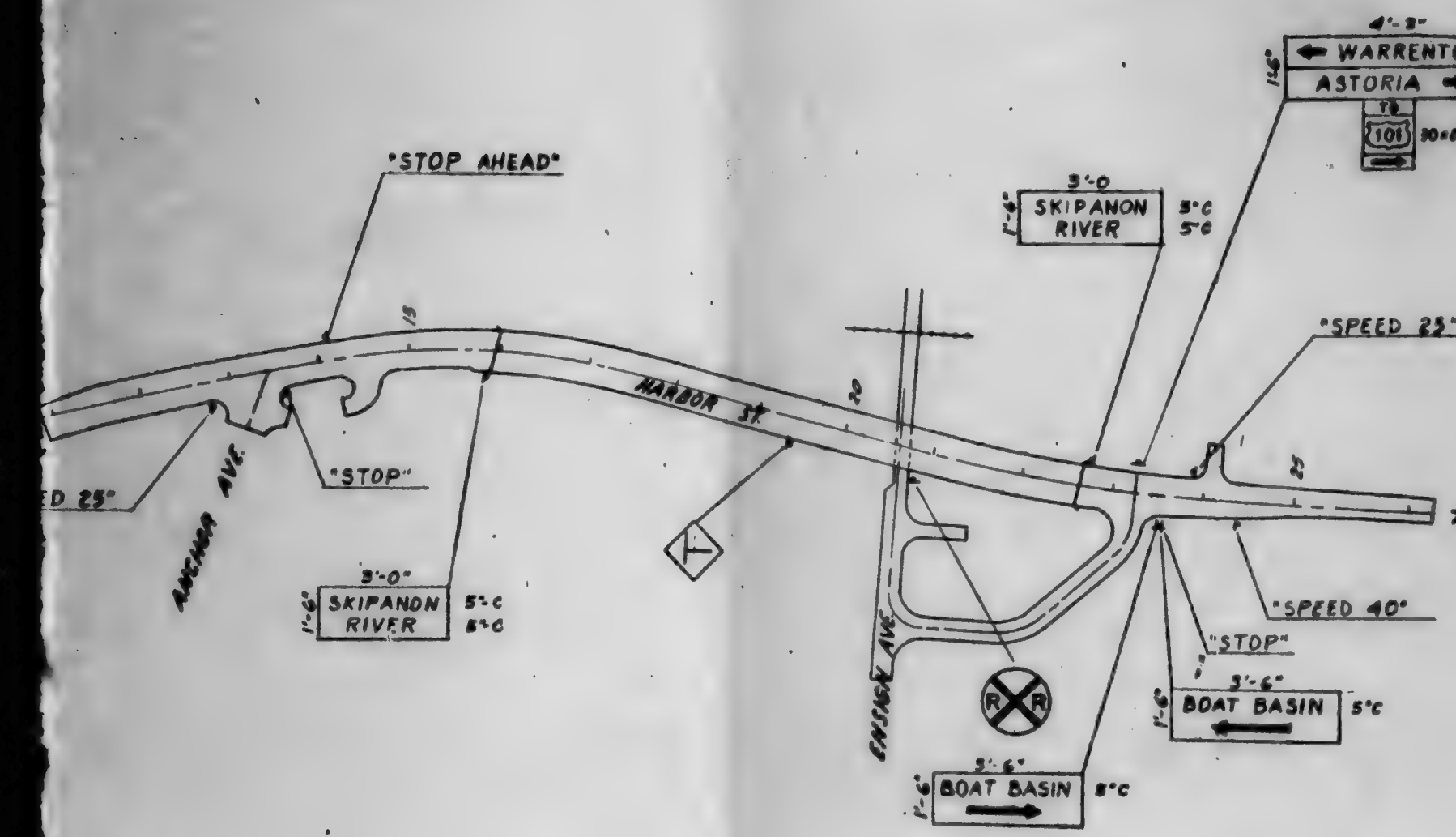
3'-6"
BOAT BASIN
5'-0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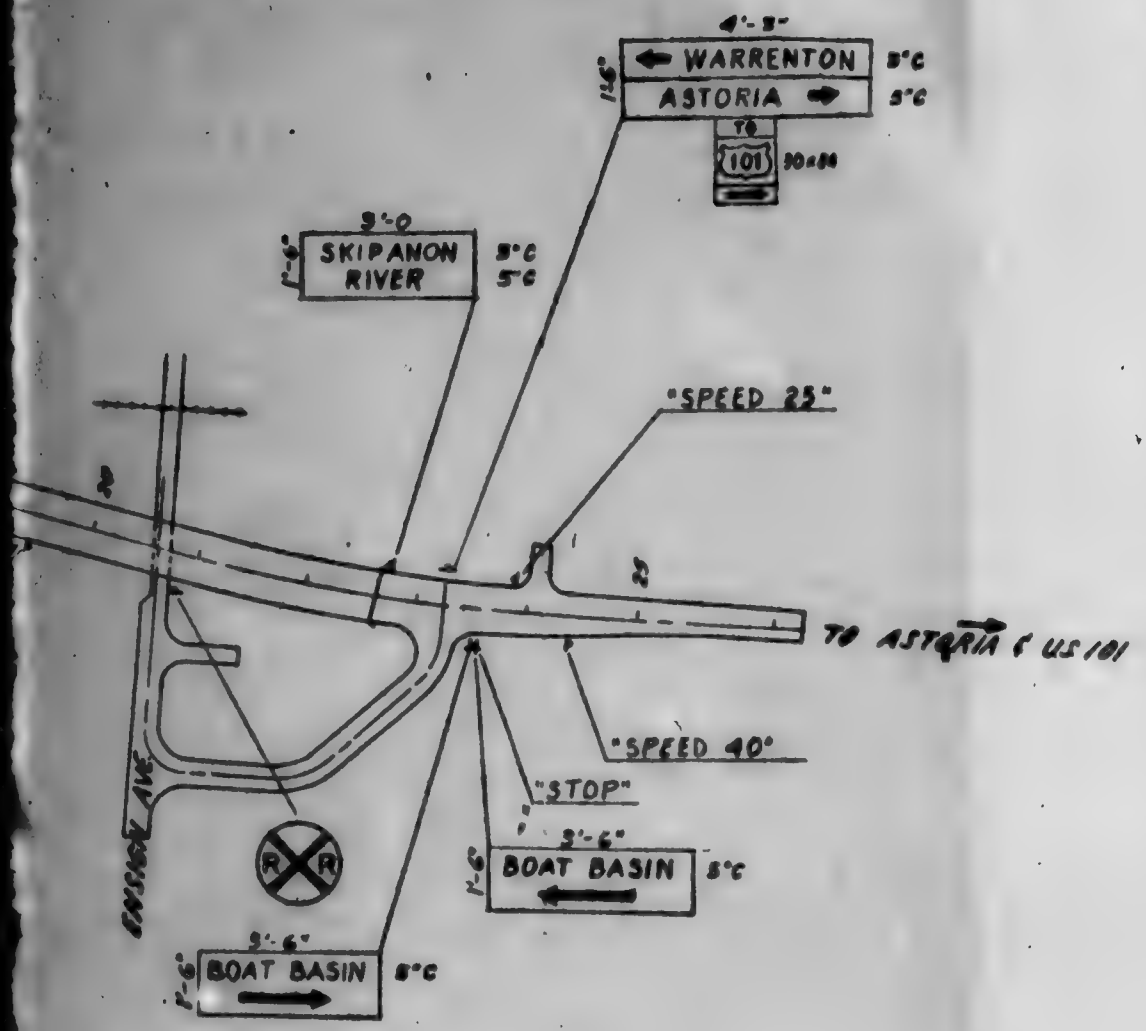


N

A. J. Birkholz
CITY ATTORNEY
9 20 77
DATE

SIGNING PROJECT

SKIPANON RIVER (WARRENTON) BRIDGE SEC.
WARRENTON - ASTORIA HIGHWAY
CLATSOP COUNTY

Action	Date		
Submitted	8-17-77		
Approved	8-23-77		
	10/3/77		
	10/6/77	K. Hansen	FHWA

E. S. Hunter
Technical Services Engineer

October 7, 1977

G. W. Wimer
Local Government Engineer

Construction Agreement Draft
Skipanon River (Warrenton) Bridge Section
Warrenton-Astoria Highway, No. 105
City of Warrenton

Presented herewith for your consideration is a proposed agreement draft covering construction of the Skipanon River Bridge.

This project is tentatively scheduled for contract at the February 23, 1978 bid opening with a planning estimate of $1.25 million utilizing Federal Aid Secondary Funds.

Please study the draft and, if you approve, forward to the Design Section for ther review, comment and return to this office for preparation in final form.

MCH:lml

Att.

10"ℓ
6" water line increased to 10" diff paid by City.

Gen. Prov. - to restate State maintenance on yellow.

HOLMES

Form 81.734.3030

OREGON STATE HIGHWAY DIVISION

FILE: 104-1915

INTER-OFFICE CORRESPONDENCE

September 14, 1977

Salem, Oregon

FROM: Phillip O. Stearns
REGION II FEDERAL AID SPECIALIST

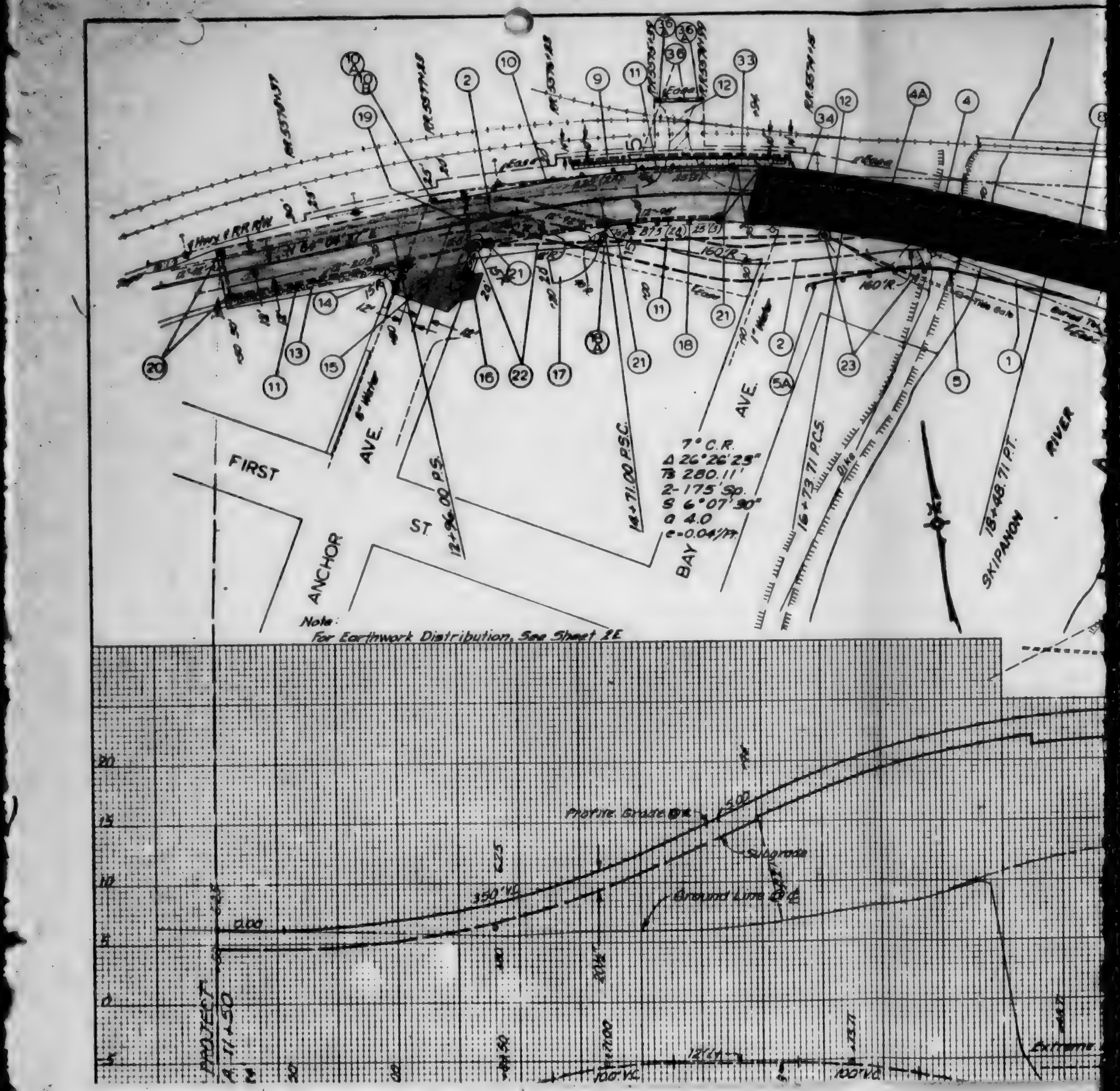
SUBJECT: Skipanon River Bridge Section
Warrenton-Astoria Highway

TO: Memo to the Files

Gil Gramson, Warrenton City Manager, and I discussed maintenance responsibility for the road connection between the Warrenton-Astoria Highway and Ensign Avenue. We agreed the State Highway Division will maintain this connection for a period of two years after completion of the project.

I later discussed the matter with John Sheldrake, Region Engineer, and Ted Litchfield, Region Operations Engineer. Both concur with a two year maintenance period.

POS/dea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16+73.71 P.C.S.
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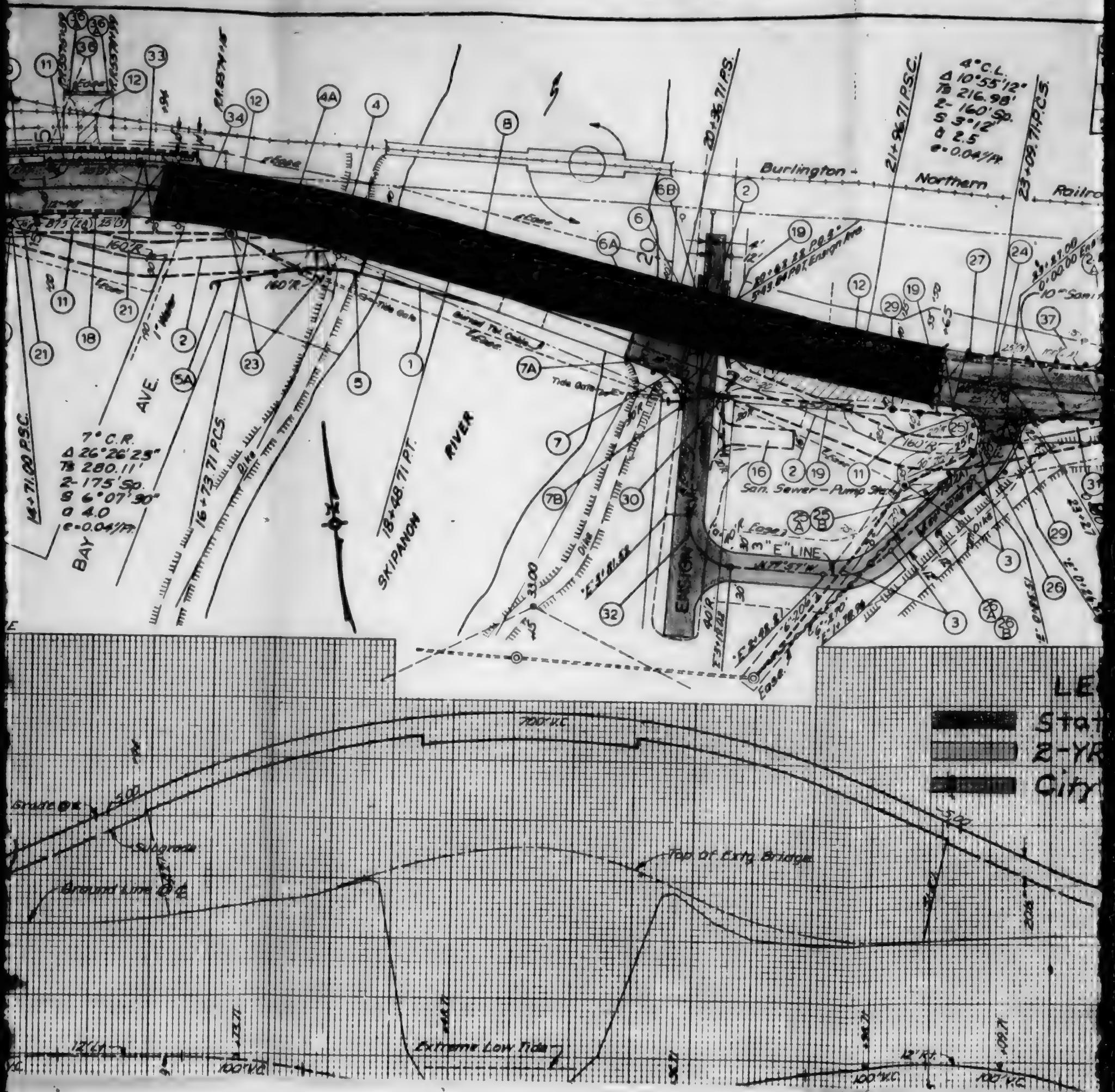
Extreme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S 6°07'30"
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14+71.00 P.S.C.
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18+48.71 P.T.
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BAY
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San. Sewer - Pump Sta.
Ground Line @ E
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Extreme Low Tide
100'VC
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LE
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City

SKIPANON RIVER (WARRENTON) BRIDGE SEC WARRENTON – ASTORIA HIGHWAY CLATSOP COUNTY				SHEET No. 3
NO. ROAD Dir. No.	STATE	PROJECT NUMBER	FISCAL YEAR	TOTAL SHEETS
10	OREGON			

Burlington Northern Railroad

R.R. R/W

10" Sanitary Sewer

6" Water

SKIPANON RIVER

Tide Gate

Dike

San. Sewer – Pump Sta.

"E" LINE

Ex. Bridge

Top Of Ex. Bridge

Extreme Low Flow

LEGEND

State Maintenance

2-YR. State Maintenance

City Maintenance

EXHIBIT A

8637

ORIGINAL SIGNED
DUANE O. CHRISTENSEN

Salem, Oregon
October 5, 1977

Duane O. Christensen
Final Design Engineer

Bill Hopkins
Right-of-Way

Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County
Sewer Line Connection

In response to your letter of October 3, 1977, in which you requested an estimate of cost to provide a six-inch sewer line between the manhole near Station 24+00 and a point on the relocated northerly right-of-way line opposite Station 23+40. This estimated cost is $900.00. Included in this cost is an amount for mobilization and engineering and contingencies. If we can be of further help, please call.

NM:az
cc: Lyle K. Watson

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FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
October 4, 1977

FROM: Jimmy S. Hansen
Sanitary and Water Supply Engineer

TO: Memo to the File

SUBJECT:

Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County
Bridge 11226A

Moved to Dec letting

This memo details my September 30, 1977 telephone conversation with Mr. Alvin J. Birkholz (Warrenton Public Works Supt.) regarding his attached September 20, 1977 letter. His letter contained comments on our proposed methods of providing sewage pump station relocation, temporary water service, and roadway illumination.

Mr. Birkholz proposed a different pump station relocation scheme that we discussed in depth. His scheme presented additional traffic, settlement, and construction problems that were unforseen by him. Our proposal is not without its problems too, but Mr. Birkholz did agree that our proposal would present fewer problems. There are a few time coordinating problems with our proposal that will require special attention by the contractor, and they will be indicated in the special provisions. We are proceeding with final design as we proposed.

The City will not need a temporary water service connection to the east side of the river when we break their 6-inch water pipe, because that area is served by another water main that follows a route along the Oregon Coast Highway. The City should be informed as to when we are going to disrupt their 6-inch water main (probably when we start driving piling) so that they can install the necessary valves. We are proceeding with the final design of the permanent 10-inch water main across the proposed bridge.

The temporary and permanent roadway illumination proposals were satisfactory to the City.

JSH:dh

cc C. A. Anderson /w/ encl.
J. W. Sheldrake /w/ encl.
L. K. Watson /w/ encl.

REFERRED TO

Beard — Dorn
Cole — Sample
Eriksen — Watson HEM
Heger — Leu
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BY FINAL DESIGN ENGINEER

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Form 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

October 4, 1977

FILE: 104-1915

FROM: Robert E. Royer
REGION II CONSTRUCTION ENGINEER

SUBJECT: Skipanon River Bridge
Warrenton

TO: Lyle Watson
DESIGN TEAM ENGINEER

You requested Region's recommendation for the treatment underneath the bridge ends of the Skipanon River Bridge in Warrenton.

We recommend that the existing pavement be obliterated and the area graded to allow for a pleasing appearance. No additional treatment should be made under this contract.

RER/lea
cc: Chet Anderson
Eldon Everton

REFERRED TO

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FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

September 21, 1977

FILE:

FROM: Lyle K. Watson
Design Engineering Supervisor

SUBJECT: Skipanon River (Warrenton) Bridge
Astoria-Warrenton Highway
Clatsop County

TO: MEMORANDUM TO THE FILES

The plans-in-hand review was held on Tuesday, September 13, in Astoria. The following comments were made.

1. The Structures Section will review the piling at the end bents relative to draw down caused by the embankment and surcharge.

2. Fred Yarbrough will furnish Chet Anderson the estimated settlement for the gabion wall.

3. Topsoil may be obtained in the Gearhart area. Seeding and mulching of the embankment slopes under the structure was requested by Eldon Everton. The Landscape Unit will be informed.

4. The float-out span on the existing structure will be opened as required by the Maintenance Section

   The specifications should state that the contractor will be required to allow the passage of boats within the work area.

5. An easement, from the City of Warrenton, will be required for the relocation of the sanitary sewer pump station and sewer line. John Sheldrake has requested the Region right-of-way to acquire the easement. Flow line elevations and height of the pump station will be shown on the plans.

6. A temporary protection and direction of traffic for one lane closure will be added to the plans for storm sewer installations.

7. The access across the railroad, left of Station 15+30, will be closed during Stage 1. The access is to be closed permanently.

8. Phil Stearns is to review, with the City of Warrenton, the possible closure of Ensign Avenue except during the fishing season.

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ENGINEERING SECTION

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9. The subject of sidewalks was discussed. The typical section is for 12' travel lanes and 10' shoulders. At the hearing and in the final EIS it was proposed to stripe the 10' shoulder for 4' shoulders and 6' bikeway and pedestrian walk. This was reviewed with the City of Warrenton by the Region. They were aware of the proposed striping plan and are in agreement with the EIS. After this review sidewalks will not be added.

LKW:jh
cc: Frank Terpin
Walt Hart
John Sheldrake
George Hopkins
Fred Yarbrough
Jack Sullivan
Chet Anderson
Eldon Everton
Tom Savage
Bill Piete
Paul Riedl, FHWA
Herb Schell, FHWA

8651

105

CITY OF WARRENTON

WARRENTON, OREGON 97146
P. O. BOX 250 • PHONE 861-2233

September 20, 1977

Walter J. Hart
Structural Design Engr.
Oregon State Highway Divsion
Highway Building
Salem, Oregon 97310

re: Skipanon River Bridge
Warrenton-Astoria Highway
Bridge 11226A

This letter is in reference to your letter dated August 30, 1977. My comments relating to the pump station relocation, the temporary water service and the temporary and permanent illumination are listed below.

PUMP STATION RELOCATION:
The best method of relocation would be to install a complete new pump station at the new location before disturbing the present station. This would include all new gravity and pressure sewer lines, electrical power and water service. This could be done by starting at the first man hole adjacent to the present pump station, lay a new gravity sewer with an additional man hole and go around the present station site to the proposed site. Install the complete new station with pressure line to existing pressure line. Installation of a couple of valves would allow the old station to be removed with a minimum shut down time.

At the present time the station averages 6 hours per day of pumping time.

TEMPORARY WATER SERVICE:
The water service across the bridge would be discontinued until the new pipe is placed on the new bridge. The will be done by installation of a main line valve at N.E. Bay Ave. and a main line valve near item 17, sheet # 3 on east side of bridge.

TEMPORARY & PERMANENT ILLUMINATION:
The temporary illumination as shown is satisfactory. Changing the height of the luminaires to 35 feet and to three of them instead of two also is satisfactory.

Before the final design is drawn, I believe that the State Highway Bridge Staff and the City of Warrenton Staff should have a meeting and discuss the proposed project in greater detail. If you have any questions, please contact me at 861-2233.

Sincerely,

CITY OF WARRENTON

Alvin J. Birkholz

Alvin J. Birkholz
Supt. Public Works

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R. W. ELLISON

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W. J. HART

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Form 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
September 14, 1977

FROM: Duane O. Christensen
Final Design Engineer

SUBJECT: Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County

TO: Mr. E. S. Hunter
Technical Services Engineer

The status of the subject project was reviewed Friday, September 9, 1977, with Rod Henry, Walt Hart, Jim Chidsey and Lyle Watson, with the following results:

1. Preliminary plans are complete and plans-in-hand review is scheduled for Tuesday, September 13, 1977.

2. Railroad encroachment information has been furnished to the railroad and it is anticipated that railroad agreements will be received by November 1, 1977.

3. Rod Henry indicated that they would start condemnation proceedings on two pieces of property immediately. He anticipates eight weeks, if no problems occur, to clear these properties to a point that we could proceed with a contract. He also feels they can clear the city owned parcel in the same time frame. This would leave two small parcels one at each end of the project which might not be cleared.

The above was discussed with Paul Reidl, F.H.W.A. Area Engineer, on Monday, September 12, 1977, and it was indicated to him that we may request to go to contract on the December 22, 1977, letting with a minor amount of the right-of-way not cleared. He indicated that a letter requesting this with back-up information as to a finding in the public interest should allow them to approve this deviation and go with a December letting.

With your approval we will proceed towards a December 22, 1977, letting, this based on everything falling together with no unsurmountable problems.

DOC:az

9-19-77
Ok proceed
& contract as
soon as possible
EH

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8.

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

16590
Serial 515
16 September 1977

CREST
ATTN: Mr. Jim Good,
Director
P. O. Box 175
Astoria, Oregon 97103

RE: Proposed Approved Fixed Bridge
at Skipanon River Mile 2.0

Gentlemen:

Your letter of 2 September 1977 concerning the motion passed by the CREST Council requesting the Coast Guard and the Port of Astoria to re-evaluate the testimony which favored an opening span bridge at Skipanon River Mile 2.0 has been received. Your request for re-evaluation is based on a proposal for a large private marina facility to be located upstream of the proposed approved fixed span bridge.

The permit for the fixed replacement bridge was granted based upon the reasonable needs of navigation. The permit requires construction of the approved bridge to be commenced by 26 October 1979, and to be completed by 26 October 1981. The approved structure will provide a horizontal clearance greater than the downstream railroad bridge, and vertical clearances of 24.8 feet at M.L.L.W. and 17.1 feet at M.H.W.

A copy of the Findings of Fact and the Supplemental Findings for the approved fixed bridge were previously furnished to you. Those Findings discuss not only the Skipanon Waterway, but other moorages in the immediate area and the facilities available. Those Findings state, "The provisions for moorage downstream of the proposed bridge for commercial and other high clearance vessels has been made and additional moorage has been proposed - - - The existing and prospective moorage downstream of the proposed bridge should accommodate those expected high clearance vessels". The Findings further state, "The area upstream of the proposed bridge is limited in size and depth and future usage is uncertain. It is unreasonable to provide a navigation opening with more vertical clearance than the proposed bridge because of the limitations the waterway itself imposes on navigation".

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E. S. HUNTER

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NOTED
F. B. KLABOE

RECEIVED
SEP 20 1977
BRIDGE SECTION

16 September 1977

Subj: Proposed Approved Fixed Bridge at Skipanon River Mile 2.0

You have requested re-evaluation of the testimony which favored an opening span bridge at Skipanon River Mile 2.0 because of a proposal to construct a marina facility upstream from the approved bridge. Conditions on the Skipanon have not changed since the fixed bridge permit was granted. It is still not reasonable to consider a different bridge to accommodate a facility in the confined area above the bridge when there are adequate facilities downstream to accommodate high clearance vessels.

In view of the foregoing review, the approved fixed bridge will provide reasonable access for navigation upstream of Skipanon River Mile 2.0. Should the State of Oregon consider building a bridge other than that presently approved, the Coast Guard will accept and process a new application.

Sincerely,

R. C. Walton

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Copy to:
COMDT (G-WBR/73)

8651

105

FORM E-20

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
September 16, 1977

To: J. H. Versteeg
Road Design Engineer

Attention: Lyle Watson

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County
Review of Settlement Estimate

The foundation data and settlement estimate computations at the subject section have been reviewed, and the estimate of 1-foot settlement is considered reliable. Reliable in that it is certain that the settlement will not be as much as two feet. This review was undertaken because of reports of large settlements in the project area under similar fills.

The settlement estimate has been made for a wall height of ten feet. If a camber profile is desired, it can easily be constructed by reducing the estimated maximum 1-foot settlement in proportion to the change in height of the wall.

There will be some lateral movement of the wall as it settles. How much will depend some on the rate of filling behind the wall. At most, it will be about half the magnitude of settlement.

The time required for settlement to be completed is likely to be quite rapid, but probably not less than three months. We are not able to calculate it reliably. For this reason, it will be helpful to monitor it from a bench mark or two on the fills, and to pass the information around. This helps us to predict time rate on other jobs.

F. W. Yarbrough
Soils Engineer

FWY:af

cc: Jack Allaway
Jack Davis
John Sheldrake
Chet Anderson
E. L. Everton

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Eriksen — Watson LW
Hager — Lau
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BY FINAL DESIGN ENGINEER

Find out what needs to be included to do monitor. DOC

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1/2 Christensen — DOC
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DOC Yarbrough wants field to take levels on fills recording dates taken & supply him with info to determine rate of settlement. No special monitor equipment required Lyle.

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FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon
September 14, 1977

FROM: Duane O. Christensen for
Final Design Engineer

TO: Mr. E. S. Hunter
Technical Services Engineer

SUBJECT: Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County

1 Vanteng ✓
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The status of the subject project was reviewed Friday, September 9, 1977, with Rod Henry, Walt Hart, Jim Chidsey and Lyle Watson, with the following results:

1. Preliminary plans are complete and plans-in-hand review is scheduled for Tuesday, September 13, 1977.

2. Railroad encroachment information has been furnished to the railroad and it is anticipated that railroad agreements will be received by November 1, 1977.

3. Rod Henry indicated that they would start condemnation proceedings on two pieces of property immediately. He anticipates eight weeks, if no problems occur, to clear these properties to a point that we could proceed with a contract. He also feels they can clear the city owned parcel in the same time frame. This would leave two small parcels one at each end of the project which might not be cleared.

The above was discussed with Paul Reidl, F.H.W.A. Area Engineer, on Monday, September 12, 1977, and it was indicated to him that we may request to go to contract on the December 22, 1977, letting with a minor amount of the right-of-way not cleared. He indicated that a letter requesting this with back-up information as to a finding in the public interest should allow them to approve this deviation and go with a December letting.

With your approval we will proceed towards a December 22, 1977, letting, this based on everything falling together with no unsurmountable problems.

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DOC:az

Ok proceed & contract as soon as possible
Ed

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FORM 81.734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

September 8, 1977

FILE:

FROM: Lyle K. Watson
Design Engineer Supervisor

SUBJECT: Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop Highway

TO: MEMO TO THE FILES

A plans-in-hand review, on the named section, will be held in Chet Anderson's office in Astoria on Tuesday, September 13th at 10:00 a.m. Departure time will ee at 7:00 a.m. from the highway motor pool.

Some items that need further review are:

1. Temporary erosion control

2. Requirements of topsoil, gravel blanket, etc., for permanent erosion control

3. Accesses Sta. 14+50± Rt. and Sta. 24+10 Lt. Right-of-way negotiations are not complete at this time.

4. Approval of illumination, pumping station, water line adjustment, etc. See letter Gilbert Gramson, August 20, 1977.

LKW:az
cc: John Sheldrake
George Hopkins
Paul Riedl, F.H.W.A.
Fred Yarbrough
Ted Thompson
Gordon Ballard
A. Brummitt

1 Versteeg ✓
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S. HUNTER

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Transportation official tells Gramson

Altered bridge plans would add $1 million

WARRENTON—A change in the kind of bridge to be constructed over the Skipanon River in Warrenton would add about $1 million to the cost and delay construction about two years, an official of the Oregon Dept. of Transportation (DOT) says.

In a letter to Warrenton City Manager Gil Gramson, E.S. Hunter also says an opening-span bridge would cost between $25,000 and $75,000 more a year in operation and maintenance costs than a fixed-span bridge.

DOT has decided to construct a fixed-span bridge over the Skipanon on Harbor Street and has scheduled March 1978 for letting of the contract.

Hunter's letter says the DOT sees no reason to reconsider the fixed-span decision and it also appears unlikely the City of Warrenton support for the fixed span will waver.

That decision has met opposition from upriver interests who want to construct a marina with between 600 and 800 berths.

The opening-span bridge would allow larger ocean-going vessels upstream and lead to increased marine-related development. Backers of the opening-span bridge succeeded recently in getting the Warrenton Chamber of Commerce Board of Directors to change its position and favor the opening bridge.

The city commission which has long favored a fixed-span bridge, has been asked by Dave Palmberg to reconsider its position.

But Wednesday the commission referred the matter to the planning commission, which previously went on record favoring a fixed-span bridge.

Hunter, a technical services engineer for DOT, says a change in bridge design would require a new Coast Guard permit application, hearing and re-evaluation of the final environmental impact statement (EIS).

Those changes plus possible right-of-way changes and redesign "would delay the project for approximately two years," Hunter says.

Hunter also notes that construction of an opening-span bridge would require a detour during construction while the present bridge could be used during construction of a fixed-span bridge.

The highway official also says an opening span bridge would take between five and seven minutes to open and close.

He closes his letter by saying, "We feel the best solution has been arrived at for the Skipanon Bridge replacement and see no reason to reconsider the moveable bridge alternate."

Hunter's letter was in response to a letter Gramson sent last month asking for additional information about the bridge alternatives.

But based on comments made by the city commissioners Wednesday, it doesn't appear the city will change its position on the controversy.

In fact, the commission took a few jabs at supporters of the opening-span bridge.

"Some people are still trying to stir this thing up," said Commissioner Della Wilson.

Mayor Les Newton and Commissioner Rod Gramson said county commissioners, particularly Commissioner Don Corkill, are pushing for an opening span bridge.

"I don't understand the county commissioners," Newton said.

"They've never even asked us why we've taken the position we did. They don't even live in this community and all they do is run around shooting their mouths off."

Gramson said Hunter's letter would be passed on to the planning commission. He predicted the planning body and city commission would continue to favor a fixed span over an opening span bridge.

9-9-77
Hunter to Ellis re: 2
cc: 2

8651

DAILY JOURNAL OF COMMERCE, PORTLAND, ORE. TUESDAY, SEPTEMBER 6, 1977

NOTED
E. S. HUNTER

Fixed span bridge job could scuttle marine plan

WARRENTON — The Columbia River Estuary Study Task-force Council (CREST) has asked the U.S. Coast Guard to re-evaluate testimony in favor of an opening-span bridge over the Skipanon River in Warrenton.

CREST's action added to growing support for the idea that the Coast Guard and Oregon Highway Division need to take another look at their plans for a high fixed span to replace the present low drawbridge.

Warrenton resident, Dave Plamberg, said the proposed fixed span would limit navigation of the Skipanon River and scuttle plans for a 1,000-boat marina upstream from the bridge.

Palmberg is one of a group of Warrenton developers who plan to build the marina to serve boats on the river.

A survey of marina facilities in the Lower Columbia River area, furnished by CREST, supported the request to re-evaluate the fixed span.

The study concluded that there is an undersupply of marina berths in the area, but it didn't reach a conclusion on the economic feasibility of the upstream Skipanon marina proposal with a fixed span.

The report added the Lower Columbia River's 11 marinas provide 2,700 berths, including 888 for commercial fishing boats, 407 for charter boats, 1,-323 for recreational boats and 27 for sailboats.

The figures don't include Coast Guard, houseboat, or non-public moorages.

The marina study's conclusions agree with Palmberg's assertion that a fixed span with the clearance now proposed would limit large or high-masted boat traffic up the skipanon and restrict any marina there to small boats.

But the report also concludes that an upstream marina would add to Skipanon boat traffic congestion and possibly reduce the water quality. It also would require a sewer line extension, the staff report says.

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R. W. ELLISON
W. J. HART

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ROBERT W. STRAUB
GOVERNOR

Oregon State Highway Division

HIGHWAY BUILDING, SALEM, OREGON 97310

August 30, 1977

Mr. Gilbert G. Gramson
Auditor and Police Judge
City of Warrenton
P. O. Box 250
Warrenton, OR 97146

Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County
Bridge 11226A

Enclosed for your review and comments are two copies of the drawings for the subject project. Specifically, we would appreciate comments relating to the pump station relocation, the temporary water service, and the temporary and permanent illumination as soon as possible in order to complete our final drawings.

Pacific Power and Light Co. representatives have indicated that 35-foot mounting height for the permanent lighting is the maximum height the luminaires can be mounted on their poles. We will lower the height of the luminaires on the poles on the bridge to 35 feet to be compatible. This reduction from the proposed 50-foot mounting height will increase the number of poles required on the bridge to three.

Please return one set of plans with your comments.

Walter J. Hart
Structural Design Engineer

Enclosure

cc John Sheldrake
Eldon Everton
L. Watson

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A DIVISION OF THE DEPARTMENT OF TRANSPORTATION

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ROBERT W. STRAUB
GOVERNOR

Department of Transportation

STATE HIGHWAY BUILDING, SALEM, OREGON 97310

August 30, 1977

TO: J. W. Shieldrake
Region 1 Engineer

SUBJECT: Signing
Skipanon River (Warrenton) Bridge Section
Warrenton-Astoria Highway
Clatsop County

Attached are five copies of our sign study plans showing proposed sign installations on the above-named section.

Please review these plans in the usual manner and advise us of your comments and recommendations. Also will you please submit two copies to the City for their review. The City should note any any suggestions for changes on one set of the plans, sign the plans in the space provided and return them to you for eventual return to this office.

May we have your reply by September 12 to enable completion of the plans for contract.

ORIGINAL SIGNED BY L. E. GEORGE

L. E. George
Traffic Engineer

ELS:ds
Attachments

cc: ~~D. O. Christensen w/attachment~~
F. T. Lacey w/attachment

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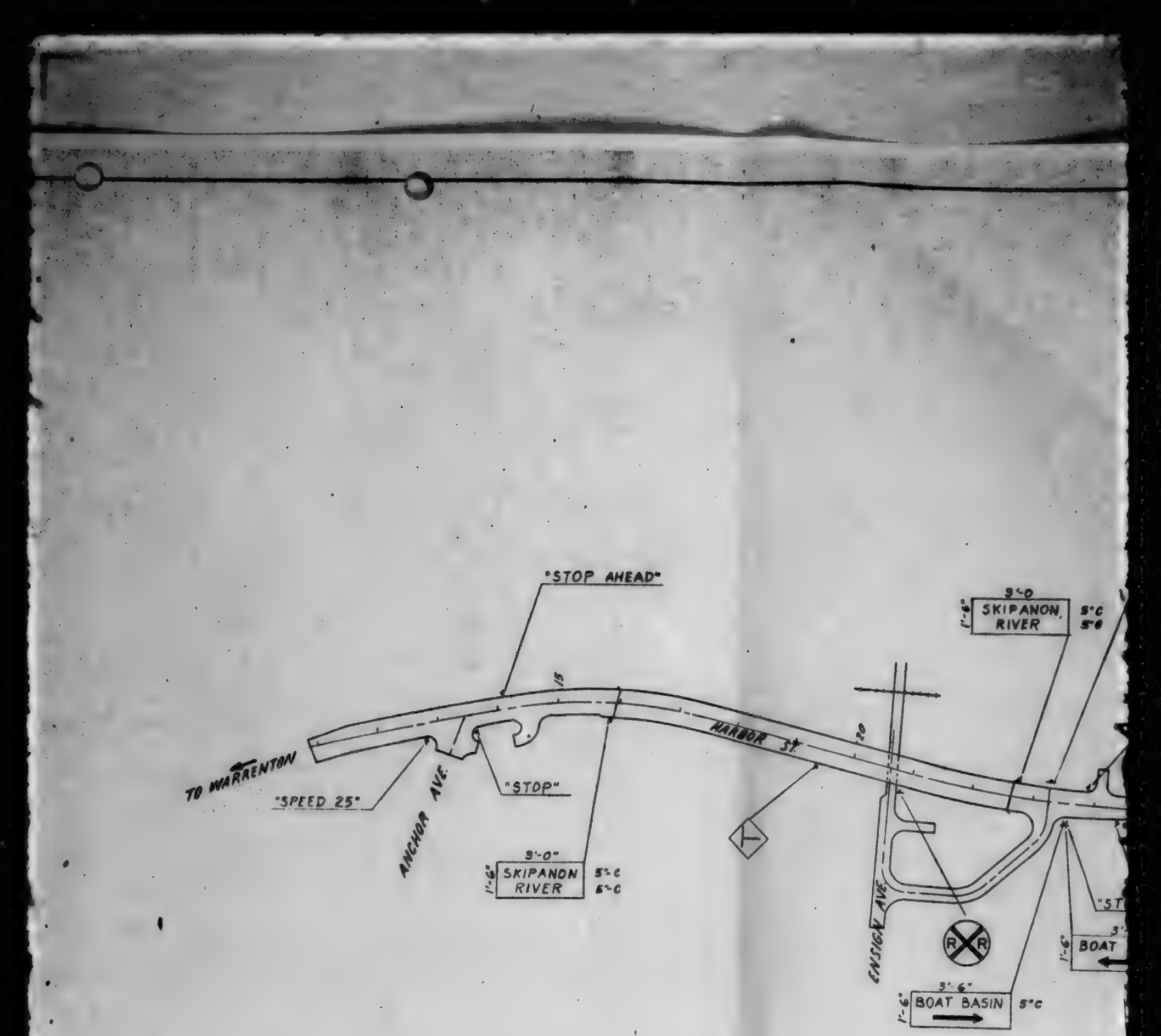
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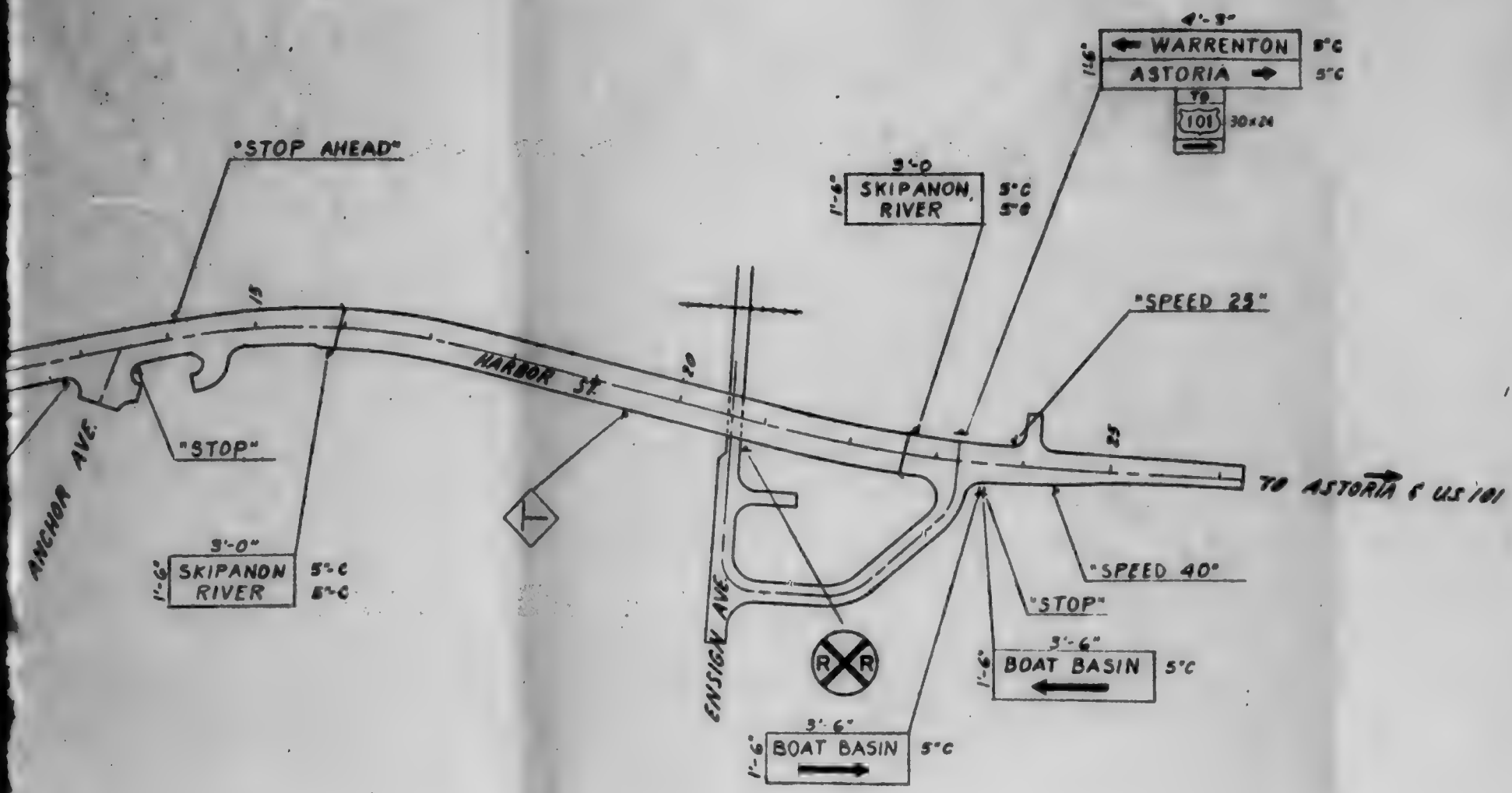

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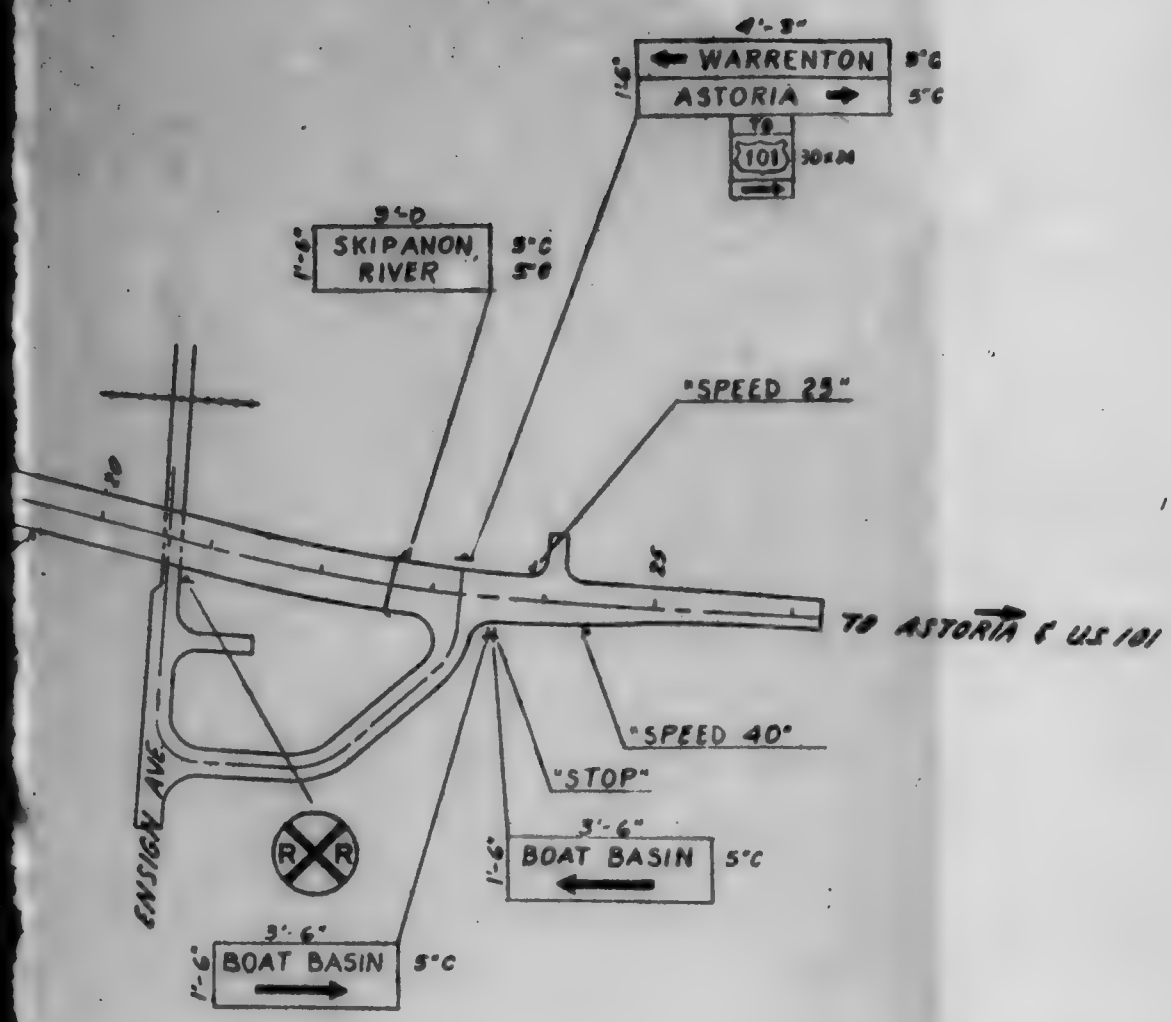

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SIGNING PROJECT

SKIPANON RIVER (WARRENTON) BRIDGE SEC.
WARRENTON - ASTORIA HIGHWAY
CLATSOP COUNTY

Action		
Submitted	8-19-77	R.D. Arnold
Approved	8-23-77	J. J. Leary

CITY APPROVAL

/ /

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NOTED
E. S. HUNTER

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Stops short of endorsing drawbridge

CREST asks new look at opening span

By JOHN THOMPSON
Of The Daily Astorian

ILWACO, Wash.—The Columbia River Estuary Study Task-force (CREST) Council Wednesday asked the U.S. Coast Guard to re-evaluate testimony in favor of an opening-span bridge over the Skipanon River in Warrenton.

CREST's action, made at the urging of Warrentonian Dave Palmberg, stopped short of endorsing a drawbridge.

But it did add to growing support for the idea that the Coast Guard and Oregon Highway Division need to take another look at their plans for a high fixed span to replace the present low drawbridge.

Palmberg said the proposed fixed span would limit navigation of the Skipanon River and scuttle plans for a 1,000-boat marina upstream from the bridge.

Palmberg is one of a group of Warrenton developers who plans to build the marina to serve all styles of boats.

He said the predicted two to five-year delay re-evaluation of plans, would cause is small compared to the 50 years the community would have to live with the bridge.

Evidence surfaced at the meeting that sentiment is shifting on the bridge issue.

Clatsop County Commissioner Don Corkill said county commissioners now are firmly behind the opening-span proposal.

The Warrenton Chamber of Commerce also has come out in support of the marina development and recommended reconsideration of the bridge design.

Palmberg said the Port of Astoria and City of Warrenton are taking second looks at their support for the fixed span.

Warrenton City Commissioner Rod Gramson said the city is reconsidering on the basis of the marina proposal, the first firm plans seen for upstream development.

The city commission in the past has supported the high fixed span.

"The door isn't closed," Gramson said but he added that the commission remains firmly against a low opening span.

Many questions remain about the feasibility of a high opening span, Gramson said. They deal with the bridge approaches, traffic congestion and costs of construction.

CREST staff Director Jim Good said the community would have to apply political pressure to keep the bridge reconstruction project active in the Highway Division if the re-evaluation were sought.

However, Palmberg noted that the Coast Guard has ordered the bridge replaced and speculated that the Highway Division would have to move ahead no matter what final plan is developed.

A survey of marina facilities in the Lower Columbia River area, done by CREST intern Michael Frazier supported the request to re-evaluate the fixed span.

The study concluded that there is an undersupply of marina berths in the area, but it didn't reach a conclusion on the economic feasibility of the upstream Skipanon marina proposal with a fixed span.

Frazier said the Lower Columbia River's 11 marinas provide 2,709 berths, including 898 for commercial fishing boats, 407 for charter boats, 1,323 for recreational boats and 27 for sailboats.

The figures don't include Coast Guard, houseboat, or non-public moorages.

The marina study's conclusions agree with Palmberg's assertion that a fixed span with the clearance now proposed would limit large or high-masted boat traffic up the skipanon and restrict any marina there to small boats.

But it also concludes that an upstream marina would add to Skipanon boat traffic congestion and possibly reduce the water quality. It also would require a sewer line extension, the staff report says.

Good said the CREST regional estuary planning policies advise against construction of bridges that would limit navigation.

In other CREST Council business Wednesday:

— Good recommended that local governments decide within two months whether to adopt the CREST regional estuary planning policy guidelines. A sample resolution adopting the policies, developed by the City of Astoria, has been distributed to CREST member governments.

— The staff presented a new CREST publication, "Agency Roles and Responsibilities," explaining various state, federal and local agencies dealing with estuarine issues.

— Good reported that the estuary planning process is falling behind schedule and warned that CREST may have to seek an extension of its life and funding beyond the ending date of June 30, 1978.

He said it will be more clear by January whether such an extension is needed.

A revised schedule for the planning process was presented. It combines some of the management units so that the estuary will be planned in five units instead of seven.

— Good reported on the progress of planning the first unit, the Youngs Bay-Astoria area, which was supposed to be finished Aug. 1 but now probably won't be done until at least November. The Youngs Bay-Astoria Planning Committee has been holding weekly meetings for several months.

— Planning of the Baker Bay unit has been started, Good reported. Planning committee members are holding informational meetings at this time.

— Council members decided to shift the John Day area from the Youngs Bay-Astoria management unit to the East County unit, at the request of the county's Knappa-Svensen area Citizens Advisory Council (CAC). However, the council declined the CAC's request to shift the Tongue Point area as well.

Copy sent to
D.B. Christensen, U.S.C.G.
8-30-77 dh

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THE DAILY ASTORIAN, Astoria, Oregon, Thursday, August 25, 1977 Page 13

Chamber alters Skip bridge stand

WARRENTON — The Warrenton Chamber of Commerce Board of Directors, reversing an earlier stand, endorsed Tuesday an opening-span bridge over the Skipanon River.

In a special meeting called to consider the controversial new bridge, the chamber board also endorsed construction of a marina upstream from the span.

The chamber previously supported a fixed span over the river and the U.S. Coast Guard has approved building such a structure.

An opening-span bridge would cost an estimated $500,000 more than the fixed-span bridge.

The vote on the bridge was asked by David Palmberg, who owns property above the bridge and wants to develop it as a marina.

Palmberg and other supporters of the opening span said there is a shortage of moorage spaces for charter boats, commercial fishing vessels and pleasure boats in Warrenton and the lower Columbia.

Proponents of the planned fixed span said the opening span would interfere with traffic, particularly log trucks serving the Dant & Russell sawmill.

Chamber directors voted 3 to 2 to support the opening span.

The directors earlier rejected 4 to 2 a motion to poll the chamber membership on the issue.

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August 19, 1977

Mr. Gilbert G. Gramson
Auditor and Police Judge
City of Warrenton
P. O. Box 250
Warrenton, OR 97146

Dear Sir:

The Skipanon River Bridge on Harbor Street, which has been the subject of much deliberation, is presently scheduled for contracting for March, 1978. The acquisition of right-of-way is the control on proceeding with this project. A set of the preliminary plans, which are essentially complete, are included for your information.

To the questions raised by Mr. Palmberg's request to reopen the moveable span issue, we have the following comments:

1. The grade line would be essentially the same with either the fixed or moveable span alternate. There would be 20 to 22 feet of clearance above mean lower low water in the closed position with a moveable span. The fixed span provides approximately 25 feet of clearance. The existing street access would be the same under either plan.

2. A moveable span would add approximately $1 million to the initial project cost. There would be additional annual operating and maintenance costs of $25 to $75 thousand/year. These costs would vary with the operating schedule. That schedule would be established by the Coast Guard after a public hearing. The construction of a moveable span would disrupt traffic for a considerably longer period. A separate detour structure would be required as opposed to the presently planned stage construction, using the existing bridge. The utilities which would be carried on the fixed bridge would have to be buried under the channel with a moveable span.

3. A five- to seven-minute opening and closing schedule is probably realistic.

4. The City is aware of the public hearings, both State and Federal, and the considerable study and documentation that have gone into this project. The Environmental Impact Statement and Corridor Design Study Report document the pros and cons of the two alternates and the reason for selecting the fixed span alternate. Copies of these documents are included for your information.

Based on public input, the EIS, local zoning and land use planning, and the economics of the project, it was determined that the fixed span alternate was the best solution when considering the over-all public good. A Coast Guard permit was issued for this alternate on October 26, 1976. The change to a moveable span at this time would require re-evaluation of the final environmental impact statement. A new Coast Guard permit application and hearing would be required. These new applications, hearings, and EIS review, plus possible right-of-way changes and redesign of the project, would delay the project for approximately two years.

We feel the best solution has been arrived at for the Skipanon Bridge replacement and see no reason to reconsider the moveable bridge alternate.

Very truly yours,

E. S. Hunter
Technical Services Engineer

Enc.

bc F. B. Klaboe
Walt Hart
J. B. Boyd
J. H. Versteeg
Gary Potter
John Sheldrake
Eldon Everton

WJH:dh ja

Form 81.734.2030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

September 3, 1975

FROM: Victor D. Wolfe
Location Engineer

TO: E. S. Hunter
Deputy State Highway Engineer

SUBJECT: Location Study Report
Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County

Enclosures (4 copies each):

1. Transcript of public hearing
2. Hearing map
3. Plans and profiles
4. Traffic Study
5. Right of Way Liaison Report

We have reviewed the transcript of the Corridor-Design Public Hearing for the subject project, which was held June 5, 1975 at 8:00 p.m. in the High School Library at Warrenton, Oregon.

Previous meetings with the Warrenton City officials and with the public essentially eliminated alternate corridors; therefore, the hearing covered only the design alternatives on the existing corridor (East Harbor Street).

The design alternatives presented were (1) a double leaf bascule span and (2) a fixed span. The bascule span, in the closed position, would have 16 feet of vertical clearance above extreme low water and 44 feet of horizontal clearance. In the open position there would be 34 feet of horizontal clearance and the vertical clearance would be limited by overhead utilities. The fixed span would have 27 feet of vertical clearance above extreme low water (about 25 feet above mean lower low water) and 54 feet of horizontal clearance. Each design would have a 44-foot curbed street section with 12-foot travel lanes and 10-foot shoulders. The shoulder area would serve as a pedestrian/bicycle facility.

The preferences stated at the hearing (both oral and written) were as follows: 7 persons favored the fixed span as presented; 3 favored the bascule span as presented; 2 a lower fixed span; 1 a higher fixed span with 50 feet of vertical clearance above mean lower low water; and 5 a higher opening span (20 feet above mean lower low water when closed).

At the hearing, the City of Warranton requested that testimony be held open until the results of an advisory election that was held on June 10, 1975 could be submitted. Out of the 233 votes cast, 210 favored the existing bridge corridor (East Harbor Street), 11 the Second Street Corridor, and 8 a Ninth Street Corridor. The vote also revealed that 123

persons favored a high fixed span noted as 1G in the Environmental Impact Statement which specified a 27-foot clearance, 92 an opening span higher than the existing bridge, and 18 an opening span at the same elevation as the existing bridge. The preferences expressed at the hearing, combined with the election results, show that a majority favors a high fixed span.

Interdisciplinary Team No. 1 recommends that the fixed span with a 27-foot vertical clearance at extreme low water (±25 feet at mean lower low water) be submitted for design approval. The Coast Guard's order allowed us to propose an acceptable alternate to the original bridge plan, and we believe this design is such an alternate, which will adequately serve the needs of navigation as well as those of highway traffic.

This solution will be less expensive than a bascule span. A fixed span will cost $1.5 million to construct with only minimal operation and maintenance costs, while a bascule span would cost $2 million to construct and $25,000 to $75,000 annual operating costs, depending upon its opening schedule.

However, a fixed span will have greater social impact, since it would displace one family of three persons (replacement housing is readily available at a reasonable cost), while the bascule span would not. To offset this disadvantage, the fixed span would be less detrimental to the natural environment, since it would require only minimal work in the streambed and no detour route would be required. Effects on traffic, the local economy, land use and habitat would be minimal.

Finally, the City of Warrenton has promulgated a zoning ordinance that would severely restrict navigation upstream from the existing bridge even if access to this part of the river were improved. Boats could legally land at only three private properties in this area. All other parts of the river bank are blocked off by dikes constructed by the City, and landing on these structures is prohibited by a City ordinance. Therefore, even though the Highway Division is legally obligated to pursue this project for the benefit of navigation, the increase in boat traffic on the upper reach of the Skipanon River after completion of the work will be minimal, providing present City zoning and orginances are not revised.

For these reasons, the fixed span noted as 1G in the Environmental Impact Statement which specified a 27-foot clearance is recommended over the bascule span.

DB:mc

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FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem 97310

August 10, 1977

FILE:

FROM: J. B. Boyd
Right of Way Engineer

TO: Rod J. Henry
Chief Right of Way Agent

SUBJECT: Skipanon River (Warrenton)
Bridge Section
Warrenton - Astoria Highway
Clatsop County

E. S. HUNTER

The above subject Right of Way acquisition program was brought to my attention by E.S. Hunter yesterday. Some discussion had indicated that a 12-month period was necessary to acquire the right of way. This was our original programing request that we be allowed 12 months to acquire the right of way but unfortunately delays occurred back in the project development. We were authorized to proceed with this project in April. We have had the properties all appraised and are in the process of negotiation including one file from the Burlington Northern Railroad. From my review of the problem, I believe we are on track but we want to consider this an important project and make all efforts necessary to complete the project negotiations by February 28 or sooner if possible. The project may be let to bid the minute it is clear on the Right of Way program.

I have also indicated to Mr. Jim Dixon that it was apparent to me that the alternative of purchasing the one file requiring relocation in its entirety is a solution to an access problem. This solution can be offered to the owner avoiding a bad access grade. It was explained to all parties involved that it would be difficult to justify this for condemnation but we should use our good offices to settle the issues short of that action.

JBB:jc;ha

cc: E. S. Hunter
Jim Dixon
John Sheldrake
Hal Versteeg

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Salem, Oregon
August 9, 1977

ORIGINAL SIGNED BY
J. H. VERSTEEG

J. H. Versteeg
Head of Engineering

Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County

Robert E. Royer
Region 2 Construction Engineer

We have reviewed the access to the Hendricksen property (File No. 49527) and after consulting with Right-of-Way find the following:

Cost of entire taking	$34,000
Damages with two accesses	$24,000
Damages with one access	$26,000±

Based on the above, the 15%± approach grade of the access off the Warrenton-Astoria Highway and its location on the vertical curve we recommend a complete taking. This has beendiscussed with Mr. Boyd and he has so directed his right-of-way people.

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DOC:az
cc: L. K. Watson
Perry Crosley

NOTED
D. O. Christensen

FORM #1-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

August 2, 1977

FILE: 49527

FROM: Robert E. Royer
REGION II CONSTRUCTION ENGINEER

TO: Hal Versteeg
ROAD DESIGN ENGINEER

SUBJECT: Skipanon Bridge Section
Warrenton-Astoria Highway
Clatsop County
F.A. Project No. RS-134 (1)

Attached is a letter from Perry Crosley concerning a ramp approach to a gas station on the Warrenton-Astoria Highway, Skipanon Bridge Section. Perry's recommendation is to eliminate the ramp approach. I would concur in his recommendation and would in fact consider purchasing the entire gas station.

Please let me know if I can provide any further information to you on this matter.

RER/lea
attach
cc: Perry Crosley
Gary Inloes

REFERRED TO

Beard	Reed
Cole	Sample
Eriksen	Watson
Heger	Wolfe

Return Discuss Do File Copy Due
BY FINAL DESIGN ENGINEER

1 Versteeg
2 Olson
3 Christensen
Scott
Swenson
Savage
Trout

RECEIVED
AUG 02 1977
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up
Other

FORM 81-784-8930

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

July 28, 1977

FILE:

FROM: Perry A. Crosley
Right-of-Way Agent

TO: Bob Royer
Region 2 Construction Engineer

SUBJECT: File No. 49527
Hendricksen
Skipanon Bridge Section
Warrenton-Astoria Highway
Clatsop County
F. A. Project No. RS-134(1)

A few days ago we discussed the matter of the ramp approach coming off the highway into this gas station and the fact that even with this approach entry into this station, is so awkward that the appraiser believes there is a large damage to the property. Because of the large amount of damages to be paid to the owner we believe that it may be just as well to eliminate the ramp approach.

Therefore, would you please request that the Design Section eliminate the approach off the highway and eliminate Parcel 3 (Permit of Entry to construct approach road). The approach off the side street (Parcel 4) should remain.

PAC:sch

8651

8

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS

NOTICE OF AUTHORIZATION

5 August 1977

A PERMIT TO realign approximately 600 linear feet of the Skipanon River.

AT Warrenton, Oregon

HAS BEEN ISSUED TO Oregon Dept. of Transportation **ON** 5 August 1977

ADDRESS OF PERMITTEE 212 State Highway Building
Salem, OR 97310

PERMIT NUMBER
002388 (Skipanon River-Fill)

A. J. HEINEMAN
for the District Engineer

ENG Form 4336
Jul 70

THIS NOTICE MUST BE CONSPICUOUSLY DISPLAYED AT THE SITE OF WORK.

Orig. permit, copy sticker: Gen Files ✓

Cpy permit & sticker: Keasey, Ellison, Versteeg
Terpin, Rulien, Region 2

Orig. sticker, copy permit: Cecil Head:
Please mail sticker to Resident
Engineer with signed copy of
contract when let.

Application No. 071-OYA-4-002388

Name of Applicant OREGON DEPARTMENT OF TRANSPORTATION

Effective Date 5 August 1977

Expiration Date (If applicable) 31 August 1980

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 22 October 1976 for a permit to:

( ) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

(X) Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

( ) Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

Oregon Department of Transportation ◄ (Here insert the full name and address of the permittee)
212 State Highway Building
Salem, OR 97310

is hereby authorized by the Secretary of the Army:

to realign approx. 600 linear feet of the Skipanon River. The work will require approx. 3,200 cy of excavation for the new channel change and this material, with an additional 500 cy for a total of 3,700 cy, will be used to fill the existing channel. There will be approx. 425 cy of loose riprap placed under the ends of the new Highway 101 bridge and approx. 200 cy of riprap on the outside of the new river curves. The above mentioned 500 cy of additional material will be obtained from an upland site. ◄ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in Skipanon River Mile 4.5 ◄ (Here to be named the ocean, river, harbor, or waterway concerned.)

at Warrenton, Oregon ◄ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks):

002388(Skipanon River-Fill)

subject to the following conditions:

1. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not [redacted] completed on or before 31 day of August, 19 80, (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

MAINTENANCE DREDGING: (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for _____ years from the date of issuance of this permit (ten years unless otherwise indicated); and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

II. Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

aa. All construction debris will be disposed of on land in such a manner that it cannot enter into the waterway.

bb. All piling and lumber treated with creosote or other protective material will be completely dry before use in or near the waterway.

cc. Care will be taken to prevent any petroleum products, chemicals or other deleterious materials from entering the water.

dd. Slope of the riprap, bank, or excavation, etc. will be no steeper than 2 foot horizontal to 1 foot vertical.

ee. Only clean, durable riprap will be used.

ff. All areas along the bank disturbed or newly created by the construction activity will be seeded, riprapped or given some other equivalent type of protection against subsequent erosion.

gg. Work in the waterway will be done so as to minimize turbidity increases in the water which tend to degrade water quality and damage aquatic life.

hh. If a bucket dredge of any type, including but not limited to grab or clamshell, dipper, dragline or backhaul bucket, is used, all digging passes of the bucket shall be completed without any material once in the bucket, being returned to the wetted area except as approved.

ii. Work performed under this permit is further subject to such enforcement actions as may be instituted by the State of Oregon or its agencies under the provisions of Division of State Lands Material Removal/Fill Permit No. 2537.

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

Frank E. Tespin — 8/3/77

PERMITTEE — DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

5 August 1977

DATE

HARVEY L. ARNOLD, JR.
Colonel, Corps of Engineers
DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

By A. T. HEINEMAN
Chief, Navigation Division

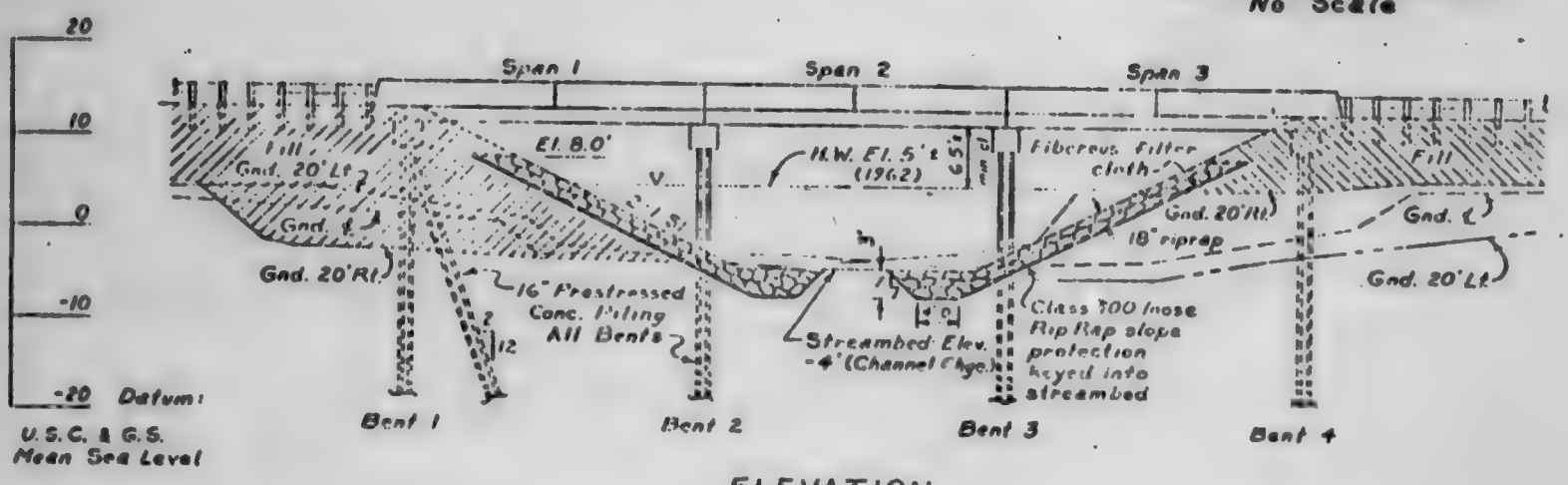
Transferee hereby agrees to comply with the terms and conditions of this permit.

TRANSFEREE — DATE

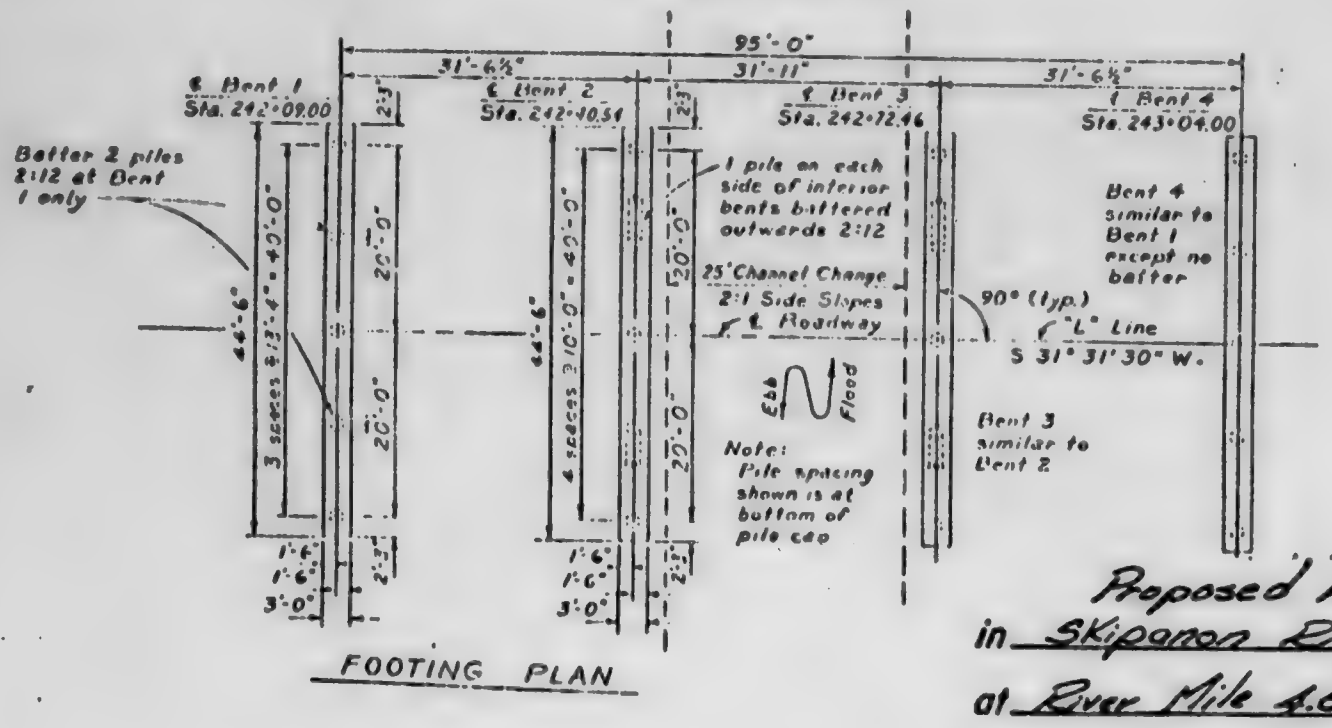
002388 (Skipanon River-Fill)

VICINITY MAP
No Scale

Bridge embankment slopes to be protected to Elev. +8.0'. Place 18" Class 100 riprap and 6" filter blanket of 6"-0" river-run or pit-run material extending 5 feet outside edge of deck line each side.



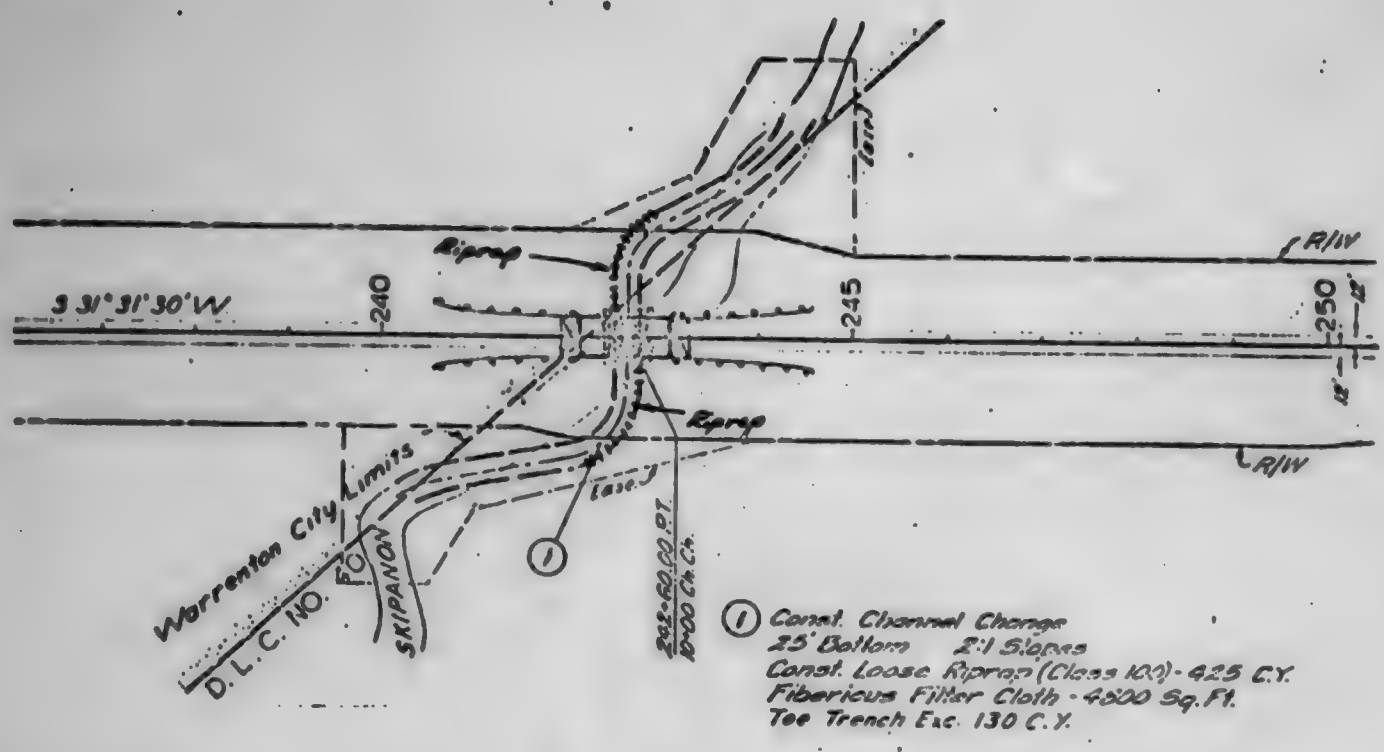
ELEVATION

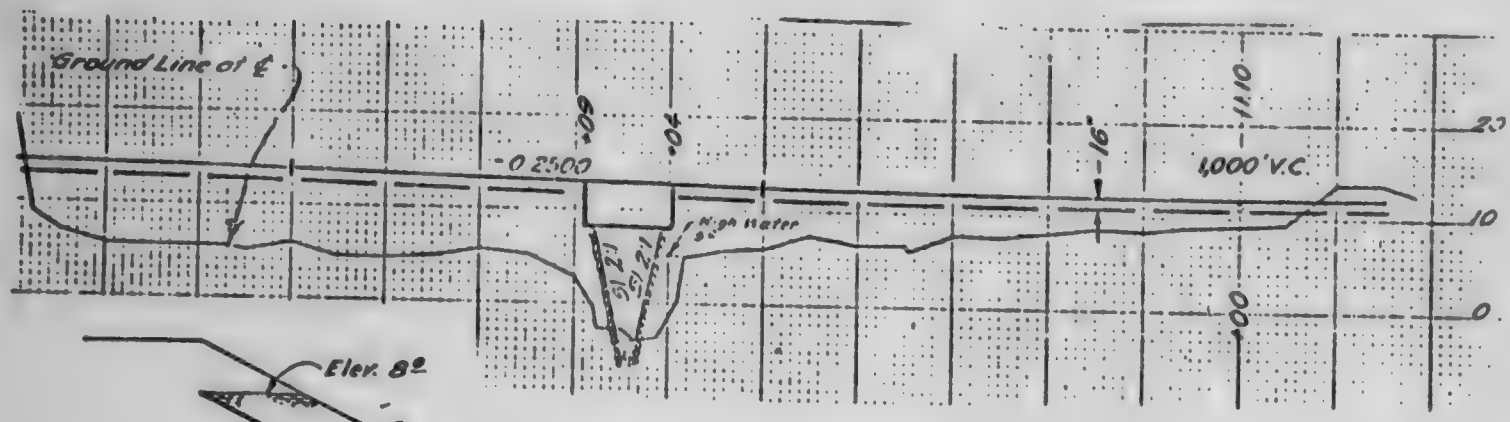


FOOTING PLAN

Proposed Work
in Skipanon River
at River Mile 4.6
County of Clatsop, State Ore.
Application by Ore. Dept. of Transportation
Date 22 October 1976

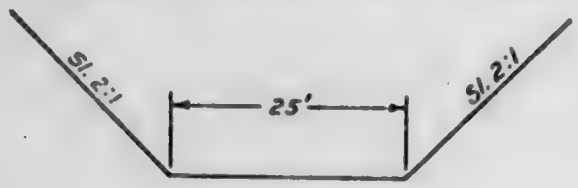
sheet 1 of 2





LOOSE RIPRAP AT BRIDGE ENDS

Sheet 2 of 2



SKIPPANON RIVER
CHANNEL CHANGE

Proposed Work
in Skipanon River
at River Mile 4.6
County of Clatsop, State Or.
Application by Ore. Dept. of Transportation
Date 22 October 1976

8651

Cross Referenced To:
INT 5-21
Clatus Co
Scott

7/25/77

These petitions are circulating in Warrenton-Aston's area according to Everton. They could result in trouble for our Skipanon Bridge project, which is not on the latest (7/8/77) contract schedule.

RECEIVED
STATE HWY ENGR
JUL 26 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

J W Stallcup

7-26-77
cys Klabo
Hunter
Hart
Terpin

July 6, 1977

To: City of Warrenton Commission
147 S. W. Main
Warrenton, Oregon 97146

Dear Commissioners,

A group of interested individuals are seriously contemplating a marine facility above the Harbor St. bridge in Warrenton, Oregon.

The contemplated facility would be a complete marine moorage and repair yard consisting of moorages, marine vessel haulout and launch, complete hull and mechanical repair facilities, and both covered and open dry boat storage. There would be adequate land reserved for parking and expansion.

The area proposed for this facility is in the old bend of the Skipanon River directly above the Harbor St. bridge. With eventual removal of the two islands in this bend there is moorage space available larger than the present City of Warrenton Mooring Basin. More potential moorage area is available by future removal of smaller islands upstream to the dam.

This proposal by necessity is predicated on the construction of an opening span bridge rather than a fixed span bridge at the Harbor St. location to have the market of the larger commercial and recreational vessels to make the venture economical.

An opening span bridge at this location as previously proposed would have a vertical clearance of sufficient heighth to allow the majority of vessels to travel under it without having to open the bridge. Regulations could provide that the bridge will not be opened during peak traffic hours and prior notice could be required for other openings so that a permanent bridge tender would not be required. Such openings that may such be required would be of only approximately 3 minutes duration.

In view of the navigational potential of the Skipanon River as expressed by members of the County Commission and others we are asking that the City of Warrenton Commissioners and the Port of Astoria Commissioners request that the U. S. Coast Guard revaluate testimony presented at its 7-28-76 hearing and that the existing permit to the Oregon State Highway Division be revoked in favor of a permit for an opening span bridge.

Respectfully,

Jack Hams

Allen Oakley

Elmer Salmi

David Palmberg

John Kalander

...ON 2 ENGINEER
...CEIVED
...1977
RTE ROE
ROC RFE

We, the undersigned voters of Warrenton and Hammond, Oregon, hereby petition the Port of Astoria and City of Warrenton Commissions to request that the U. S. Coast Guard revaluate testimony submitted at its July 28, 1976, Hearing concerning the Harbor Street bridge and revise its issued permit to the Oregon State Highway Division to provide for an opening span with a vertical clearance of 20 feet above mean lower low water, designed for opening and closing in not more than 3 minutes with provision to remain closed during peak traffic hours and require advance notice for opening to eliminate the necessity of a permanent tender.

Purpose of the opening span bridge is to permit commercial fishing and other vessels requiring vertical clearance in excess of 20 feet to proceed to proposed upstream moorage and shipyard facilities, thus reserving the area below the bridge for industrial expansion requiring deep draft navigation and permitting upstream development without a permanent fixed bridge restriction.

NAME	ADDRESS	CITY
Vernon J Wells	370 Marlen	Warrenton
Robert Sjoli	1015 Pacific	Hammond
Rosemary Sjoli	1015 Pacific	Hammond
Dale Kinney	959-5th Ave	Hammond Or
Michael L Murphy	Rt 1 Box 343	Warrenton Ore
Betty J Johnson	Rt 1 Box 104	Warrenton, OR

REGION 2 ENGINEER
RECEIVED
JUL 25 1977
RE RCE RME RTE ROE
DE ROC RFE

8651

105

CITY OF WARRENTON

WARRENTON, OREGON 97146
P. O. BOX 250 • PHONE 861-2233

21 July 1977

1 Versteeg ✓
2 Olson
3 Chris
Scott
4 Swenson
Savage
Trout

RECEIVED
JUL 25 1977
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep
Do not File
Return To
Bring Up ___/___/___
Other

Mr. Donald Keyes
Location Liaison Engineer
Oregon State Highway Divn.
Transportation Building
Salem - OREGON - 97310

Dear Mr. Keyes:

We have reviewed the temporary detour location of Harbor Street during the construction of the new Skipanon River bridge. The city of Warrenton acts as a diking district and, therefore, this will be for your records if approval from both the city and district is necessary.

The access road and temporary detour, as shown on the federal road division plan 10, sheet 3, is acceptable to the city. I will be calling you within the next few days to confirm several of the details regarding location of the pump station and the tide gate at the southeast corner of the bridge approach.

The city requirements, as part of the project, will be the same as outlined in the letter from the Portland office of the U. S. Corps of Engineers to the Highway Department on March 22, 1977.

It will be necessary to coordinate with me, the work involving these structures. If you have need for any further information, please do not hesitate to contact me.

Sincerely,

CITY OF WARRENTON

Alvin J. Birkholz
Public Works Supt.

REFERRED TO

Beard — Reed
Cole — Sample
Eriksen — ✓ Watson
Heger — Wolfe
Return Discuss Do File Copy

AB:jb BY FINAL DESIGN

Note:
This does not constitute an ok from diking district. Corps has not seen plans. Keyes called them 7-26-77.
A.W.

RECEIVED
JUL 22 1977
LOCATION SECTION

8651

105

Salem, Oregon
July 14, 1977

ORIGNAL SIGNED
DUANE O. CHRISTENSEN
Duane O. Christensen
Final Design Engineer

E. L. Everton
District Engineer

Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County

Three sets of prints are enclosed with the Joy Charters building shown in red. These are per your request through the Bridge Department. As you will note, the detour will be approximately ten feet away from the building.

Verstoeg ✓
Olson
Peterson
Scott
Swenson
Savage
Trout

RECEIVED
JUL 14 1977
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To
Bring Up
Other

LKW:az
cc: John Sheldrake

-8651

8

GENERAL FILES

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

RECEIVED
STATE HWY ENGR
MAY 23 '77
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

16591
Serial 280
18 May 1977

Board of County Commissioners
for Clatsop County, Oregon
Attention: Mr. Albert W. Palmer
Chairman
Courthouse
Astoria, Oregon 97103

NOTED
E. S. HUNTER
CC Hart
Terpin
5-23-77

Re: Proposed Skipanon River Bridge
at Mile 4.4

Dear Chairman Palmer:

Your letter of 9 May 1977 recommending the vertical clearance of the referenced bridge be increased by three feet over the Oregon State Highway Division proposal has been received.

Permits are granted for those bridges which provide for the reasonable needs of navigation. However, in cases where a structure is not objectionable from the standpoint of navigation but when State or local authorities decline to give their consent to the work, it is not usual for the Coast Guard to issue a permit.

In this instance Clatsop County is objecting to the proposed bridge because "it could be restrictive to any possible future development of the area". This is considered an objection from the standpoint of navigation, therefore, the complete record has been reviewed to try to determine whether the proposed bridge will provide for the reasonable needs of navigation.

There are presently three water control structures on the Skipanon River including the main flood gate at 8th Street in Warrenton, the middle control structure between 8th Street and Cullaby Lake and the Cullaby Lake structure. The 8th Street structure controls the water level above it at 3.5 feet above MSL, and the middle structure controls the water level above it at 7.25 feet above MSL during the summer months. The Cullaby Lake structure controls Cullaby Lake at 1.5 feet or more above the middle structure during summer months and also maintains the lake level year around. The purpose of these structures is to provide flood control and irrigation, and testimony at the Public Hearing indicated these functions are more than satisfactory as well as the project being responsible for increased cranberry production and the addition of the school fish farm.

Subj: Proposed Skipanon River Bridge at Mile 4.4

In addition to the water control structures there are three bridges across the Skipanon above the 8th Street flood control gate. The bridge at Mile 4.0 was constructed as a single-leaf bascule type which is permitted by regulation to remain in the closed position. The other two bridges are fixed. All three bridges provide less vertical clearance than would be provided by the proposed bridge.

For the Skipanon River to be developed for navigation, other than presently provided from the control structure at 8th Street and upstream therefrom, the three water control structures would require removal, the three bridges would probably have to be raised to provide more vertical clearance, locks would have to be installed to maintain the level of Cullaby Lake and the channel would have to be dredged. There does not seem a reasonable possibility that anyone would finance or undertake such a project, especially in light of the existing flood control project and the benefits it provides.

On the drawings published with Public Notice No. 77-N-01, which describes the proposed bridge, a vertical clearance of 6.5 feet is shown from H.W. Elevation 5.0 feet. This water surface was misinterpreted as 5.0 feet above MSL and was incorrectly shown on the drawings. The water surface at the proposed bridge site, under controlled conditions, is actually 3.5 feet above MSL. Therefore, the controlled water surface gives a vertical clearance of 8.2 feet at the proposed bridge which is more than the other three existing bridges provide.

Oregon State Highway Division has advised that raising the proposed bridge three feet at the same location and on the same alignment would cost approximately an additional $42,000.00.

The proposed bridge would provide 1.7 feet more vertical clearance than was shown on the drawings of Public Notice No. 77-N-01. You are requested to advise if this additional 1.7 feet of vertical clearance is acceptable for navigation rather than the 3.0 feet you recommended.

Your cooperation is appreciated.

Sincerely,

R. C. Walton

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Copy to:
OSHD
CREST

8651

8

DATE: May 17, 1977

TO: Oregon Transportation Commission

FROM:
E. S. Coulter
State Highway Engineer

SUBJECT: Survey Approval

The survey has been completed on the following project:

Skipanon River Bridge Section
Warrenton-Astoria Highway
Clatsop County

In order that the record be clear as to the official location of this facility, we request your approval of the attached survey approval map. The work has been accomplished consistent with the governing regulations.

This matter will be on the agenda for your consideration at the June 21 meeting.

Att.

DES:sch ia

bc R. A. Burco
C. W. Head
F. B. Klaboe
E. S. Hunter
R. L. Schroeder
Frank Terpin
J. B. Boyd
John Sheldrake
George Bell
Max Klotz

Read 425

Agenda Material

HIGHWAY CORRIDOR AND DESIGN RESOLUTION

WHEREAS, the Oregon Transportation Commission heretofore authorized and directed the Engineer to study and prepare a route location and highway design for the Skipanon River Bridge Section of the Warrenton-Astoria Highway in Clatsop County, and in connection therewith to prepare a map showing the location and design for said section and to file said map, reports and records with the Commission for consideration; and

WHEREAS, the Engineer has reported that he has completed his study and prepared a map showing the route location and highway design and has submitted the same for the final decision of the Commission; and

WHEREAS, under the direction of the Transportation Commission a public hearing was held in the city of Warrenton on June 5, 1975, to present the Engineer's route location and highway design and considerations bearing on the same, and to record the views of members of the public in connection therewith; and

WHEREAS, after due consideration of the aforesaid map, field notes and other engineering data submitted by the Engineer; the transcript of the testimony given at the public hearing; the views given by various governmental agencies, officials and advisory groups affected by the highway route location and highway design; and also of the social, economic and environmental effects of the route location and highway design proposed by the Engineer, it is the judgment of the Commission that the route location and highway design for said highway section designated as Skipanon River Bridge Section of the Warrenton-Astoria Highway in Clatsop County should be approved.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, three members thereof being present and voting affirmatively, as follows:

1. That the route location and highway design as shown on the Engineer's map of the Skipanon River Bridge Section of the Warrenton-Astoria Highway, beginning at Highway Engineer's Station 11+50 just east of Main Avenue and extending in an easterly direction to Highway Engineer's Station 26+25 on East Harbor Street just east of N.E. Galena Court which map for identification purposes bears Survey Design Approval Map File No. 1R-4-641 and the date of May 1977, field notes and other engineering data submitted by the Engineer hereby are approved and the Engineer hereby is directed to file and preserve the same in the records and files of the Commission in the Transportation Building, Salem, Oregon.

June 21, 1977

2. That when said highway section is permanantly constructed the same shall be done in accordance with said route location and highway design unless otherwise directed or ordered by the Commission.

3. That this approval and adoption of said route location and highway design constitutes and is determined as instructions to the Engineer to prepare and make available to the Right of Way Section all necessary descriptions and other required data of real properties needed for and in connection with the relocation, construction, reconstruction or improvement of said highway section. The approval and adoption shall also constitute authority for the Right of Way Section to proceed promptly with acquisition of the necessary rights of way pursuant to the route location and highway design approved hereby with no access control.

4. That this resolution be entered in the minutes and records of the Commission as of the 21st day of June, 1977, as "Highway Corridor and Design Resolution No. 425."

June 21, 1977

N

BEGINNING OF SURVEY
STA. 11+50

Relocated Highway

MAIN AVE.

S.E. ANCHOR AVE.

S.E. 1ST ST.

S.E. BAY AVE.

SKIPANON RIVER

Existing Highway

PUBLIC
THROUGH
ACCESS

APPRO

0.28 Mi.

T. 8 N., R. 10 W.W.M.

16 | 15
21 | 22

N

Relocated Highway

N.E. ENSIGN AVE.

N.E. GALENA CT.

END OF SURVEY
STA. 26+25

E. HARBOR S

RIVER

S.E. ANCHOR AVE.

S.E. 1ST ST.

S.E. BAY AVE.

SKIPANON

Existing Highway

S.E. ENSIGN AVE.

S.E. GALENA AVE.

PUBLIC HEARING	June 5, 1975
THROUGHWAY RESOLUTION ADOPTED	None Required
ACCESS CONTROL	None

APPROVED: 5-16, 1977

Ed Hunter

DEPUTY STATE HIGHWAY ENGINEER

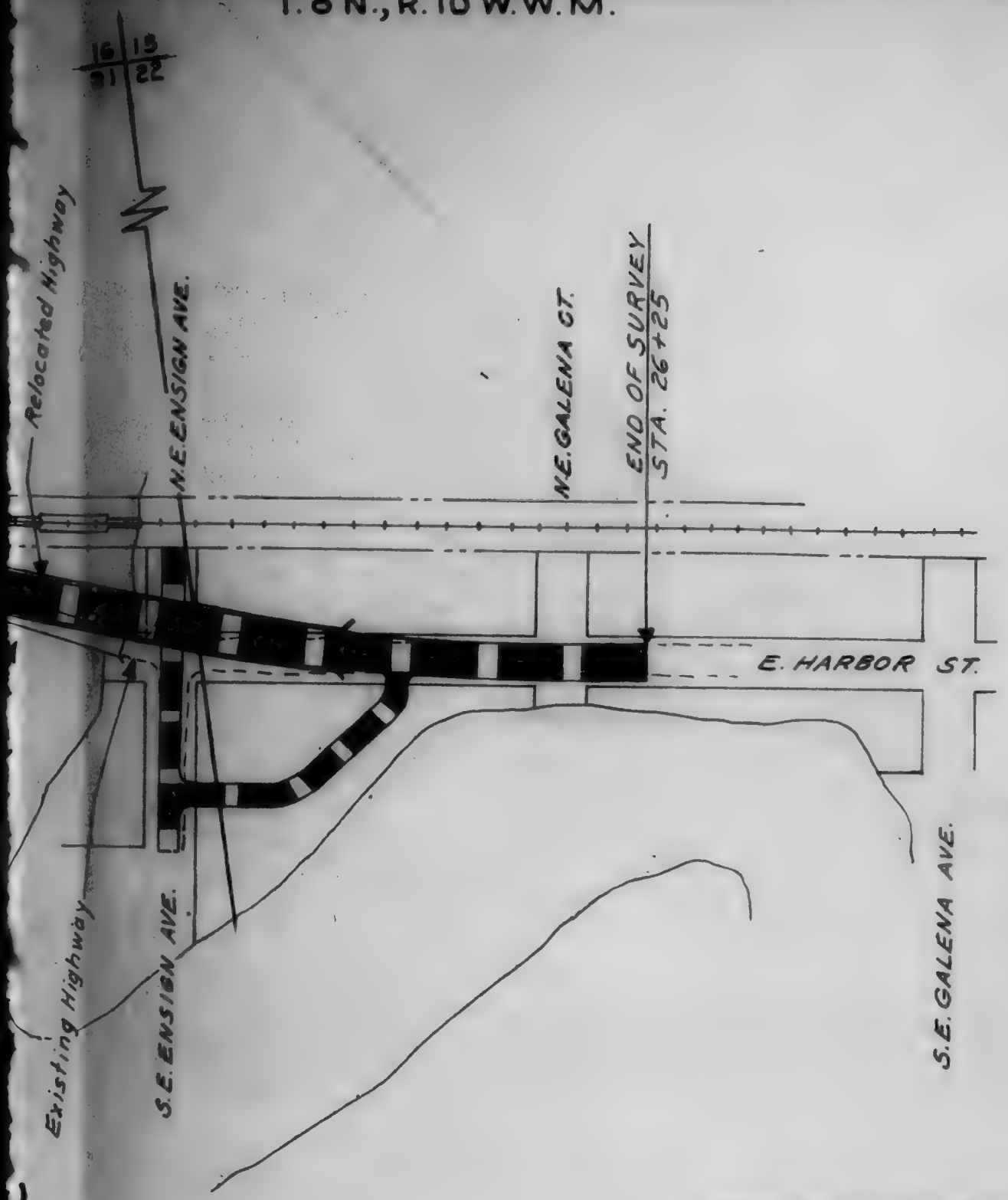
OREGON
SURV
SKIPANON
WARREN
CL

SCALE: 1" = 200'

FOR DETAILS SEE

1R-4-641

T. 8 N., R. 10 W.W.M.



PUBLIC HEARING ..... June 5, 1975

THROUGHWAY RESOLUTION ADOPTED ..... None Required

ACCESS CONTROL ..... None

APPROVED: 5-16, 1977

E. J. Hunter

DEPUTY STATE HIGHWAY ENGINEER

OREGON STATE HIGHWAY DIVISION

SURVEY APPROVAL MAP

SKIPANON RIVER BRIDGE SECT.

WARRENTON-ASTORIA HWY.

CLATSOP COUNTY

SCALE: 1" = 200'	DATE: May, 1977

FOR DETAILS SEE DRG. NO. 10C-50-2

8651

8

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

ROBERT W. STRAUB
GOVERNOR

Mr. A. B. Christensen
Chief of Bridge Section
13th Coast Guard District
Aids to Navigation Branch
915 Second Avenue
Seattle, WA 98174

May 9, 1977

NOTED
E. S. HUNTER

Proposed Bridge Across
Skipanon River
Mile Point 4.4 near
Warrenton, Oregon
Public Notice 77-N-01

The following information is in response to questions raised at the May 4 public hearing for the subject bridge.

The high water elevation 5 ft. ± (1962) shown on the application drawing, is the design elevation used by the Soil Conservation Service for construction of the water control structure downstream from the bridge site in 1962. The exact meaning of this elevation is not clear.

The elevation of mean lower low water (MLLW) at Warrenton is -3.6 ft. MSL. The elevation of mean high water (7.7 ft. tide level) is +4.1 ft. MSL. The elevation of the bottom of the bridge is approximately +11.7. Thus, the clearance from the bottom of the bridge to the water's surface at MHW is 7.6 ft.

As brought out at the hearing, the water level under the proposed bridge is held at elevation 3.5 MSL by the control structure downstream from the bridge. The clearance between the bottom of the bridge and this controlled water surface is 8.2 ft. This information should clarify the water elevation and clearance confusion.

Relative to raising the bridge three feet, I present the following information. Total additional cost would be approximately $42,000. This includes lengthening the structure 12 feet and placing additional fill

to provide reasonable grade line for the roadway. The additional height of fill required would cause increased settlement of the peat layers in the area of the roadway. Most of this settlement should occur during construction. The settlement occurring after construction would be corrected by state maintenance forces as it occurs. The inconvenience to the traveling public, the cost of maintenance work, and the length of time involved is not known. Raising the grade three feet would require no additional right of way.

If you need more information, please call me.

Walter J. Hart
Bridge Engineer

ORIGINAL SIGNED
R.W. ELLISON
R. W. Ellison
Bridge Administration Engineer

cc E. S. Hunter
G. L. Green
J. H. Versteeg
Gary Potter
John Sheldrake
E. L. Everton
T. G. Thompson

RECEIVED
STATE HWY ENGR
MAY 9'77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

8651 4-26-77

U.S. DEPARTMENT OF TRANSPORTATION — FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FED. AID PROJECT NO. RS-134(1)

STATE PROJECT NO. See below

COUNTY NAME Clatsop

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

FROM:
G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.

ITEM NO. 70202

TO:

Mr. H. S. Coulter
State Highway Engineer
State of Oregon
Salem, Oregon

RECEIVED
STATE HWY ENGR
MAY 9'77
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FOR
Info | Invest | R/D | D/R | Sign | Act | File

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	4-26-77	Secondary 134	Secondary 105

GENERAL LOCATION:
"Skipanon River (Warrenton) Bridge Section"

GENERAL DESCRIPTION OF WORK:
Right of Way

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☐ ACQUISITION OF RIGHT-OF-WAY
CONTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☒ OTHER (Specify) All phases of R/W acquisition including relocation assistance at a TEC not to exceed $100,000, F.F. $85,800.

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Rulien's 4-14-77 letter, I approve the relocation plan for the subject project and you are authorized to proceed with the actual acquisition of right of way. Federal participation is limited to that right of way actually incorporated in the final location.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
4-26-77	G. L. Green	For Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 8-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8651

April 6, 1977

Mr. Gilbert Gramson
City Manager, City of Warrenton
City Hall
Warrenton OR 97146

NOTED
E. S. HUNTER

Dear Mr. Gramson:

The State Highway Division is proposing to construct a new bridge across the Skipanon River in Warrenton. An access road and a temporary detour will encroach on the dikes that are under Warrenton Diking District's control and will require a permit from the District.

Enclosed are five copies of our plans and one roll of cross sections for the proposed work. The proposal was reviewed by Larry Anderson of the Dam and Flood Control Section of the Corps of Engineers. Enclosed is a letter dated March 22 in which the Corps of Engineers has requested some revisions in the plans that they reviewed and the requirements for the material placed against the dikes. These revisions are reflected in the enclosed plans and the material requirements will be included in the specifications.

Also enclosed is a letter dated February 4, 1975 from the Corps with an Information Circular that may be of use to you. The circular explains the requirements and procedures to follow for the required permit.

If additional information is needed, please contact Donald E. Keyes, Location Section, 212 Transportation Building, Salem 97310, telephone 378-6265.

Your early attention to this permit request would be appreciated.

Very truly yours,

Frank E. Terpin
Location Engineer

RECEIVED
STATE HWY ENGR
APR 7'77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

bc Boris Georgeff, USCE
E. S. Hunter
J. H. Versteeg
John Sheldrake
D. E. Keyes

Enc.

DEK:mc

RECEIVED 8650

APR 14 1977

105

FORM 81-714-30-10

OREGON STATE HIGHWAY DIVISION

FILE: 104-1915

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

March 30, 1977

GARELD INLOES
RESIDENT ENGINEER

FROM: Phillip O. Stearns
REGION II FEDERAL AID ENGINEER

SUBJECT: Illumination Provisions
Skipanon River Bridge

TO: Files

Vertrees
Olson
Scott
Swenson
Trout

RECEIVED
APR 20 1977
ROAD DESIGN SECTION

Requires Reply
Requires Approval
Receiver Keep
Do not File
Return To
Bring Up
Other

REGION 2 ENGINEER
RECEIVED
APR 1977
ULE GEO RSO ROC RTE

On March 15, 1977, I met with Gil Gramson, Warrenton City Manager, Al Birkholz, Warrenton P.W.D., and Gary Inloes, Resident Engineer, and discussed illumination for the Skipanon River Bridge project.

The city officials indicated no interest in temporary illumination during construction.. They felt this should be up to the Highway Division to provide, if required.

It was matually agreed permanent illumination should be provided on the new structure. There is existing illumination on power poles at each end of the structure. Mr. Gramson was advised the city may be required to participate in the cost of the permanent illumination. He requested an estimate of these costs to take to the city council.

4-15-77
Jerry, The existing City Lights will not remain at the ends of existing bridge. Gary

POS/lea/ms

3-30-77
Kyle Watson called to advise permanent illumination estimate for Skipanon R. Br is $20,000.

cc Kyle Watson Per 4-15-77 note
cc Al Inloes appears temp illumination should be planned. Discuss
4-14-77 cc
4-12-77 cc

cc Gary Inloes — This is following up w/ respect to permanent lights. We need to have temporary lights during construction. Will city lights remain

8651

105

CITY OF WARRENTON

WARRENTON, OREGON 97146
P. O. BOX 250 • PHONE 861-2233

29 March 1977

REGION 2 ENGINEER
RECEIVED
MAR 31 1977
RE AME RME RTE ROE
JV ULE GEO RSO ROC RPE

Mr. John W. Sheldrake
REgion II Engineer
Oregon State Highway Dept.
2960 State Street
Salem - OREGON - 97310

Dear Mr. Sheldrake:

This will confirm several discussions I had with representatives of the state highway department on the sewer and water line relocation which will result from the construction of the new Skipanon Bridge on Harbor Drive in Warrenton.

We would prefer the state take the responsibility for the required engineering on the sewer and water lines. We do ask that your representatives keep the city informed on the details so that we will have in-put into the final design.

If you have need for any further information, please do not hesitate to contact me.

Sincerely,

CITY OF WARRENTON

Gilbert Gramson

Gilbert G. Gramson
Auditor & Police Judge

GG:jb
cc: Eldon Everton
cc J.E. Chidsey
Gareld Inloes
Lyle Watson
Jack Allaway
Jim Valentine

REFERRED TO JV 4-1-77

Beard Reed
Cole Sample
Eriksen ✓ Watson
Hager Wolfe
Return Discuss Do File Copy Due
BY FINAL DESIGN ENGINEER

1 Versteeg ✓
Olson
2 Pinkerton
Scott
3 Swenson AHB
Savage
Trout

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Other

8651

105

Salem, Oregon
March 28, 1977

Lyle K. Watson
Design Engineering Supervisor

R. W. Ellison
Acting Bridge Design Engineer

Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County

A six-inch watermain, attached to the existing structure, will be in the way of the new construction. This main will require moving to a temporary location. The City of Scappoose has requested that the State do the engineering on all watermains and sewer line relocation. They do not have the personnel to do the required engineering.

The existing watermain is shown in blue and the proposed bent locations are shown in red on the enclosed plan sheet.

LKW:jh
Enclosure
cc: J. W. Sheldrake
Jim Chidsey
G. Inloes

8651

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

RECEIVED
STATE HWY ENGR
APR 1 '77
REFER TO
cy Bridge
FOR
Info | Inves | R/O | D/R | Sgn | Act | File

16591
Serial 150
28 March 1977

cy Tenpin
Shellsnake
Everton
4-1-77

NOTED
E. S. HUNTER

In reply refer to
Proposed bridge across
Skipanon River at Mile 4.4
near Warrenton, Oregon

PUBLIC NOTICE NO. 77-N-07

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Commandant has authorized a public hearing to be held by the Commander, Thirteenth Coast Guard District at Warrenton High School, Warrenton, Oregon at 7 p.m. in the evening, Wednesday, 4 May 1977. The purpose of the hearing is to consider the application from the State of Oregon Highway Division for a permit to construct a fixed, 2-lane highway bridge across the Skipanon River, Mile 4.4, near Warrenton, Oregon. The applicant proposes a new crossing of the river on a new alignment of the Oregon Coast Highway. The existing crossing at Mile 4.0 was reconstructed in 1929 as a single-leaf, hand-operated bascule bridge. This bridge, which provides navigation clearances of 34 feet horizontal and 4 feet vertical at M.H.W., is not required to open for navigation and will be retained for local access. The proposed new bridge will provide navigation clearances of 30 feet horizontal and 6.5 feet vertical at M.H.W. All interested persons may present data, views and comments orally or in writing at the public hearing concerning the impact of the proposed bridge on the environment and its effect on navigation. A Draft Environmental Impact Statement for the project prepared by the Federal Highway Administration was filed with the Council on Environmental Quality on 1 July 1976 as lead agency in compliance with the National Environmental Policy Act of 1969 (Public Law 91-190).

The hearing will be informal. A Coast Guard representative will preside at the hearing, make a brief opening statement describing the proposed bridge and announce the procedures to be followed at the hearing. Each person who wishes to make an oral statement should notify the Commander (oan), Thirteenth Coast Guard District, Federal Building, 915 Second Avenue, Seattle, Washington 98174 by 2 May 1977. Such notification should include the approximate time required to make the presentation. A transcript will be made of the hearing and may be purchased by the public. Interested persons who are unable to attend this hearing may also participate in the consideration of this bridge permit application by submitting their comments in writing on or before 27 May 1977 to the

P/N No. 77-N-07
Bridges - Notice of Public Hearing

Commander (oan), Thirteenth Coast Guard District. Each comment should state the reasons for any support or opposition, comments or proposed changes to the plans, and the name and address of the persons or organization submitting the comment.

Copies of all written communications will be available for examination by interested persons at the office of the Commander (oan), Thirteenth Coast Guard District. All comments received will be considered before final action is taken on the proposed bridge permit application. After the time set for the submission of comments, the Commander, Thirteenth Coast Guard District will forward the record, including all written comments and his recommendations to the Commandant, U. S. Coast Guard, Washington, D.C. 20590. The Commandant will make the final determination of the bridge permit.

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

8651

105

Salem, Oregon
March 17, 1977

J. E. Verstoeg
Road Design Engineer

J. B. Boyd
Right of Way Engineer
BUILDING

Skipanon River Bridge Section
Warrenton-Astoria Highway
Clatsop County

Attached are 9 Files (18 Parcels) and an authorization covering R/W for the subject project, which is presently scheduled for the fourth quarter of 1977.

Also attached is File 48118 (State Land Board) with a new description to cover the river crossing of the present project. The old described area is to be conveyed back to the Land Board after the project is completed.

R/W prints will be delivered to your office today.

BY:
Floyd O. Scott

FOS:mg

Attach.

8651

8

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

ROBERT W. STRAUB
GOVERNOR

March 2, 1977

NOTED
E. S. HUNTER

Commander R. W. Walton
U. S. Coast Guard
13th Coast Guard District
Aids to Navigation Branch
Federal Building
Seattle, WA 98174

Skipanon River Bridge
River Mile 4.4
Bridge 11226A
Permit Application

Your letter of February 23, 1977 requested information about the distribution of the Draft EIS for the subject project.

I have verified that the statement was distributed in accord with the listing contained therein. In addition, the Daily Astorian, the Columbian Press (Astoria), and the Seaside Signal carried advertisements in the classified section that the Draft EIS was available at the State Highway District Engineer's office in Astoria, the Resident Engineer's office in Astoria, the Regional Engineer's office in Salem, and the Environmental Section's office in Salem. I was informed that 50 copies of the Draft EIS were distributed at the public hearing held at Warrenton High School on August 12, 1976.

I believe the Draft EIS was well-advertised and received wide circulation.

If you have more questions, please do not hesitate to call or write me.

ORIGINAL SIGNED
R.W. ELLISON

R. W. Ellison
Acting Bridge Engineer

cc E. S. Hunter /w/ encl. (CG letter)
Gary Potter /w/ encl.
John Sheldrake /w/ encl.
Eldon Everton /w/ encl.

RECEIVED
STATE HWY ENGR
MAR 2 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

16591
Serial 110
23 February 1977

Oregon State Highway Division
Attention: Mr. R. W. Ellison
Acting Bridge Engineer
Highway Building
Salem, Oregon 97310

Re: Permit application Skipanon
River bridge Mile 4.4

Gentlemen:

Our Public Notice No. 77-N-01 describing your proposal to construct the referenced highway bridge was distributed 21 January 1977. Three letters requesting a Public Hearing concerning the proposal have been received. Copies of each are enclosed. No other responses have been received.

At this time no decision has been made concerning the requirement to hold a Public Hearing, although information is being sought concerning the activities of the Columbia River Estuary Study Task Force (CREST). This information will be forwarded when received, and you will be further advised of the progress of your application.

There is one statement in Mr. Palmberg's letter which is puzzling since the Draft EIS indicates a number of local Warrenton organizations did receive the publication. Will you please verify the EIS distribution as indicated.

Sincerely,

R. C. Walton

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Encl: (1) As noted

RECEIVED
FEB 28 1977
BRIDGE SECTION

NOTED
R. W. ELLISON

PALMBERG CONSTRUCTION CO.
311 S. E. GALENA AVE., WARRENTON, OREGON 97146
PHONE 503/861-1542

Feb. 18, 1977

Commander(oan)
Thirteenth Coast Guard District
915 Second Ave.
Seattle, Wash. 98174

Re: Public Notice No. 77-N-01; Skipanon River at Mile 4.4 near Warrenton. Oregon

Dear Sir;

Based on our own familiarity with, and potential use of, Skipanon River in the area of the reference proposed structure and on the comments of many interested parties not likely to express their views in writing, we wish to make the following statements:

1. The Draft Environmental Impact Statement prepared by the Oregon State Highway Division has not been made available in this area for perusal.

2. No permit for the said bridge should be considered until completion of the current study of this river by the Columbia River Estuary Study Task Force.

3. The proposed vertical clearance is considered inadequate for present navigation let alone potential navigation as is the present bridge at Mile 4.0 whose removable span was in 1963 permitted to remain as a limitation on navigation primarily because of downstream blockage of the river by logs at that time. This blockage was finally eliminated about three years ago.

4. Other bridges in the navigable reach of Skipanon River for which no permits exist need to be considered.

5. The proposed location, apparently at a reverse curve in the river, suggests a definite need for pier protection.

It is suggested that a Public Hearing should be held.

RECEIVED
FEB 28 1977
BRIDGE SECTION

Very truly yours,
Palmberg Construction Co.
by H. C. Palmberg
H.C. Palmberg

WARRENTON CHAMBER OF COMMERCE
P. O. BOX 250
WARRENTON, OREGON 97146

February 17, 1977

Office of Commander
Thirteenth Coast Guard District
915 Second Avenue
Seattle, Wash. 98174

RE: Public Notice No. 77-N-01
Skipanon at Mile 4.4 near Warrenton, Ore.

Gentlemen,

At a recent meeting our Chamber voted to request a public hearing before a permit is issued on the above referenced bridge. The Chamber is not only interested in present navigational consideration but also the future potential for navigation and development of the upper Skipanon River.

Sincerely,

D.R. Henry
Chamber President

RECEIVED
FEB 28 1977
BRIDGE SECTION

Skipanon Waterway Association
498 S. E. Galena
Warrenton, Oregon 97146

Feb. 11, 1977

Commander (oan)
Thirteenth Coast Guard District
915 Second Ave.
Seattle, Washington 98174

Re: Proposed bridge at mile 4.4 near Warrenton, Oregon. Public Notice No. 77-N-01

Dear Sir,

The Skipanon Waterway Association comprised of waterfront businesses, marine-oriented businesses and waterfront land owners along the Skipanon River request a public hearing be held concerning the reference bridge.

We are specifically concerned with the detrimental effect the proposed vertical navigation clearance would have on present and potential navigation. It is suggested that sufficient vertical clearance be provided to allow logical navigation for the present and future.

The Columbia River Estuary Study Task Force (CREST) is in the process of formulating plans for use of the upper Skipanon River. Their study should have a significant bearing as to the clearances for this proposed bridge.

Very truly yours,

Skipanon Waterway Association

by D. C. Palmberg

RECEIVED
FEB 28 1977
BRIDGE SECTION

8651 105

FORM 81-734.2030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon

February 24, 1977

FROM: Lyle K. Watson
Design Engineer Supervisor

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County

TO: MEMORANDUM TO THE FILES

A permit will be required from the City of Warrenton for the construction required near their dike. Mr. Donald Keyes, Location Section, will make the permit application to Mr. Gilbert G. Gramson, Auditor and Police Judge of Warrenton, and the Corps of Engineers.

The City of Warrenton has a sewer pumping station that will require relocating. The City requests that the State do the design and relocation. Plan sheets of the existing system and proposed relocation have been sent to J. Valentine, Region Utility Engineer, for review and approval by the City. Details of the existing pumping station and sewer lines are being transmitted to the Bridge Section and a request that they design the system.

The City has requested that the existing 6" water main be increased to a 10". They will pay for the increased costs over the 6" size.

LKW:jh
cc: L. W. Rulien
Frank Terpin
Walt Hart
John Sheldrake
Jim Chidsey
Gareld Inloes
J. Valentine

1 Versteeg ✓
Olson
2 Christensen Dave
Scott
4 Swenson
Savage
3 Trout

RECEIVED
FEB 24 1977
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep
Do not File ☐
Return To
Bring Up ___/___/___
Other

8651

ROM 18-2
105

OREGON STATE HIGHWAY DIVISION

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

January 31, 1977

Burlington Northern, Inc.
1101 NW Hoyt Street
Portland, OR 97207

ATTN: L. B. Kroft

Easement Description
Skipanon River (Warrenton)
Bridge Section
Warrenton - Astoria Highway
Clatsop County
R/W File: 49479

Dear Sir:

As promised in my recent letter of transmission to you Revised Encroachment Map, enclosed are four copies of the descriptions for the permanent easements necessary on the Skipanon River (Warrenton) Bridge Section of the Warrenton - Astoria Highway in Clatsop County. These are being provided to you for preparation of the indenture on the requested easement.

As further information on this project is developed, it will be forwarded to you for your information and use.

Yours truly,

J. E. Chidsey, P. E.
Railroad & Utility Engineer

REFERRED TO

Beard ____ Reed ____
Cole ____ Sample ____
Eriksen ____ Watson BW
Heger ____ Wolfe ____
Return Discuss Do File Copy Due ____
BY FINAL DESIGN ENGINEER

JEC:dmb
Enclosures (4)

cc: Burlington Northern
Seattle
Burlington Northern
St. Paul

bc: J. H. Versteeg
J. B. Boyd
J. L. Sollis
John Sheldrake
Rod Henry
Adele Egan
Milner Mead

Versteeg ____
Olson ____
[illegible] ____
Scott ____
Swenson ____
Savage ____
Trout ____
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RECEIVED
FEB 0 1977
ROAD DESIGN SECTION

Requires Reply ☐
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Bring Up ____
Other ____

Form 81-734-3123

8651

ROW 18-2
105

OREGON STATE HIGHWAY DIVISION

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

January 28, 1977

Burlington Northern, Inc.
1101 N.W. Hout Street
Portland OR 97207

ATTN: L. B. Kroft

Revised Encroachment Map
Skipanon River (Warrenton)
Bridge Section
Warrenton-Astoria Highway
Clatsop County

Dear Sir:

Enclosed for your information and use are four copies of the Revised Encroachment Map dated January, 1977 for proposed permanent and temporary easements necessary on the Skipanon River (Warrenton) Bridge Section of the Warrenton-Astoria Highway in Clatsop County. This map supersedes the ones I sent to you on January 21, 1977. The drawing has been revised to show the guard rail and curb necessary at the west end of the proposed Skipanon River Bridge. Some of this curb and guard rail will encroach onto Burlington Northern right of way.

It is still anticipated that bids for this project will be received by the Oregon Transportation Commission on December 22, 1977. I will keep you advised of further developments on this project as they arise.

Yours truly,

J. E. Chidsey, P. E.
Railroad & Utility Engineer

REFERRED TO
Board ____ Reed ____
Cole ____ Semple ____
Erbsen ____ Wimmer ____
Hagar ____ Wolfe ____
(Initials) Discuss Do File Copy Due
BY FINAL DESIGN ENGINEER

JEC:dmb
Enclosures (4)

cc: Burlington Northern
Seattle
Burlington Northern
St. Paul

bc: J. H. Versteeg
J. B. Boyd
J. L. Sollis
John Sheldrake-w/2 enc.
Rod Henry-w/2 enc.
Adele Egan-w/enc.
Milner Mead-w/enc.

Versteeg
Olson
Christensen
Scott
Swenson
Reed WR

RECEIVED
JAN 31 '77
ROAD DESIGN SECTION

Requires Reply ☐
Requires Approval ☐
Receiver Keep ☐
Do not File ☐
Return To ____
Bring Up ____/____/____
Other ____

Form 81-734-3123

8651

105

Salem, Oregon
January 25, 1977

J. H. Versteeg
Road Design Engineer

J. B. Boyd
Right of Way Engineer
BUILDING

49479 - Burlington Northern, Inc.
Skipanon River (Warrenton) Bridge
Section
Warrenton-Astoria Highway
Clatsop County

Attached is a description and an authorization covering a permanent easement to be aquired from the Burlington Northern for the subject project, which is scheduled for October 20, 1977.

Prints of the encroachment map 1R-3-1460 will be furnished to Jim Chidsey by Carl Grewe.

BY:
Floyd O. Scott
Right of Way Description Engineer

FOS:mg

Attach.

8651

8

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442 5864

RECEIVED
STATE HWY ENGR
JAN 26 '77
REFER TO
Info | Invest | R/D | D/R | Sign | Act | File
FOR

16591
Serial 44
21 January 1977

In reply refer to
Proposed bridge across
Skipanon River at Mile 4.4
near Warrenton, Oregon

cy Ferguson
Potter
Veeder
Fredrickson
1-26-77

NOTED
E. S. HUNTER

PUBLIC NOTICE NO. 77-N-01

All interested parties are notified that an application has been received by Commander, Thirteenth Coast Guard District from Oregon State Highway Division, Highway Building, Salem, Oregon 97310 for approval of location and plans to construct a fixed bridge across navigable waters.

WATERWAY AND LOCATION

Skipanon River at Mile 4.4 near Warrenton, Oregon

CHARACTER OF WORK

The applicant proposes a new crossing of the river on a new alignment of the Oregon Coast Highway. The existing crossing at Mile 4.0 was re-constructed in 1929 as a single-leaf hand-operated bascule bridge. This bridge, which provides navigation clearances of 34' horizontal and 4' vertical at M.H.W., is not required to open for navigation and will be retained for local access. The proposed new 2-lane fixed bridge at Mile 4.4 will provide the following navigation clearances:

Horizontal - 30 feet

Vertical - 6.5 feet at M.H.W.
13.7 feet at M.L.L.W.

ENVIRONMENTAL CONSIDERATIONS

A Draft Environmental Impact Statement has been prepared by Oregon State Highway Division and made available to the Council on Environmental Quality and the public on 1 July 1976. The Statement may be examined at the State Highway Building in Salem, Oregon, at the East Salem Highway Building in Salem, at the Federal Highway Administration in Salem and at the Office of Commander, Thirteenth Coast Guard District, Seattle, Washington. The Federal Highway Administration is lead agency for the Department of Transportation for the total highway project. Comments, if any, concerning the environment should be directed to FHWA, P. O. Box 300, Salem, Oregon 97308.

P/N No. 77-11-18
Bridges

A separate permit under Section 404 of the Federal Water Pollution Control Act Amendment of 1972 will be required for work in the waterway associated with the construction of the proposed bridge. These permits are administered by the Portland District, U. S. Army, Corps of Engineers, P. O. Box 2946, Portland, Oregon 97208.

SOLICITATION OF COMMENTS

Interested parties are requested to express their views, in writing, on the suitability of the location, adequacy of navigation clearances and need for pier protection, giving sufficient detail to establish a clear understanding of the reasons for support or opposition. Specific comments regarding the need for a fendering system are requested. Protests or comments will be received for the record at the Office of Commander, Thirteenth Coast Guard District (oan), 915 Second Avenue, Seattle, Washington 98174 through 25 February 1977.

BASIS FOR DECISION

The decision as to whether or not approval of the location and plans for the proposed bridge will be granted must rest upon the impact of the bridge on navigation. Consideration of the impact of the bridge on the quality of the human environment is not a subject for comment under this notice except as the environment is directly affected by the bridge changes proposed.

This Notice consists of two sheets of Notice, four sheets of drawings and one sheet Public Notice by Oregon Department of Environmental Quality.

R. C. Walton

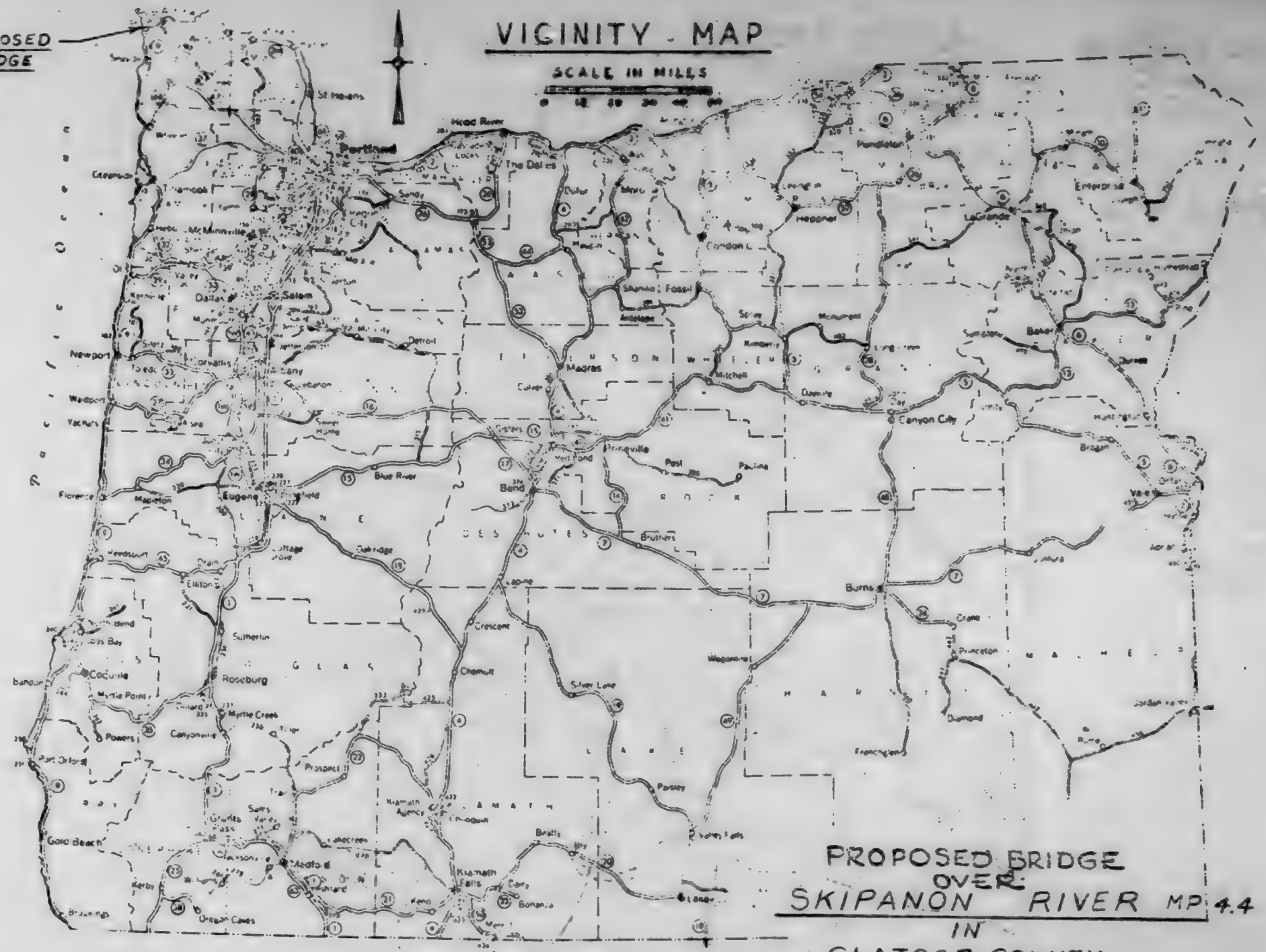
R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

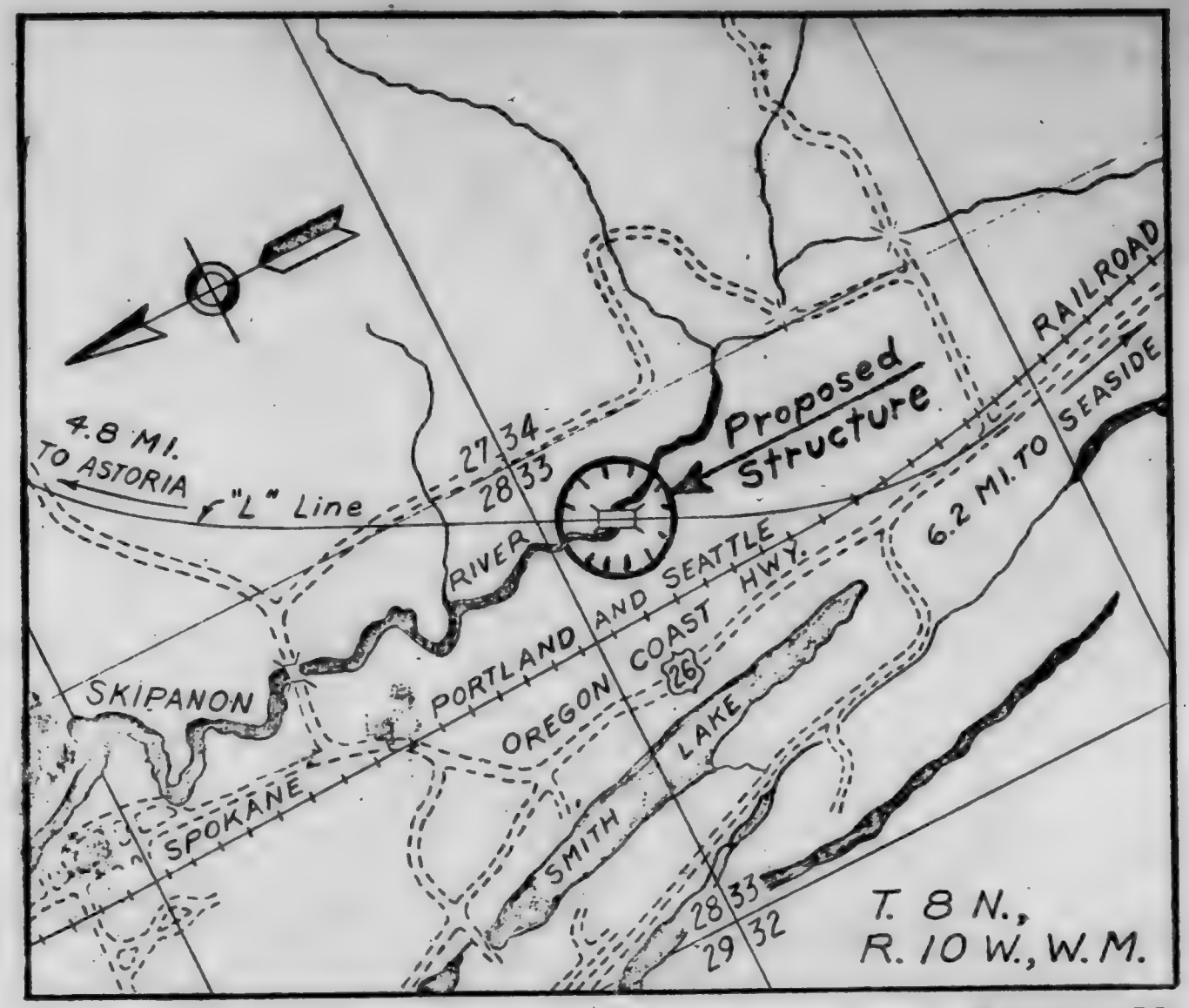
ENCL: (1) Drawings (4)
(2) State of Oregon DEQ - Notice of Application for Water Quality Certification

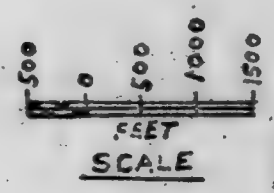
PROPOSED BRIDGE

VICINITY - MAP

SCALE IN MILES


Portland
St Helens
Hood River
The Dalles
Salem
Dallas
McMinnville
Newport
Toledo
Waldport
Yachats
Florence
Eugene
Springfield
Cottage Grove
Oakridge
Bend
Redmond
Sisters
Prineville
Post
Paulina
Blue River
Madras
Culver
Metolius
Crescent
Chemult
Sutherlin
Roseburg
Coquille
Myrtle Point
Myrtle Creek
Powers
Canyonville
Port Orford
Gold Beach
Grants Pass
Prospect
Klamath Falls
Chiloquin
Keno
Bonanza
Brothers
Lapine
Silver Lake
Fort Rock
Paisley
Lakeview
Burns
Hines
Crane
Princeton
Diamond
Frenchglen
Hampton
Fossil
Condon
Antelope
Shaniko
Wasco
Moro
Grass Valley
Dufur
Tygh Valley
Hood River
Hepner
Heppner
Ione
Lexington
Pendleton
Echo
Umatilla
La Grande
Enterprise
Baker
Sumpter
Unity
Canyon City
John Day
Prairie City
Mitchell
Dayville
Monument
Long Creek
Ukiah
Brogan
Vale
Jordan Valley
Adrian
Nyssa
Ontario
Owyhee
Harper
Juntura
Riley
Wagontire
Christmas Valley
Paulina
Alvord Lake
Fields
Denio
Denio Junction
Lakeview
Plush
Adel
Valley Falls
Summer Lake
Silver Lake
Fort Rock
Christmas Valley
Paisley
Lakeview
Klamath Falls
Bonanza
Malin
Tulelake
Merrill
Bonanza
Klamath Falls
Chiloquin
Klamath Agency
Crescent
Chemult





PROPOSED BRIDGE
OVER
SKIPANON RIVER MP 4.4
IN
CLATSOP COUNTY

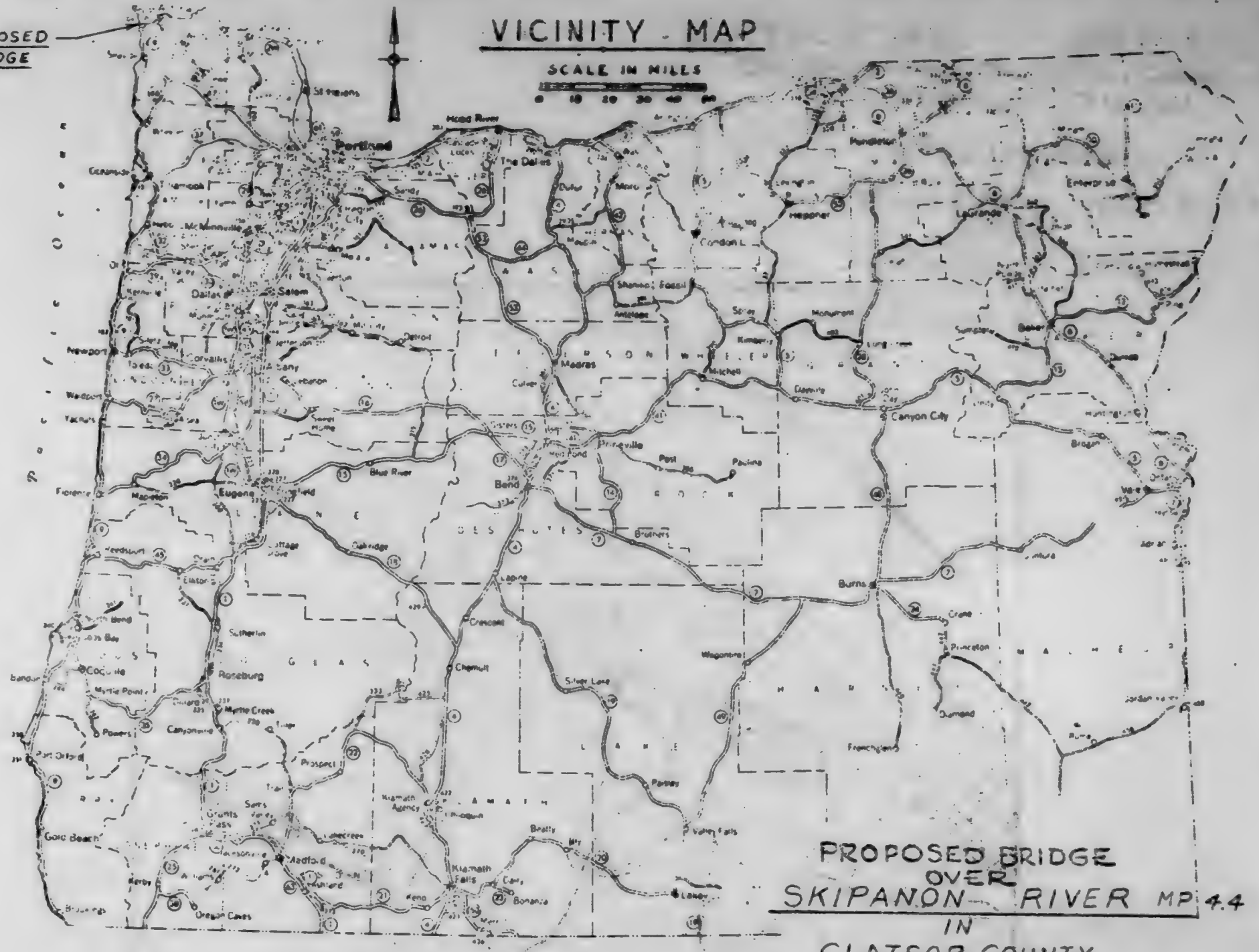
APPLICATION BY
OREGON TRANSPORTATION COMMISSION
DEC. 6, 1976 SHEET 2 OF 4

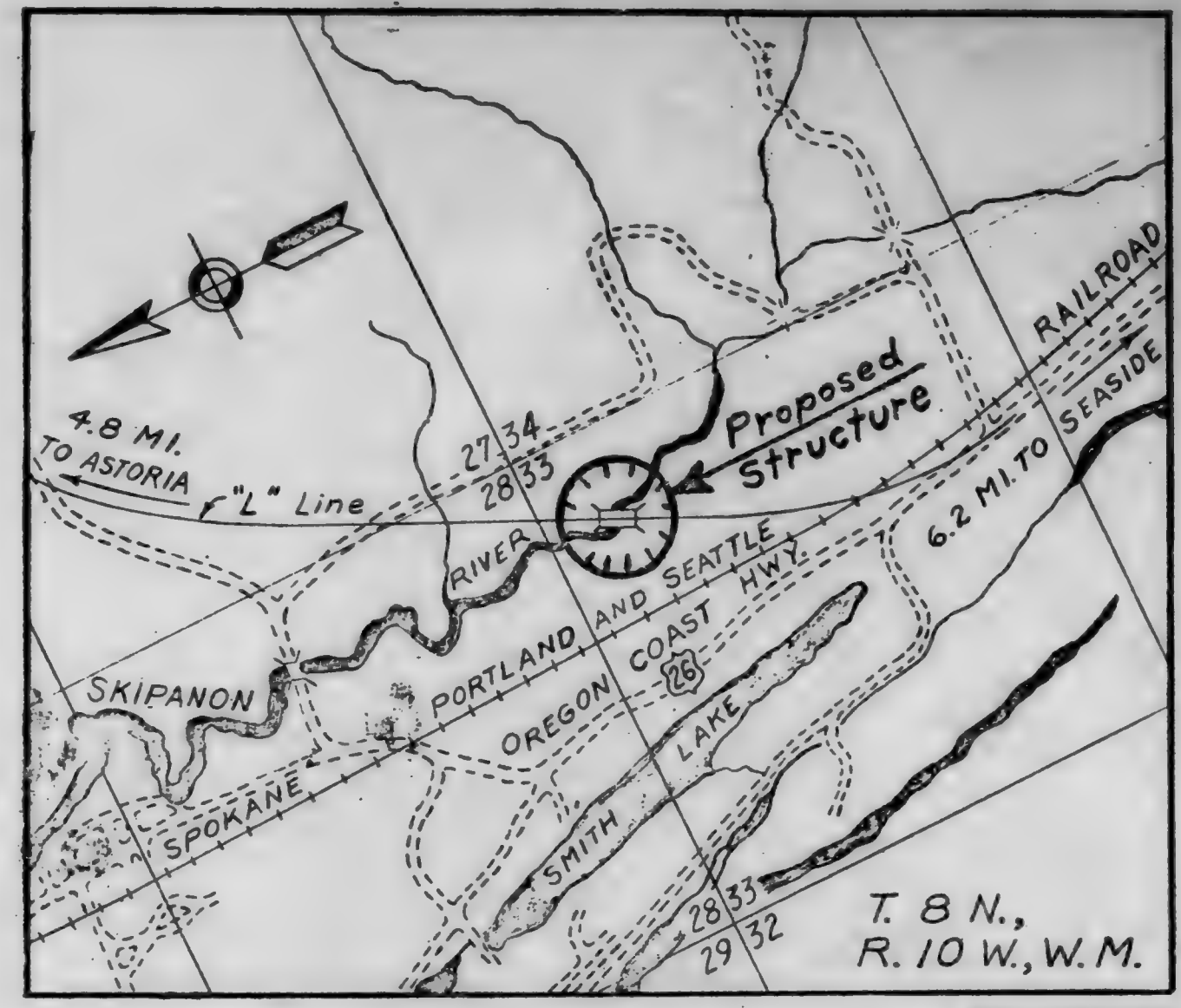
PROPOSED BRIDGE

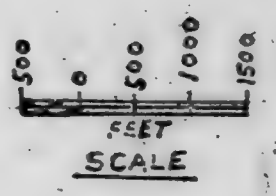
VICINITY - MAP

SCALE IN MILES

0 10 20 30 40 50

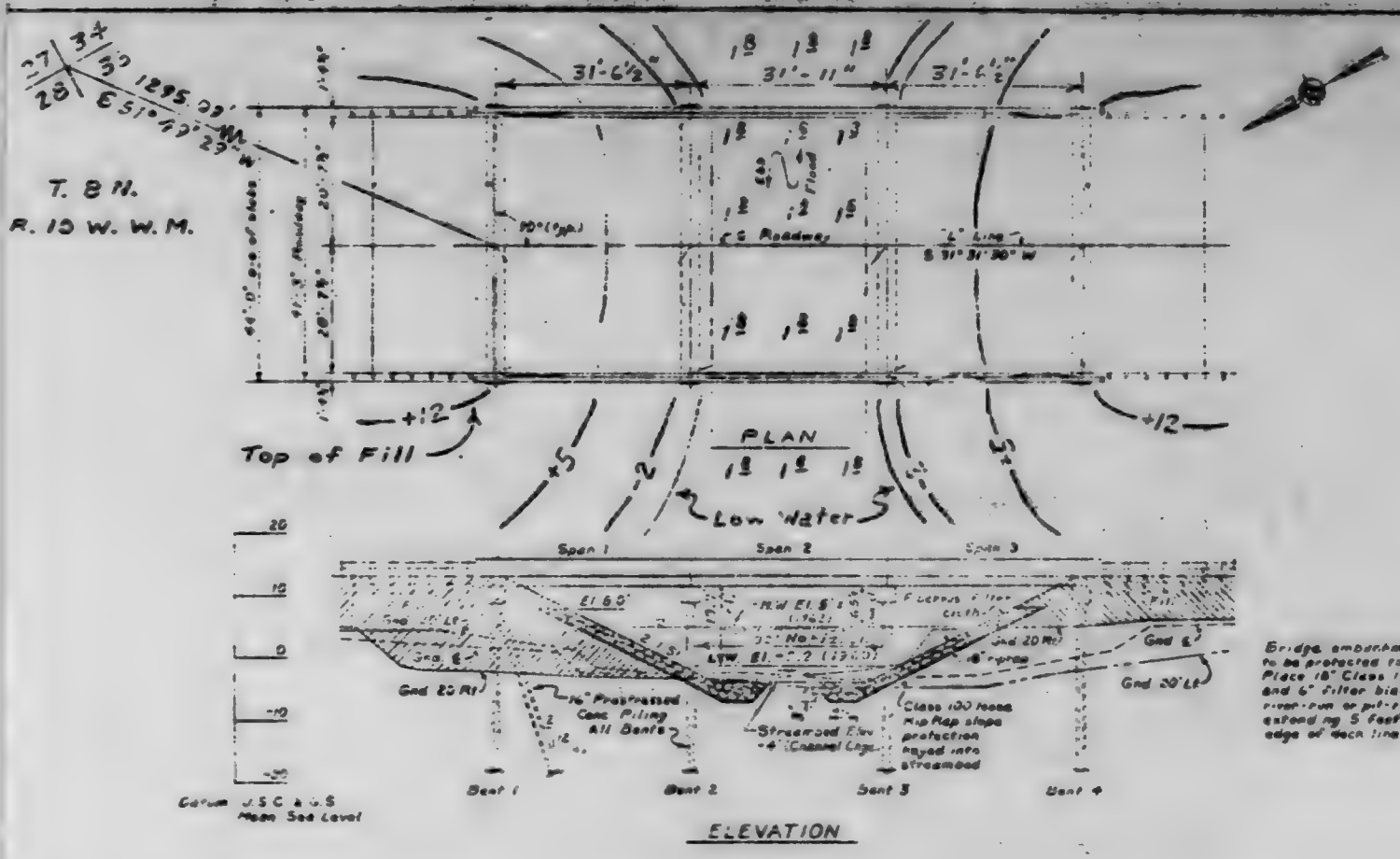

Portland
Salem
Eugene
Bend
Roseburg
Medford
Klamath Falls
Lakeview
The Dalles
Madras
Prineville
Redmond
Sisters
Sweet Home
McMinnville
Newport
Florence
Coos Bay
North Bend
Coquille
Myrtle Point
Powers
Port Orford
Gold Beach
Grants Pass
Cave Junction
Ashland
Klamath Agency
Chiloquin
Crescent
Chemult
Silver Lake
Paisley
Valley Falls
Lakeview
Burns
Hines
Crane
Princeton
Canyon City
Prairie City
John Day
Condon
Heppner
Hermiston
Pendleton
Enterprise
Joseph
Baker
Ontario
Vale
Jordan Valley
Burns
Dufur
Madras
Culver
Metolius
Redmond
Sisters
Bend
Prineville
Post
Paulina
Brothers
Lapine





PROPOSED BRIDGE
OVER
SKIPANON RIVER MP 4.4
IN
CLATSOP COUNTY

APPLICATION BY
OREGON TRANSPORTATION COMMISSION
DEC. 6, 1976 SHEET 2 OF 4



Note:
Soundings shown are depths in feet and tenths below low water elevation of -2.2.

Bridge embankment slopes to be protected to Elev +8.0. Place 18" Class 100 riprap and 6" filter blanket of 4'-0" over-run or pit-run material extend ng 5 feet outside edge of deck line each side.

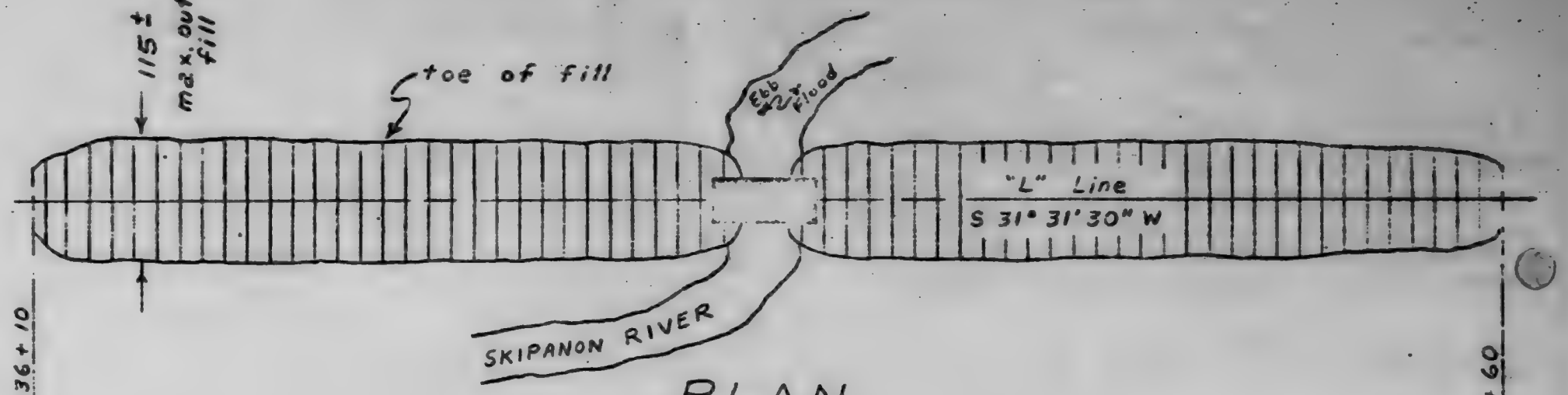
HYDRAULIC DATA	
	Design Flood
Discharge cfs	9400
Frequency yrs	50
HW Elevation	51
Velocity fps	
HW Elevation Channel Change	54

Note
Max. Flood Data by U.S. River elevations controlled by Soil Conservation Service Flood control program

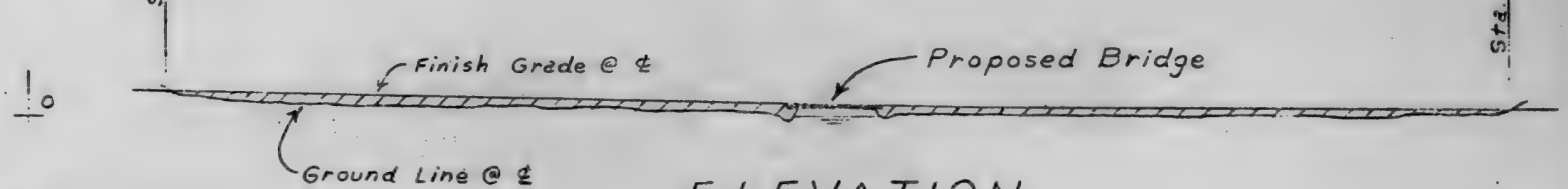
PROPOSED BRIDGE OVER SKIPANON RIVER MP 4 CLATSOP COUNTY

APPLICATION BY
OREGON TRANSPORTATION COMM.
Dec. 6, 1976 Sheet 3 of 4
BR. No. 8317

EXTENT OF FILL

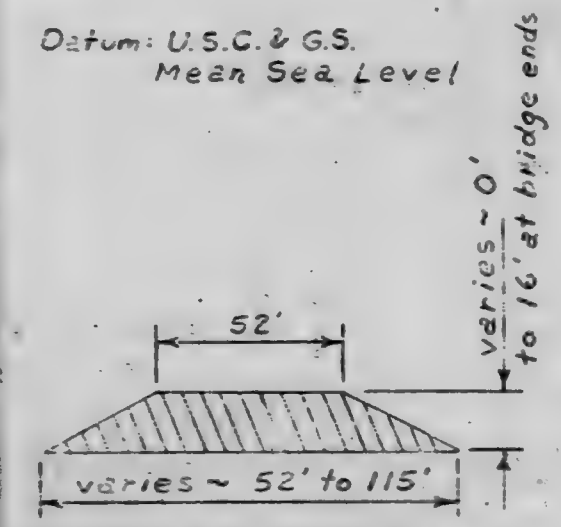


PLAN

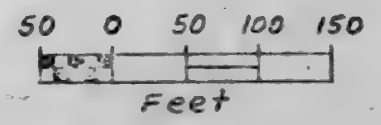


ELEVATION

Datum: U.S.C. & G.S.
Mean Sea Level



TYPICAL SECTION
No Scale



SCALE

PROPOSED BRIDGE
OVER
SKIPANON RIVER MP 4.4
CLATSOP COUNTY
APPLICATION BY
OREGON TRANSPORTATION COMM
Dec. 6, 1976 Sheet 4 of 4
BR. No. 8317

8651 105

Form 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

Salem, Oregon

January 17, 1977

FROM: Duane O. Christensen
Final Design Engineer

SUBJECT: Skipanon River (Warrenton) Bridge
Warrington-Astoria Highway
Clatsop County

TO: MEMORANDUM TO THE FILES

After a thorough review with our materials, bridge and field engineers on the use of a reinforced earth wall at this location it has been decided that a reinforced concrete retaining wall be used for the following reasons:

1. Mr. MacIntosh of the Reinforced Earth Company indicated they would probably use galvanized metal strips with the edges ungalvanized. This is not acceptable according to our Materials Engineer.

2. The railroad would probably be hesitant to approving the railroad encroachment until satisfactory details were worked out as to an acceptable strap that would hold up in the marine environment. This could delay the contract.

3. Our experience with corrosion on metal on the coast has not been good.

4. Special strap material would be very costly, according to the reinforced earth representatives, on a small project and cost would probably be prohibitive.

Consideration should be given to the epoxy coating of the rebars in the wall.

DOC:jh
cc: Glenn Hossner, FHWA
W. J. Hart
Frank E. Terpin
John Sheldrake
L. K. Watson
Al Harwood

1 Versteeg ✓
Olson
Christensen
Scott
2 Swenson
Savage
Trout

RECEIVED
JAN 17 1977
ROAD DESIGN SECTION

Requires Reply
Requires Approval
Receiver Keep
Do not File
Return To
Bring Up
Other

8651

9

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

TOM McCALL
GOVERNOR

F. B. KLABOE
Administrator of Highways

January 17, 1977

Commander
13th Coast Guard District
Aids to Navigation Branch
Federal Building
915 Second Avenue
Seattle, WA 98174

Supplement to Permit Application
Skipanon River Bridge
Bridge 8317, River Mile 4.4
South Unit, Astoria-Camp Rilea Section
Oregon Coast Highway

Pursuant to your December 30, 1976 letter, we are attaching one reproducible and six prints of the additional drawing showing the extent of earth fill required between the proposed bridge and the closest high ground. This sheet has been numbered 4 of 4 which will require renumbering of the three previous sheets submitted.

We trust this drawing will provide the requested information and allow processing of our permit application.

ORIGINAL SIGNED
R.W. ELLISON

R. W. Ellison
Acting Bridge Engineer

TEB:dh

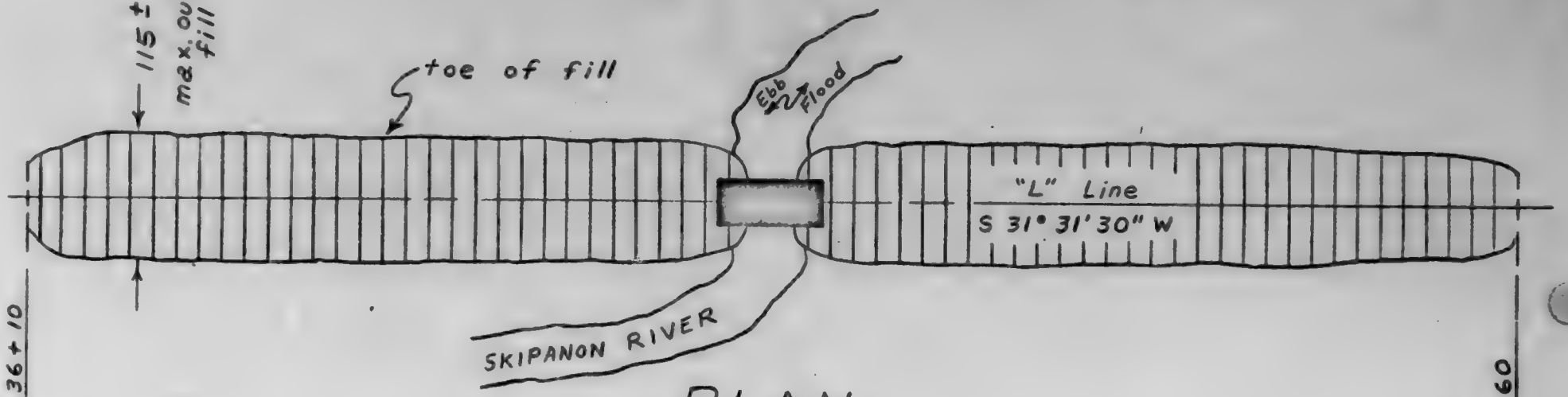
Attachments

bc H. S. Coulter
R. L. Schroeder
Gary Potter
John Sheldrake, Reg. 2

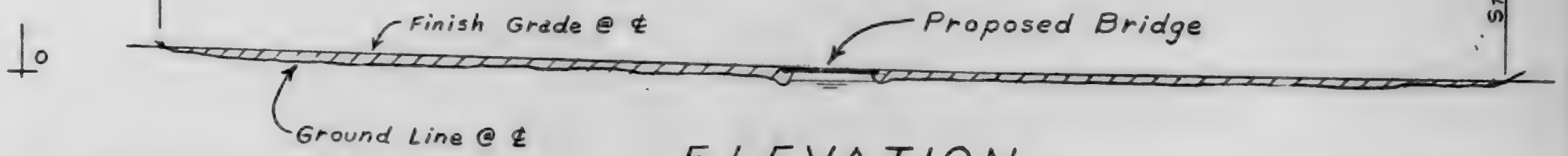
NOTED
R. L. SCHROEDER

RECEIVED
JAN 17 1977
Office of
Assistant State Highway Engineer

EXTENT OF FILL

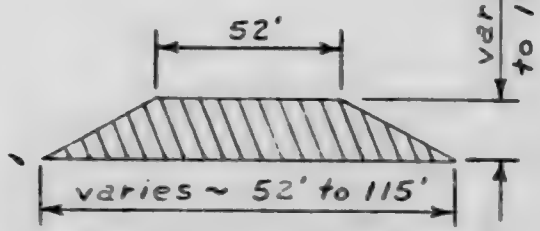


PLAN



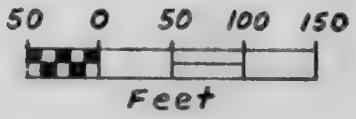
ELEVATION

Datum: U.S.C. & G.S.
Mean Sea Level



TYPICAL SECTION

No Scale



SCALE

PROPOSED BRIDGE OVER SKIPANON RIVER MP 4.4 CLATSOP COUNTY

APPLICATION BY
OREGON TRANSPORTATION COMM.
Dec. 6, 1976 Sheet 4 of 4
BR. No. 8317

ROBERT W. STRAUB
GOVERNOR

Oregon State Highway Division

HIGHWAY BUILDING, SALEM, OREGON 97310

January 7, 1977

Captain K. G. Hodges
U.S. Coast Guard
400 Seventh Street, N.W.
Washington, D.C. 20590

Dear Sir:

Activities Schedule
Skipanon River (Warrenton) Bridge
Warrenton-Astoria Highway
Clatsop County

Your approval of the proposed fixed span for the subject bridge and issuance of Bridge Permit (60-76) dated October 26, 1976, has been received.

We have now revised the project critical path schedule, which was sent to you with our July 23, 1974 letter. The attached copy shows the activities completed as of December 31, 1976 and the activities remaining to complete the bridge replacement.

As indicated by the enclosed schedule, the contract cannot be let until December 1977 because of necessary precontracting activities. Federal regulations require considerable time for completion of some activities, i.e., right-of-way acquisition. Project completion is scheduled for the middle of June 1979.

The replacement of this bridge has been an involved and time-consuming process but the major obstacles have been overcome, and we are proceeding as rapidly as possible to bring this project to completion.

We appreciate your cooperation and indulgence in helping to resolve this long and frustrating problem.

Sincerely,

E. S. Hunter
Deputy State Highway Engineer

Enc.

cc/enc. Commander
13th Coast Guard District
Seattle, Washington 98174

ACTIVITY
Project programming & preliminary engineering appr. FHWA
Corridor approval FHWA
Review reconnaissance studies
Project prospectus
Negative declaration or draft EIS
EIS study committee & FHWA concurrence
Administrative approval draft EIS
Circulate draft EIS
Field location survey
Geological study and report and base design
Preliminary R/W data
Complete field location survey and review
Bridge foundation exploration
Preliminary structural design
Gather corridor/design or design hearing documents
Advertise corridor/design or design hearing
Corridor/design or design hearing & study report
Final EIS or special investigation
Corridor/design or design approval FHWA
Coast guard permit
Local government approval
Final structural design
FHWA review final design

July 1, 74 | Jan. 75 | 1-Year | Jan. 76

Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Jan.

WA

nts

t

Jan., '76 | 2-Years | Jan., '77 | 2-Years

Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May | June | J

SKIPANON RIVER B

TIME: 1" = 10 WEEKS

Dec., 1976

Jan., 78 | 4-Years | Jan., 82

July | Aug. | Sept. | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec.

BRIDGE

4 Years

Jan. 72

5 Years

Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May | June

Field location survey

Geological study and report and base design

Preliminary R/W data

Complete field location survey and review

Bridge foundation exploration

Preliminary structural design

Gather corridor/design or design hearing documents

Advertise corridor/design or design hearing

Corridor/design or design hearing & study report

Final EIS or special investigation

Corridor/design or design approval FHWA

Coast guard permit

Local government approval

Final structural design

FHWA review final design

Division of state lands easements

Roadway plans

R/R encroachment maps and descriptions

Division of state land and geology permits

R/W map and description

Program R/W and construction FHWA

R/R agreements

Appraisal negotiation, aquisition R/W

Contract specification and estimates

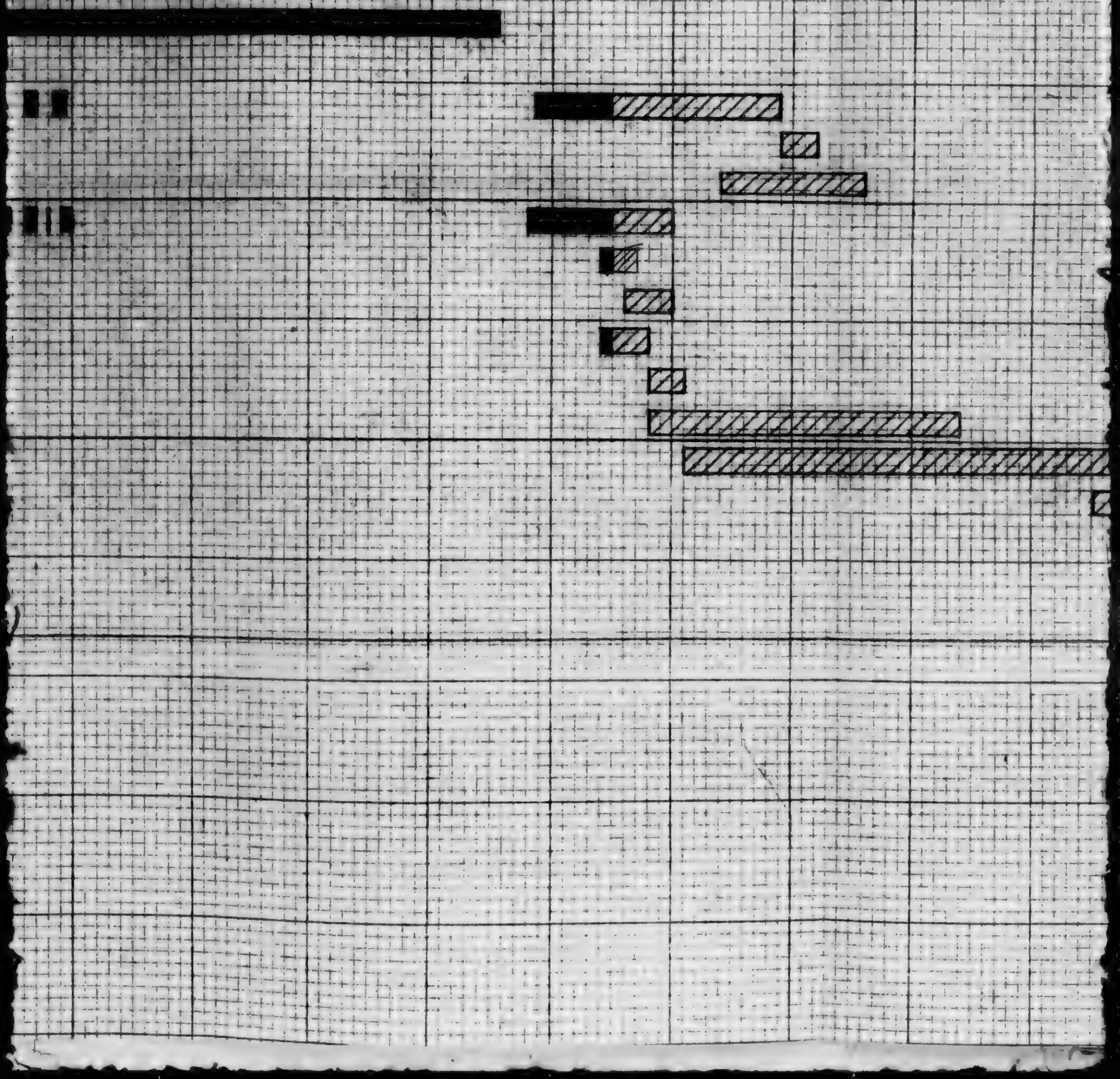
Advertise project

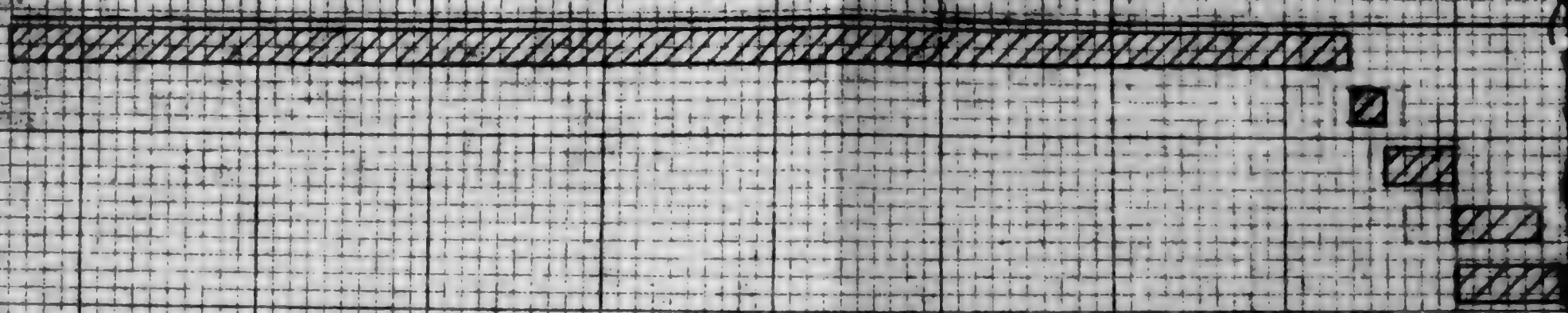
Award contract

Construction

Completed

Propose





8651

December 22, 1976

Commander
13th Coast Guard District
Aids to Navigation Branch
Federal Building
915 Second Avenue
Seattle, Washington 98174

bc H. S. Coulter
R. L. Schroeder
Bridge Design
Gary Potter
C. O. Fredrickson (enc.)

Dear Sir:

Permit Application
Skipanon River Bridge
Bridge 8317, River Mile 4.4
South Unit, Astoria-Camp Rilea Section
Oregon Coast Highway

Pursuant to your November 10 letter, we have investigated the site of the subject bridge and found it to be tidal. Accordingly, we herewith make application for a permit to construct this bridge.

The subject structure will be a new crossing of the Skipanon River on a new alignment of the Oregon Coast Highway.

Legal authority for the structure is found in the General Bridge Act of 1946, amended. Enclosed are four copies of the Oregon State Highway Commission's approval for the project of which this bridge is a part. The structure will be financed by State and Federal funds.

Attached are one set of reproducibles and six prints of the permit application drawings for the structure. Also attached is a copy of the Draft Environmental Impact Statement for the project. The final EIS should be completed in about three months and a copy will be forwarded to you at that time.

Your timely action in issuing a permit for this bridge will be appreciated.

Very truly yours,

E. S. Hunter
Deputy State Highway Engineer

Attachments

JA:dh ja

STATE OF OREGON)
)
) ss
COUNTY OF MARION)

I, C. W. Head, Manager, Commission Services, Department of Transportation, do hereby certify that the attached photocopy of the excerpt from the minutes of the meeting of the Oregon State Highway Commission of July 8, 1969, entered on page 35603 in Volume 54, pertaining to tentative approval of the South Unit, Astoria-Camp Rilea Section of the Oregon Coast Highway in Clatsop County, has been compared with the original and that the same is a true and correct copy of said portion of the minutes and of the whole thereof.

DATED this 20th day of December, 1976.

C. W. Head
Commission Services

Salem, Oregon
July 8, 1969

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
G. E. Rohde, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Among others present were R. E. Simpson, Division Engineer of the Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Program and Planning Engineer; E. S. Hunter, Maintenance Engineer; David G. Talbot, Parks Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; R. B. Sipprell, Liaison Engineer; John Oakes, Assistant Right of Way Engineer; and John J. Earley, Information Officer.

At this time the Chairman stated that the Commission wished to present 40-year service pins to the following men:

Arthur M. Burt, Parks Operations Supervisor, Woodburn, Statewide
William M. Gibson, Section Foreman, Ashland, Division III
Vergil S. Hoflich, Large Extra Gang Foreman, Newport, Division III
Truman E. Messenger, Landscape Foreman, The Dalles, Division IV
Ivan D. Merchant, Bridge Engineer, Salem, Statewide
Lennis L. Edwards, Section Foreman, Sandy, Division I
Paul Stoutt, Section Foreman, Parkdale, Division I

He asked them to come forward and offered congratulations on behalf of the Commission for the 40 years' service that each of them had rendered to the State Highway Division. The Commission, he said, recognizes the problems that they have had to meet during their years of service and that this service has been vital in the maintenance and construction of State highways. Rewards for length of service, he continued, are not all measured in monetary values and the public as well as the Commission owes the men a debt of gratitude for meeting and fulfilling their obligations during the past 40 years. He expressed the sincere wishes of the Commission for their health and happiness in the years ahead.

The Commission approved the minutes of the meeting held May 28, 1969.

The Right of Way Engineer presented a list of options, Pages 1 through 45, secured for acquisition of real property needed for State Highway use or for other purposes. He mentioned that the amounts offered are based

Consideration was given to Federal-Aid Program XII covering construction on State highways for fiscal years 1972 through 1975. The Commission tentatively approved the following program with the provision that each project be cleared with the Commission before advertising:

FEDERAL-AID PROGRAM XII

PROJECTS FOR CONSTRUCTION

F. A. Funds Fiscal Years 1972, 1973, 1974, and 1975

URBAN

Highway	Section	Length	Approx. Cost
Florence-Eugene	River Road - I-105	1.2	$ 7,000,000
Northeast Portland	N.E. 60th Ave.-Cascade Hwy.	1.2	700,000
Pacific East	Reedway-S.E. Tacoma	1.4	1,500,000
Pacific East	S.E. Tacoma-Milwaukie Expressway	1.1	1,500,000
		Total	$10,700,000

PRIMARY

Highway	Section	Length	Approx. Cost
Pacific West	Airport Road-Beltline Road	1.3	$ 500,000
Coos Bay-Roseburg	Winston-Shady	2.7	3,250,000
Coos Bay-Roseburg	Winston Section	1.1	450,000
Oregon Coast	S. Unit, Astoria-Camp Rilea	2.1	2,500,000
Coos Bay-Roseburg	Slater Creek-Mystic Creek	5.2	3,250,000
Santiam	Sodaville Rd.-Vail Creek	1.5	550,000
Columbia River	Scappoose Section	6.1	5,300,000
Willamette	Goshen-Immigrant Road	5.5	4,700,000
Corvallis-Newport	Gellatly Summit-Wren	1.8	1,000,000
Oregon-Washington	Milton-Washington State Line	4.7	3,000,000
Lower Columbia	Tongue Point-Fern Hill	3.0	4,700,000
Central Oregon	Bend E.C.L.-Ward Road	2.5	600,000
Coos Bay-Roseburg	Grey Cr.-N. Fork Coquille R.	2.2	1,800,000
The Dalles-California	Gap-Tygh Grade	7.1	2,500,000
Oregon Coast	Sixes River Section	1.9	1,500,000
Florence-Eugene	99W - I-105 Section (R/W only)	2.56	3,000,000
Albany-Jct. City	Willamette R. (Harrisburg) Bridge #583	-	1,000,000
Albany-Jct. City	Harrisburg-Lancaster Slough Bridge #3940	-	130,000
Albany-Jct. City	Harrisburg-Lancaster Slough Bridge #3941	-	70,000
Albany-Jct. City	Harrisburg-Lancaster Slough Bridge #3939	-	220,000
Florence-Eugene	Knowles Creek Tunnel	-	400,000
Oregon Coast	Crystal Creek (Sixes) Bridge #928	-	100,000
		Total	$40,520,000

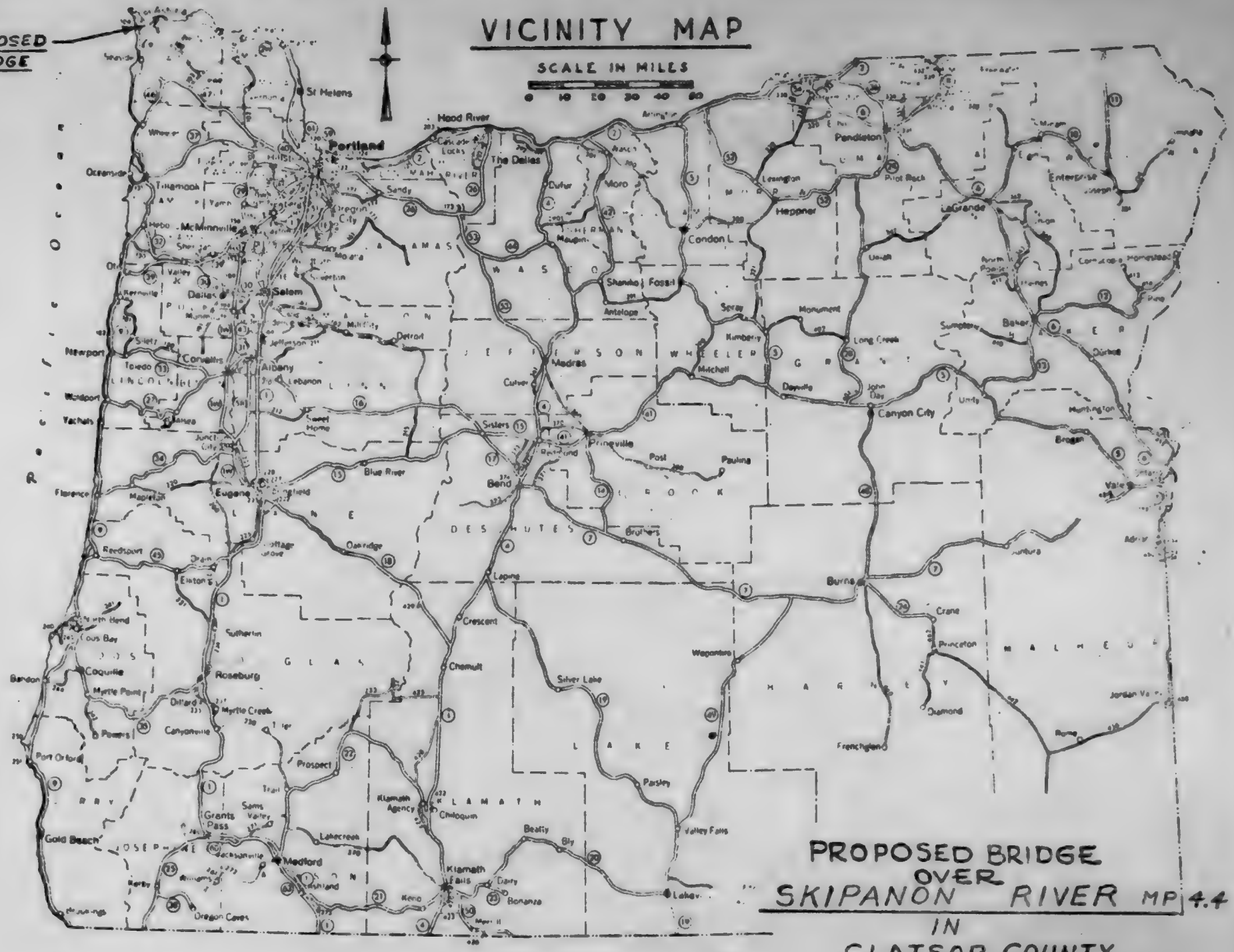
July 8, 1969

VICINITY MAP

PROPOSED BRIDGE

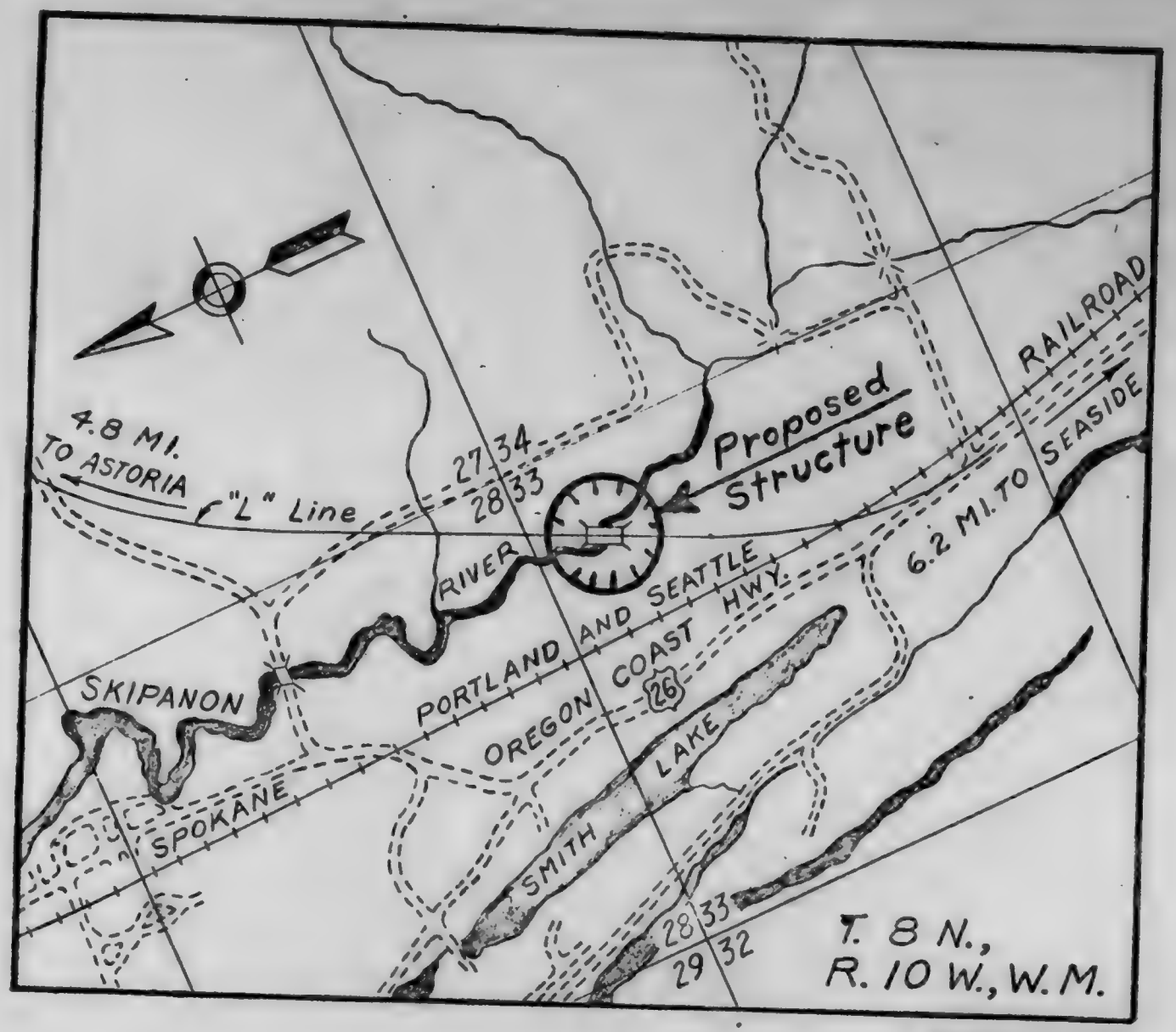
SCALE IN MILES

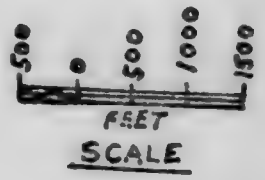
0 10 20 30 40 50



PROPOSED BRIDGE
OVER
SKIPANON RIVER MP 4.4
IN
CLATSOP COUNTY

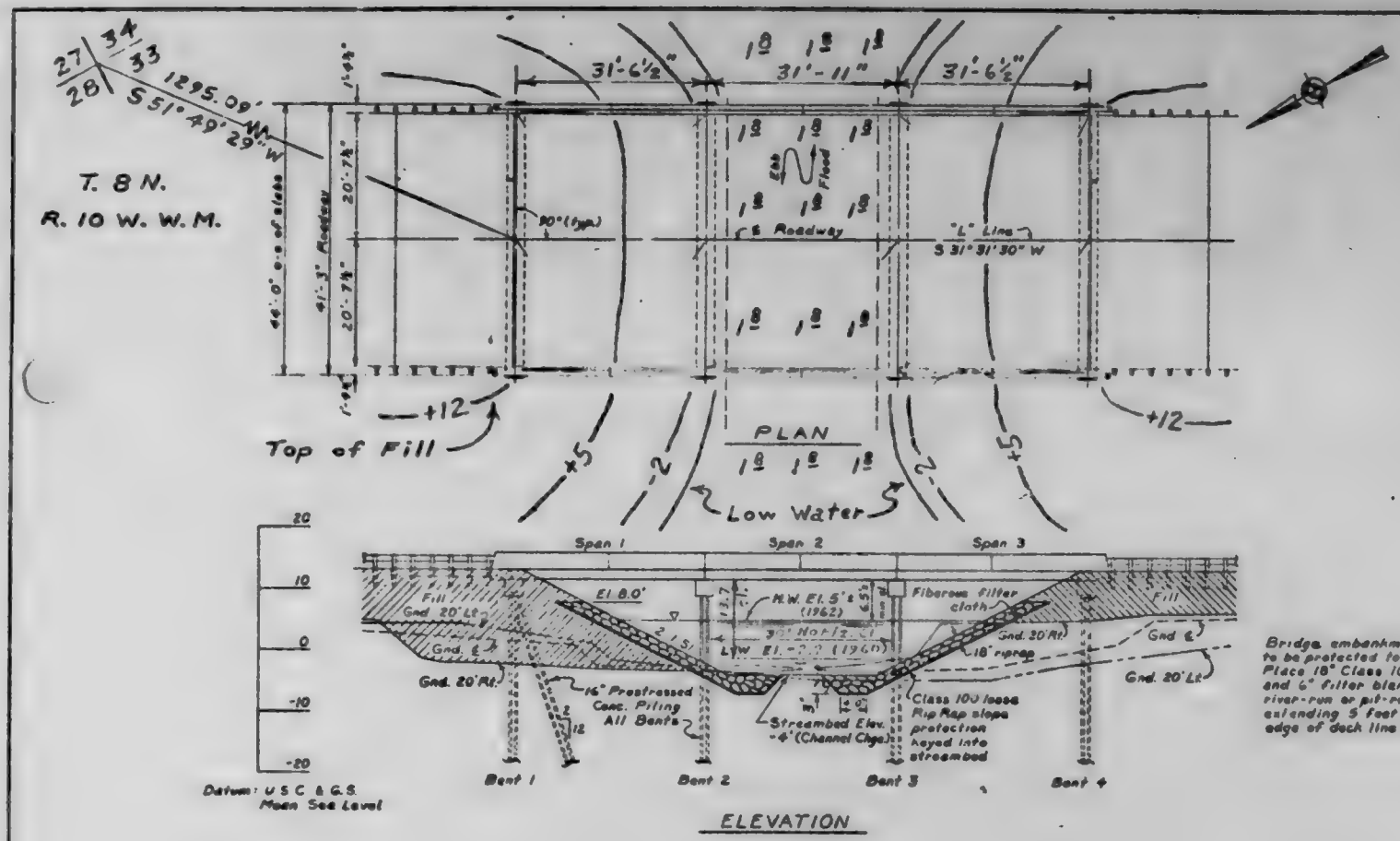
APPLICATION BY
OREGON TRANSPORTATION COMMISSION
DEC. 6, 1976 SHEET 1 OF 3





PROPOSED BRIDGE
OVER
SKIPANON RIVER MP 4.4
IN
CLATSOP COUNTY

APPLICATION BY
OREGON TRANSPORTATION COMMISSION
DEC. 6, 1976 SHEET 2 OF 3



ELEVATION

Note:
Soundings shown are depths in feet and tenths below low water elevation of -2.2.

Bridge embankment slopes to be protected to Elev. +8.0'. Place 18" Class 100 riprap and 6" filter blanket of 4"-0" river-run or pit-run material extending 5 feet outside edge of deck line each side.

10 0 10 20 30
FEET
SCALE

HYDRAULIC DATA	
	Design Flood
Discharge-c.f.s.	900
Frequency-yrs.	50
H.W. Elevation Natural Channel	5'±
H.W. Elevation Channel Change	5'±

Note:
Min. Flood Data N.A.
River elevations controlled by Soil Conservation Service flood control program.

PROPOSED BRIDGE OVER SKIPANON RIVER MP 4.4 CLATSOP COUNTY

APPLICATION BY
OREGON TRANSPORTATION COMM.
Dec. 6, 1976 Sheet 3 of 3
BR. No. 8317

8651

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

December 13, 1976

FILE:

FROM: R. W. Ellison
Acting Bridge Engineer

TO: Mr. E. S. Hunter
Deputy State Highway Engineer

SUBJECT: Skipanon River Bridge
Warrenton, Oregon
Astoria-Warrenton Highway
Bridge 11226A
Revised Structure Length

Recent information from Fred Yarbrough indicates that approach fills substantially higher than was previously estimated can be used at the subject structure site (see attached letter). This would allow replacing about 100 feet of structure at each end of the bridge with approach fill. Monetary savings of approximately $200,000 could result.

Revision of structure length will require application to the Coast Guard for a revised bridge permit. In view of our previous experience with public participation, ramifications of this are not clear. Unofficial contact with the Coast Guard indicates they would not offer a public hearing but would issue a public notice calling for comment. They would try to limit comment to the fill extension only but cannot guarantee other subjects could not be raised if there were enough interest expressed. They could be forced into a public hearing if they received sufficient public pressure. The Coast Guard would try to limit the subject to the fill only, but cannot guarantee that the whole "can of worms" won't be reopened.

If the "can of worms" is opened, the delay to the project could be considerable and might involve reconsideration of the type of structure.

Changing the length of the structure will develop project details which were not previously presented to the public. This may require that a new public hearing be held.

One item that would tend to open consideration to subjects other than the fill extension is the detour structure that would be needed to maintain traffic around the additional fills on each side of the river (see attached sketch). Such a structure is contradictory to the wording of the EIS which states that "...no temporary detour bridge would need to be constructed." (See pp 9, EIS)

In view of the possible ramifications and delay to the project, I wonder about the advisability of extending the fills. If we were delayed very long, the effects of inflation could consume the possible savings.

I would appreciate your direction in this matter.

RWE:dh
Attachment
cc Duane Christensen

12-14-76
cy - Bob
The design has been set Proceed forthwith to complete for contract.
Ed.

RECEIVED
STATE HWY ENGR
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8651 105

FORM E-20

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
December 3, 1976

To: J. H. Versteeg
Road Design Engineer

SUBJECT: Skipanon River Bridge Section
Warrenton-Astoria Highway
Safe Height for Approach Fills

In-place vane shear tests recently made by the Region Geologist in the subject foundations indicate substantially higher safe height than was estimated on the basis of standard penetration tests. The necessary wall and fill on it may be constructed to 16-feet height as illustrated in the attached sketch. Behind the wall, up to 19-feet depth of fill may be placed. If a surcharge is used, it must be under these maximum heights. However, if the fills and pavement are constructed in stages, the surcharge will be of only partial benefit because the second stage fill will cause some settlement in the near side of the first stage pavement.

Under the higher allowable fill, settlement will be of the order of two feet total, most of which will take place as the fill is made. A reinforced earth wall will survive the settlement better than a structural wall.

The height of wall and fill allowed above is about twice the original estimated height based on penetration tests. The vane shear tests measure the strength of the soil more realistically than the penetration tests. But the higher allowable stress will be more critical in any areas of foundation which may have lower strength than any shown by the vane tests. The explorations which have been made show uniform conditions. Never-the-less they are relatively few. It is recommended that sometime before construction in-place vane shear tests should be made at 3 and 6-feet depth at 25-feet spacing along the proposed wall where it will be more than 8-feet high to prove that local foundation strengthening construction is not needed.

1 Versteeg ✓
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Swenson
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Frank Terpin
Location Engineer

by R. W. Tarbrough
Soils & Geology Engineer

FWY:af
cc: R. W. Ellison
Jack Davis
Lyle Watson
C. O. Frederickson

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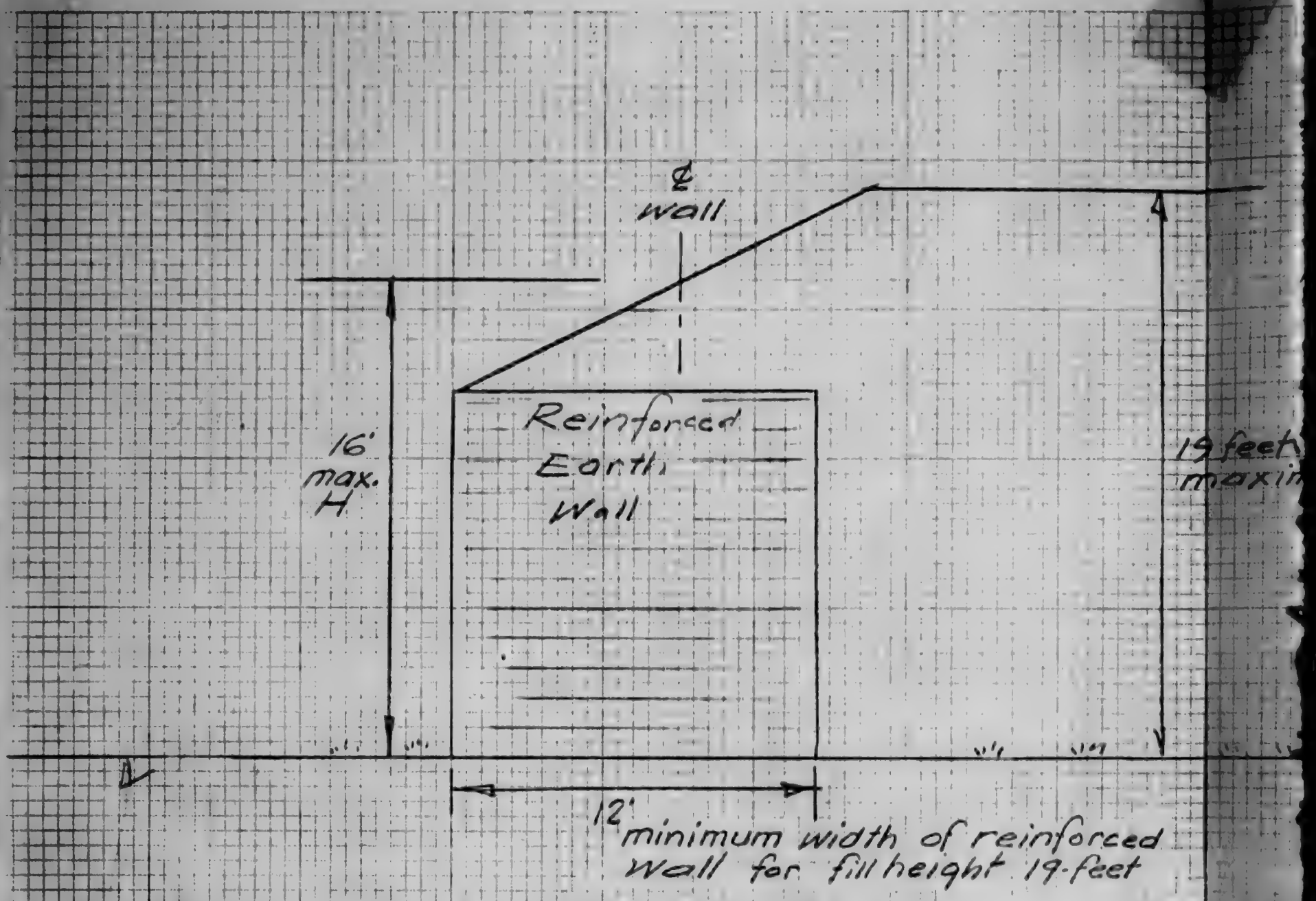

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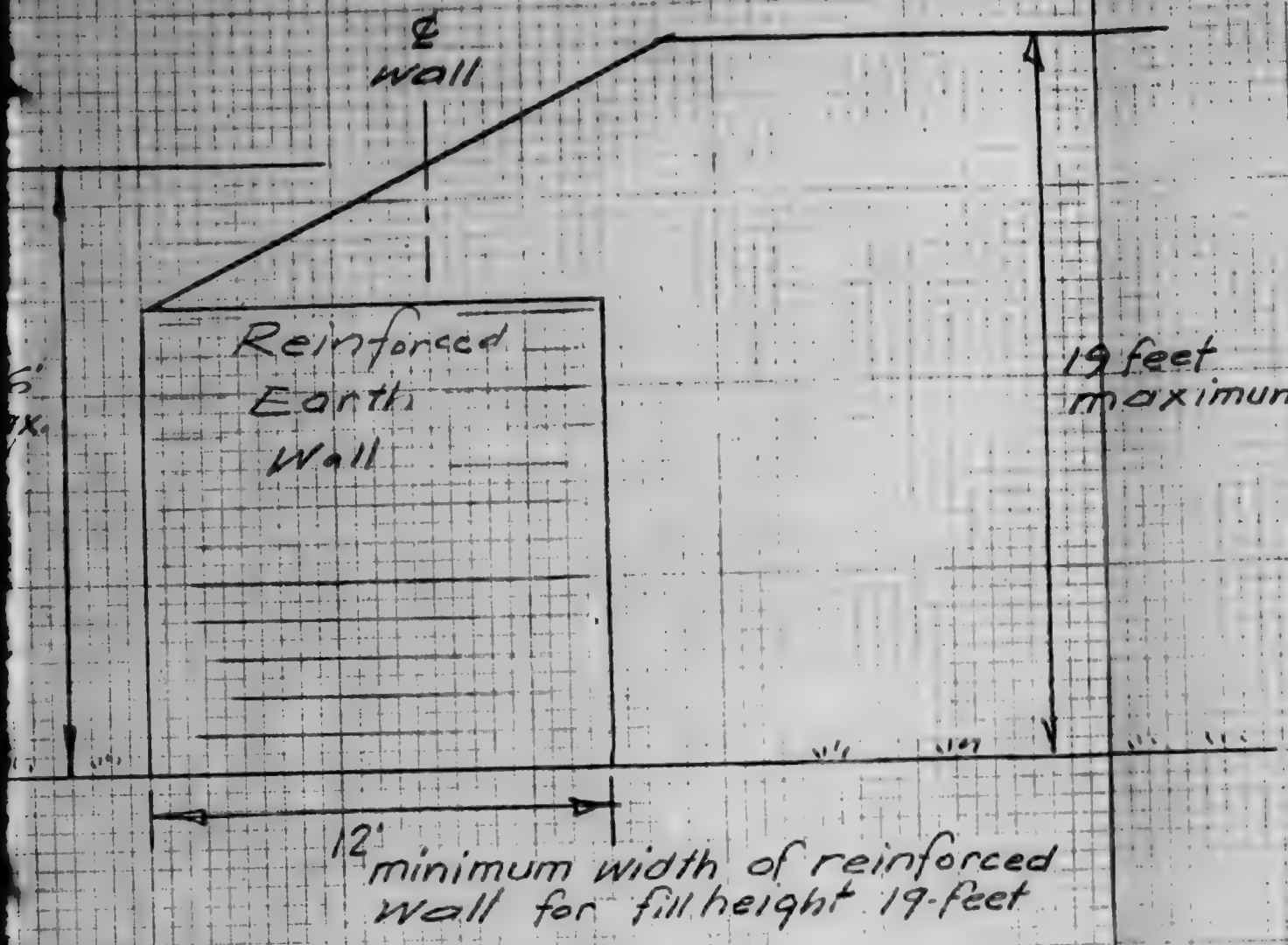
Sand

SKIPANON Riv

Maximum Dimensions f

Approach Fills & R

Scale 1" = 5ft.



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and

SKIPANON RIVER BRIDGE

Maximum Dimensions for Approach Fills & Retaining Walls.

12-13-76

Scale 1" = 5ft.

8651

104-1715
105

CITY OF WARRENTON

WARRENTON, OREGON 97146
P. O. BOX 250 • PHONE 861-2233

30 November 1976

FILE C

C. O. Fredrickson, Regional Engineer
Highway Division, Dept. of Transportation
205 East Salem Highway Building
2960 E. State Street
Salem - OREGON - 97310

Dear Mr. Fredrickson:

It has been brought to the attention of the city of Warrenton that there will be a 14-foot clearance under the east approach of the new bridge across the Skipanon River.

This amount of clearance under the approach providing access to Ensign Avenue to the Warrenton mooring basin is acceptable to the city. If you need any additional information, please do not hesitate to call us.

Sincerely,

CITY OF WARRENTON

Gilbert Gramson

Gilbert G. Gramson
Auditor & Police Judge

GGG:jvh

1 Versteeg ✓
2 Olson add
3 Dreessen Doc
Scott
Swenson
Sayre
Terrell

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ROAD DESIGN SECTION

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12-8-76 jv
cc RW Ellison
PE Terpin
EL Everton
C. Tolbert

RECEIVED
DEC 9 1976
BRIDGE SECTION

NOTED
R. W. ELLISON

8651

2

892-H

November 17, 1976

Mr. H. C. Reuter
1037 Marcheta Lane
Pebble Beach, California 93953

Dear Mr. Reuter:

Your information is correct. The Oregon State Highway Division has been ordered to restore the Skipanon River Bridge to the terms set forth in the 1916 permit. The structure has been in violation of that permit for many years and is verified by your statement that the present structure is the same as existed in 1934.

In recent years, local navigation interests have been dissatisfied with the "float out" arrangement which requires substantial advance notice for opening. They have brought this forcefully to the attention of the Coast Guard, who had no alternative but to direct compliance with the terms of the original permit.

Rather than modify the present structure to fit the terms of the existing permit, the decision is to replace it with a higher fixed span arrangement under a new permit. The Coast Guard approved the permit earlier this month.

A temporary structure will not be required to handle traffic, as the proposal would utilize a stage construction plan which would build the westbound half of the new structure while traffic can use the existing bridge. Traffic would then be placed on the completed half of the new structure while the old one is removed and the other half on the new structure is constructed.

Prior to making the decision to construct a new bridge at the present site, other alternatives were studied and presented at public hearings. Among those presented

was a plan such as you suggested. However, it crossed at Ninth Street rather than Sixth Street. Because of cost factors and public testimony, this alternative was rejected.

Thank you for your time and effort in writing to us. We appreciate hearing from people who are interested in highway location and construction.

Very truly yours,

E. S. Hunter
Deputy State Highway Engineer

bc H. S. Coulter
Frank Terpin
Bridge Design (enc.)
J. H. Versteeg "
C. O. Fredrickson "

GCW:jp/ESH:ja

11-12

1037 Marcheta Lane,
Pebble Beach, CA.93953
1 November 1976

Director, Oregon State Highway Dept.

Salem, Oregon

Dear Sir:

In July 1973 I was informed that the Oregon State Highway Dept. was ordered to take action to restore the bridge across the Skipanon River at Warrenton, Ore. in accordance with previously approved plans.

During October 1976 I visited my property in Warrenton Oregon and observed that no changes had been made in the bridge. In fact it was the same bridge and in the same condition as when I first crossed it in 1934.

As a long time owner and taxpayer, since 1951 on this Warrenton property, I was interested in, what was a reported plan by the Oregon State Highway Dept. to build a "temporary bridge" across the Skipanon in the near future, while the highway department carried out the U.S.Coast Guard requirements.

I would like to offer a suggestion that I believe would save tax payers a considerable sum of money and also result in a permanent improvement and serviceable return to the taxpayers. Instead of a temporary bridge, I suggest that the highway department construct a road from Warrenton, extending the existing 6th. Street crossing of the Skipanon, thru the Centric Addition of Warrenton, then east to some point where it would connect with the present highway leading to the bridge, which is to be rebuilt. Extanding the Warrenton 6th. street crossing of the Skipanon would also provide an additional access to the business area of Warrenton and relieve the present road of its overlad during the summer fishing and tourist season.

Yours truly
H.C. Reuter
H.C.Reuter

NOTE : In 1976 all of my property taxes have been doubled and at 79 years, I am not able to pass a typing exam or earn additional income to pay a secretary.

RECEIVED
NOV 1 1976
LOCATION SECTION

Location
Dept

RECEIVED
STATE HWY ENGR
NOV 3 '76
REFER TO
Hunter
FOR
Info. | Inves. | R.D. | D/R | Sign | Act. | File

8451

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

November 16, 1976

Salem, Oregon

FILE: BR. 8317

ORIGINAL SIGNED
R.W. ELLISON

FROM: R. W. Ellison
Bridge Administration Engineer

SUBJECT:

TO: Mr. C. O. Fredrickson
Region 2 Engineer

So. Unit, Astoria-Camp Rilea
Oregon Coast Hwy.
Skipanon River Br.
Navigability of River

NOTED
E. S. HUNTER

Attached is a copy of the Coast Guard's letter of November 10, 1976, relative to the navigability of the Skipanon River at the subject bridge site.

I assume that the bridge site would be affected by the tide if the existing downstream dam was removed. If so, the proposed bridge will require a Coast Guard Permit.

Please have the site investigated to determine the correctness of my assumption. If the site turns out to be tidal, I will make application to the Coast Guard for the required permit.

RWE/ag
Attach.

cc E. S. Hunter
G. Potter w/attach.
F. Terpin w/attach.

RECEIVED
STATE HWY ENGR
NOV 17 '76
REFER TO
FOR
Info | Inves. | R/D | D/R | Sign | Act | File

8651

105

FORM E-20

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
November 15, 1976

To: J. H. Versteeg
Road Design Engineer

SUBJECT: Skipanon Bridge
Warrenton-Astoria Highway
Clatsop County
Approach Fill Foundation Performance

Evaluation of information from five drill holes in the subject foundation indicates that approach fills up to 16-feet height will probably be stable. Surcharges 3-feet high will prevent settlement due to adding the weight of pavement after the fill settlement is complete. Height of fill and surcharge should not exceed 16-feet.

Total settlement under the high point of the fill will be about 1-foot, of which about half will take place during placing of the fill. Primary settlement will be complete in about six months. An additional long-term settlement of about 0.2-foot may take place in the next five years or so.

Frank Terpin
Location Engineer

by F. W. Farbrough
Soils & Geology Engineer

FWY:af
cc: R. W. Ellison
Jack Davis

REFERRED TO

Beard — Reed
Cole — Sample
Eriksen — Watson
Heger — Wolfe
Return Discuss Do File Copy Due
BY FINAL DESIGN ENGINEER

1 Versteeg
Olson
1 Christensen DC
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Swenson
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NOV 15 1976
ROAD DESIGN SECTION

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8651

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

16590
Serial 631
10 November 1976

Oregon State Highway Division
Attention: Mr. E. S. Hunter
Deputy State Highway Engineer
Highway Building
Salem, Oregon 97310

Re: Navigability of Skipanon River

Gentlemen:

This is in answer to your 8 September 1976 request for a determination of navigability for the Skipanon River in connection with the construction of a proposed bridge across the waterway.

The traditional tests of navigability as established by the courts are adhered to by the Coast Guard. In reliance on these tests, a waterway is navigable to the elevation of Mean High Water of tidal influence. Permits are required for bridges to be constructed across those waterways which are subject to tidal influence regardless of any obstructions which may be placed in the waterway.

The Skipanon River was previously determined to be navigable upstream to at least Mile 4.0, although the limit of navigability for the waterway was not specifically identified. The Skipanon River is navigable above Mile 4.0 at least to the limits of tidal influence, as described above.

Your early request for clarification is appreciated.

Sincerely,

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

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NOV 15 '76
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FOR
Info | Inves | R/D | D/R | S/E | ... | File
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NOTED
E. S. HUNTER

O.Guard
11226

September 8, 1976

Commander
U. S. Coast Guard
13th Coast Guard District
Aids to Navigation Branch
Federal Building
915 Second Avenue
Seattle, WA 98174

Attention Mr. A. B. Christensen

Dear Mr. Christensen:

Skipanon River

As you requested, attached are aerial photos covering the Skipanon River from its confluence with the Columbia River near Warrenton, Oregon, upstream to its source, Cullaby Lake.

These photographs were taken in 1958. More recent photography is not available from our Photogrammetry Section. Due to the early date of the photographs, the control dam installed by the Corps at Warrenton is not shown.

I hope these photographs will aid you in your determination of navigability of this stream.

Very truly yours,

Walter J. Hart
Bridge Engineer

R. W. Ellison
Bridge Administration Engineer

RWE/ag

Attachs.

NOTED
P.A. ANDERSON

8451

8

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

16591
Serial 615
2 November 1976

Oregon State Highway Division
Attention: Mr. E. S. Hunter
State Highway Building
Salem, Oregon 97310

Gentlemen:

Enclosed is the permit (60-76) for your proposed fixed, 2-lane highway bridge to be constructed across the Skipanon River at Mile 2.0, Warrenton, Oregon. Your attention is directed to the special conditions of the permit.

Should you require falsework for the purpose of erecting the bridge, a separate permit is required. It can be issued by this office and normally no additional public notice is required. Usually a permit for falsework can be issued within one week.

It is requested you inform me at the time of start of construction and at monthly intervals until completion of the work. It is suggested the report include a Xerox copy of permit drawings with color-pencil marking of the work performed. A final report is required on completion stating the bridge was constructed according to the approved plans. Note special condition No. 1 of the permit specifies there shall be no deviations from these plans without prior approval from the Commandant in Washington, D.C.

Sincerely,

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Encl:
(1) Bridge Permit (60-76)

cy Bridge
Environmental
Design
Region II
Location
11-4-76

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DOT OPERATIONS
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FOR
Info | Inves | R/D | D/R | Sign | Act | File

RECEIVED
STATE HWY ENGR
NOV 4 '76
REFER TO
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Info | Inves | R/D | D/R | Sign | Act | File

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD
WASHINGTON, D.C. 20590
PHONE:

BRIDGE PERMIT
(60-76)

OCT 28 1976

WHEREAS by Title V of an act of Congress approved August 2, 1946, entitled "General Bridge Act of 1946," as amended (33 U.S.C. 525-533), the consent of Congress was granted for the construction, maintenance and operation of bridges and approaches thereto over the navigable waters of the United States;

AND WHEREAS under Section 502(b) of that act, the authority of which was transferred to and vested in the Secretary of Transportation by Section 6(g)(6)(C) of the Department of Transportation Act (80 Stat. 931) and delegated by the Secretary to the Commandant, U. S. Coast Guard by Section 1.46(c) of Title 49 Code of Federal Regulations, it is required that the location and plans for such bridges be approved by the Commandant before construction is commenced and in approving the location and plans of any such bridge, the Commandant may impose any specific conditions relating to the construction, maintenance and operation of the structure which he deems necessary in the interest of public navigation, such conditions to have the force of law;

AND WHEREAS the - STATE OF OREGON - has submitted plans and a map of location of a bridge to be constructed across the Skipanon River at Warrenton, Oregon;

NOW THEREFORE, This is to certify that the location and plans dated October 1975 are hereby approved by the Commandant, subject to the following conditions:

1. No deviation from the approved plans may be made either before or after completion of the structure unless the modification of said plans has previously been submitted to and received the approval of the Commandant.

2. All work shall be so conducted that the free navigation of the waterway is not unreasonably interfered with and the present navigable depths are not impaired. The construction of falsework, pilings or other obstructions, if required, shall be accomplished in accordance with plans submitted to and approved by the Commander, Thirteenth Coast Guard District prior to construction of the bridge. The channel or channels through the structure shall be promptly cleared of all obstructions placed therein or caused by the construction of the bridge to the satisfaction of the District Commander, when in his judgment the construction work has reached a point where such action should be taken, but in no case later than ninety days after the bridge has been opened to traffic.

OCT 26 1976

BRIDGE PERMIT: Bridge across the Skipanon River at Warrenton, Oregon; (60-76)

3. Issuance of this permit does not relieve the permittee of the obligation or responsibility for compliance with the provisions of any other law or regulation as may be under the jurisdiction of the U.S. Army Corps of Engineers, Portland District, or any other federal, state or local authority having cognizance of any aspect of the location, construction or maintenace of said bridge.

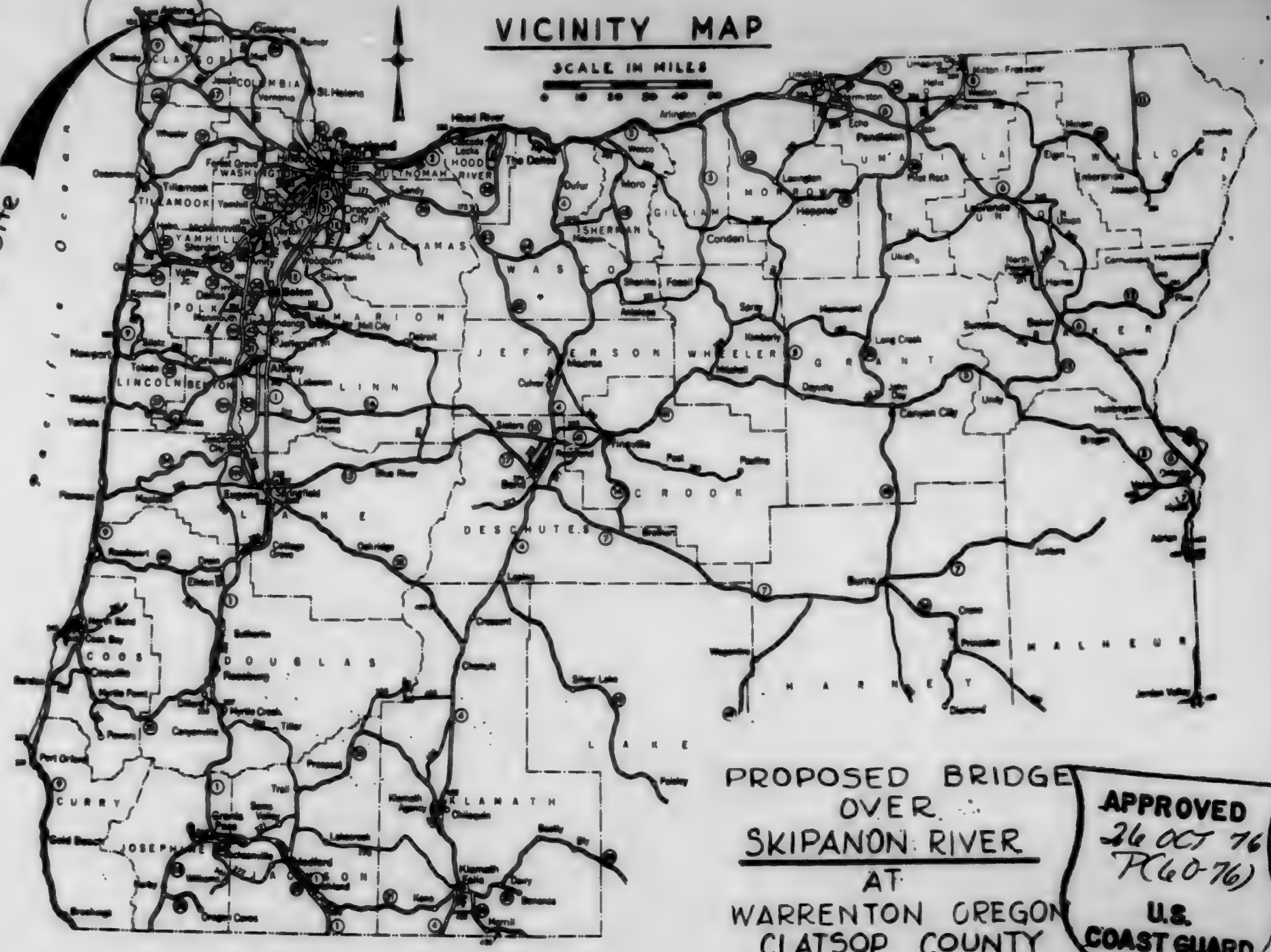
4. All parts of the existing to be replaced bridge, mile 2.0, not utilized in the new bridge shall be removed down to or below an elevation of 8 feet below Mean Lower Low Water, and the waterway cleared to the satisfaction of the Commander, Thirteenth Coast Guard District. A period of 90 days subsequent to the opening to traffic of the new bridge, mile 2.0, will be allowed for such removal and clearance.

5. The approval hereby granted shall cease and be null and void unless construction of the bridge is commenced within 3 years and completed within 5 years after the date of this permit.

R. D. HODGES
Captain, U.S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

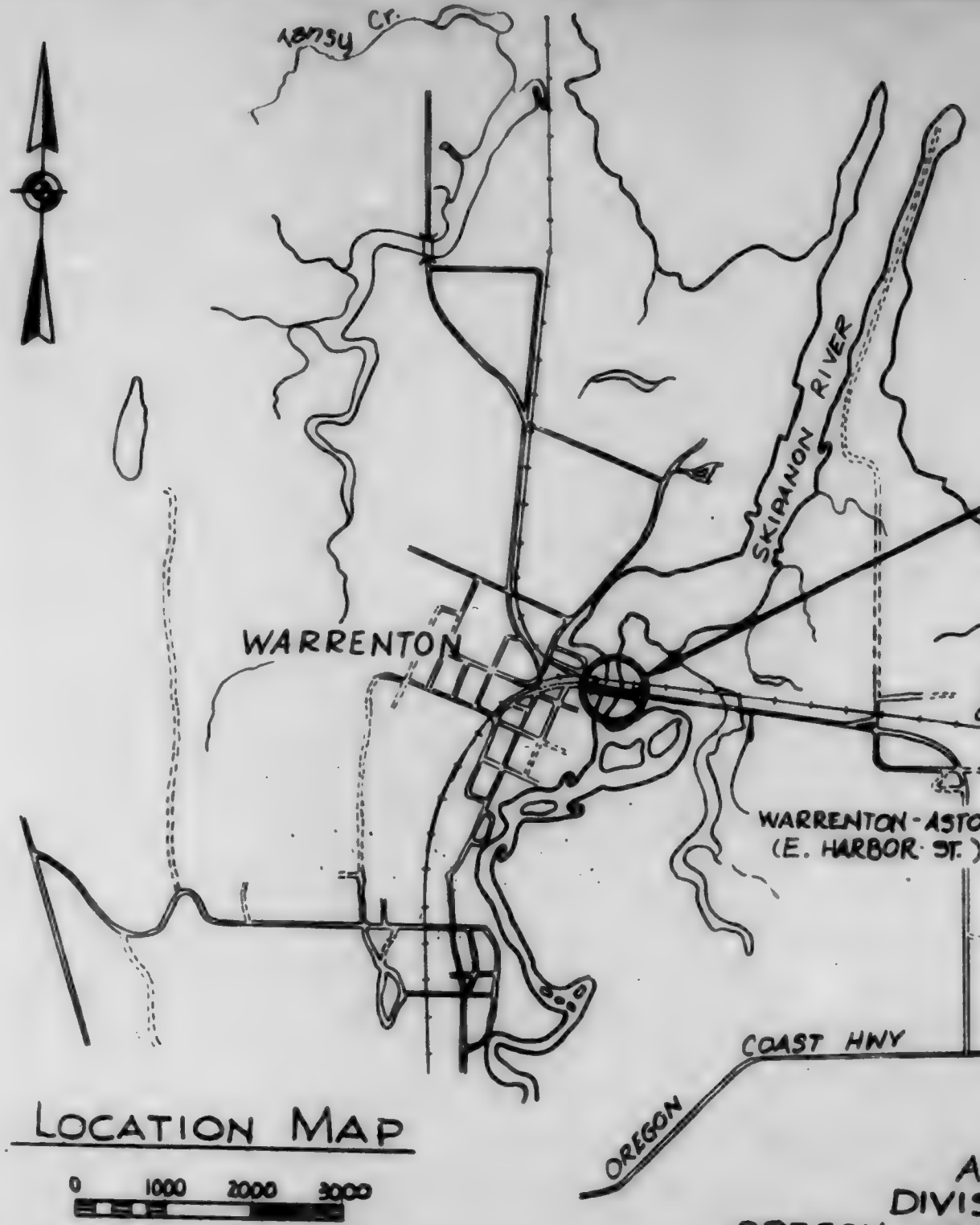
VICINITY MAP

SCALE IN MILES



PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 1 OF 6

APPROVED
26 OCT 76
PC(60-76)
U.S.
COAST GUARD

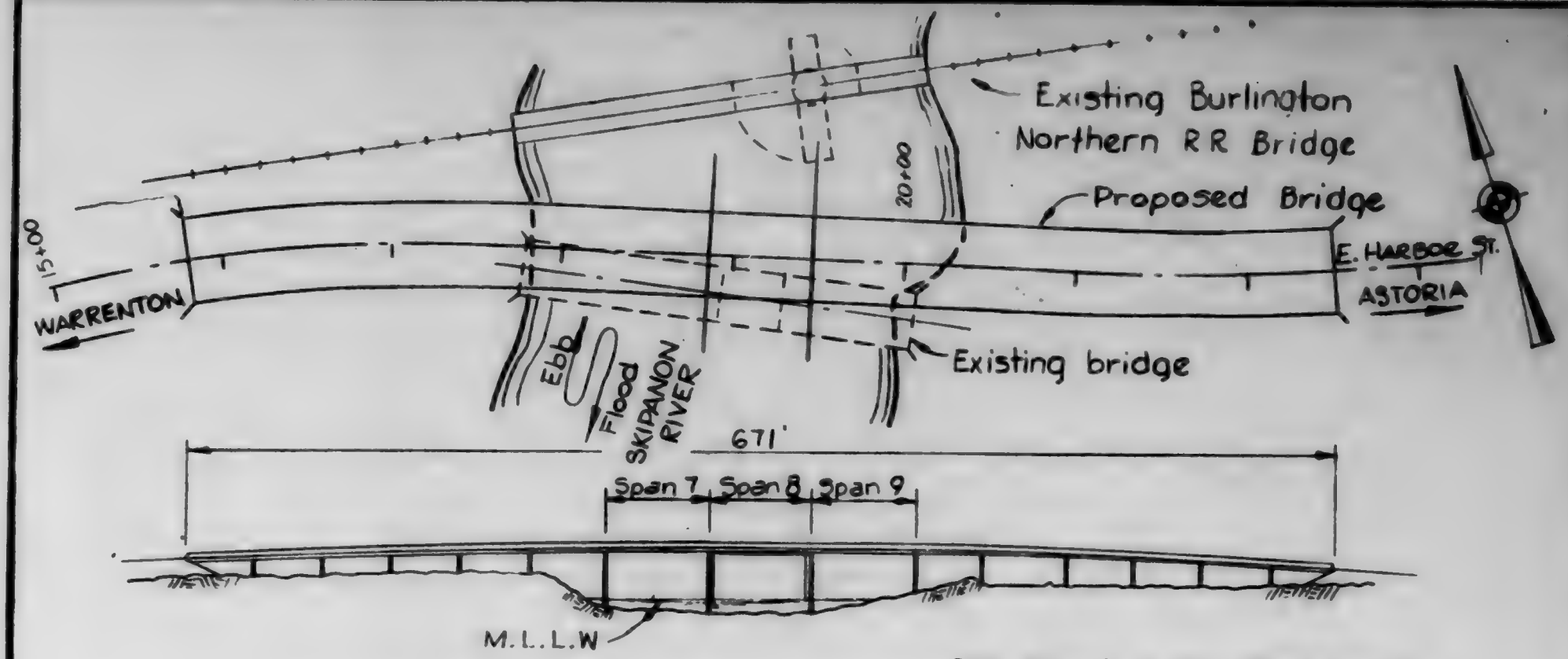


APPROVED
24 OCT 76
P.L 60-96
U.S.
COAST GUARD

LOCATION MAP

0 1000 2000 3000

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 2 OF 6

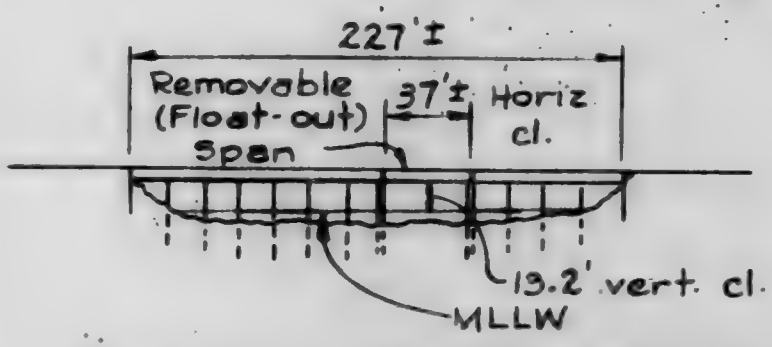


See Sheet 4 for clearance information.

PLAN AND ELEVATION

SCALE IN FEET

0 100 200 300

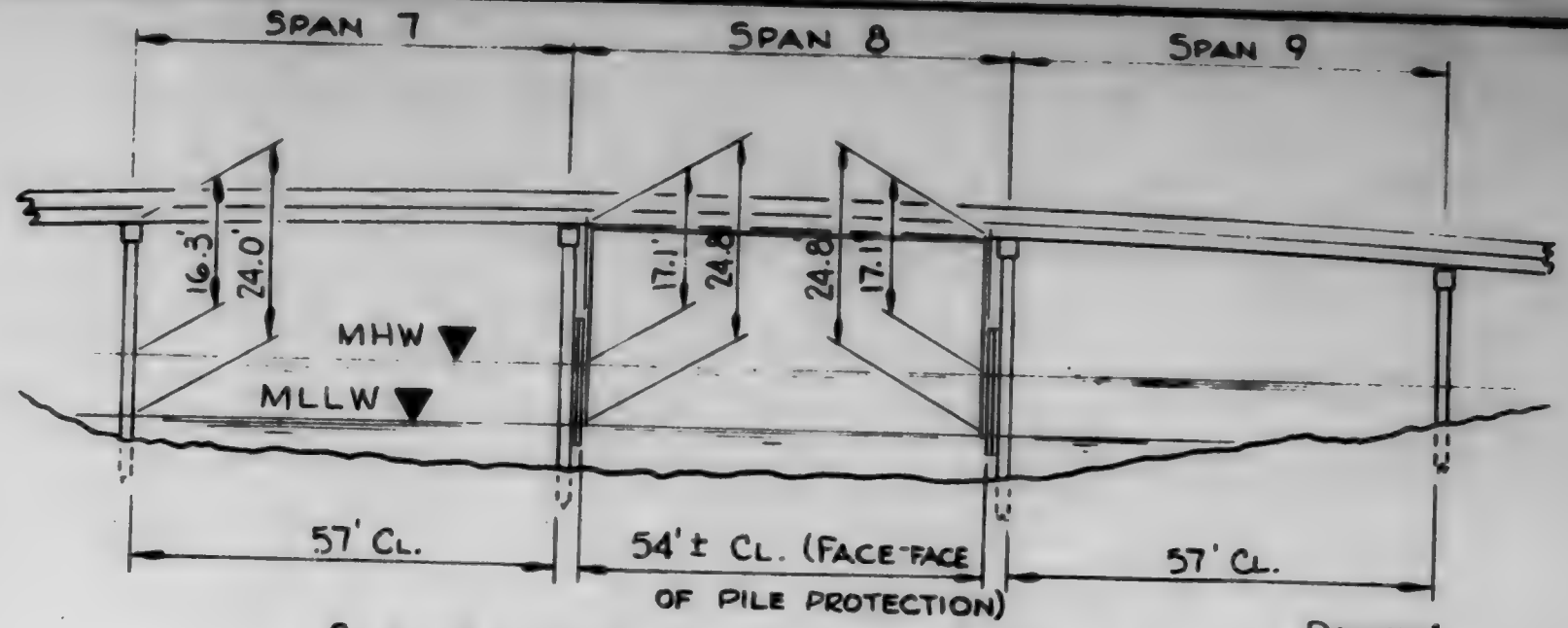


ELEVATION - EXISTING BRIDGE

DATUM: M.L.L.W. = Zero Tide

APPROVED
26 OCT 76
P(60-76)
U.S.
COAST GUARD

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975

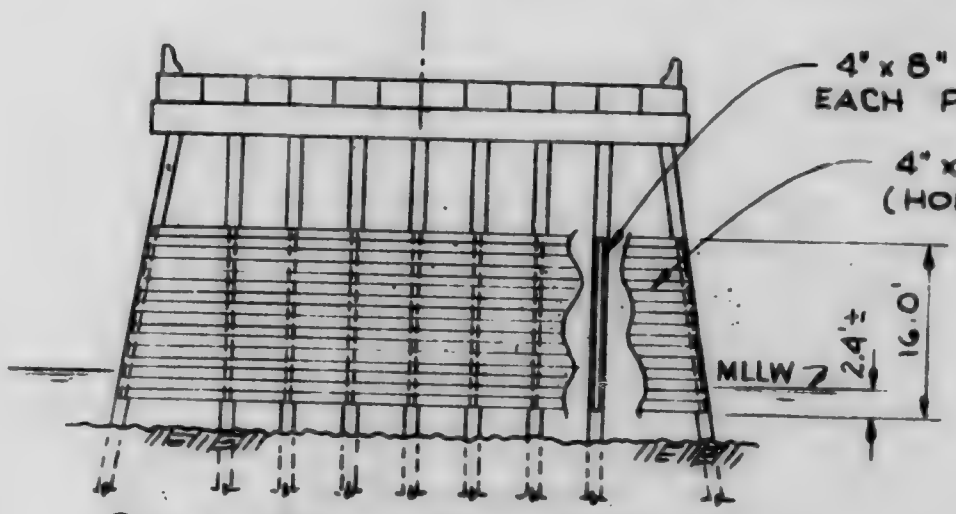


CLEARANCE AT MAIN SPANS

SCALE IN FEET

0 30 60 90

DATUM:
M.L.L.W = ZERO TIDE.



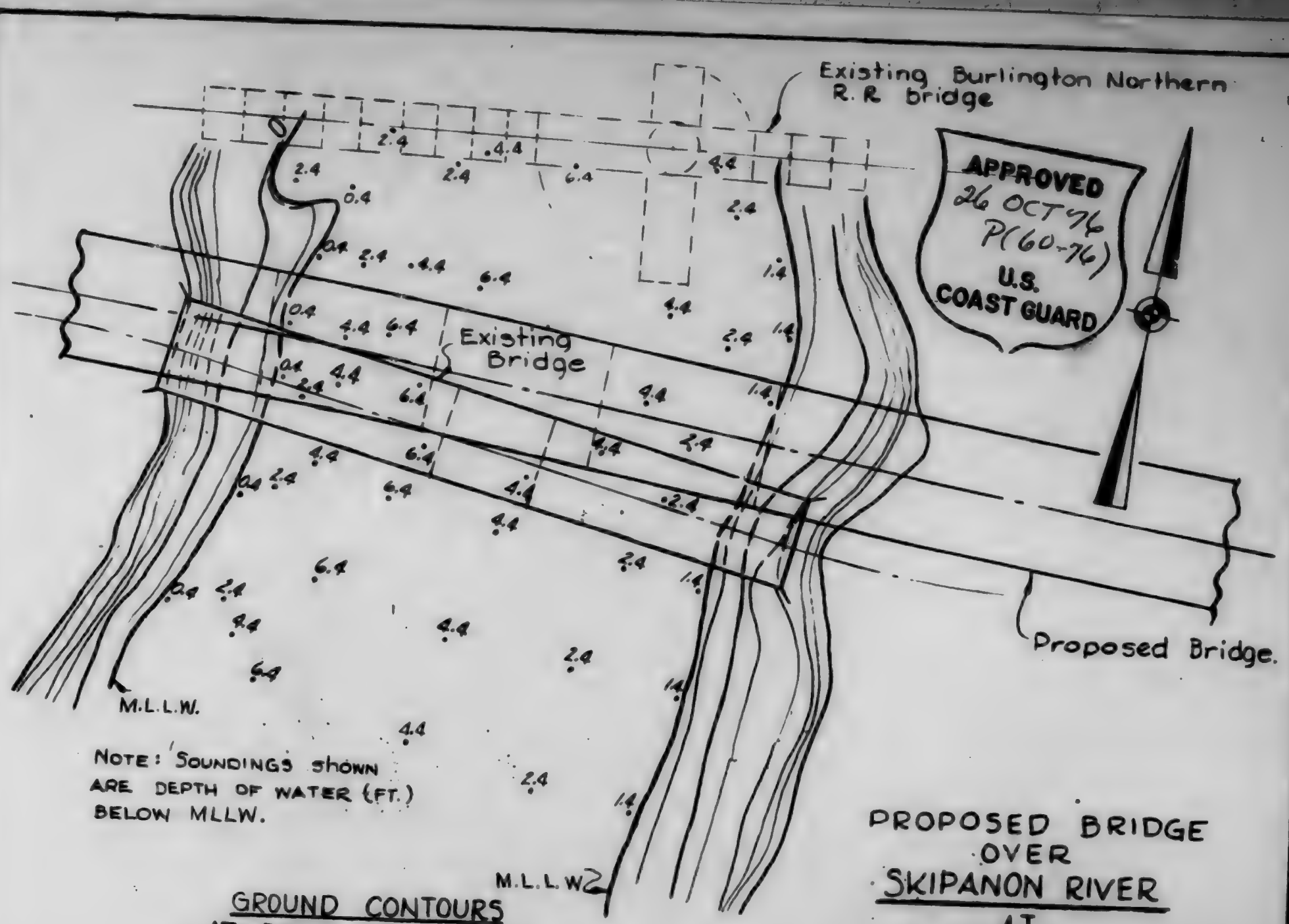
PILE PROTECTION DETAIL

SCALE IN FEET

0 10 20 30

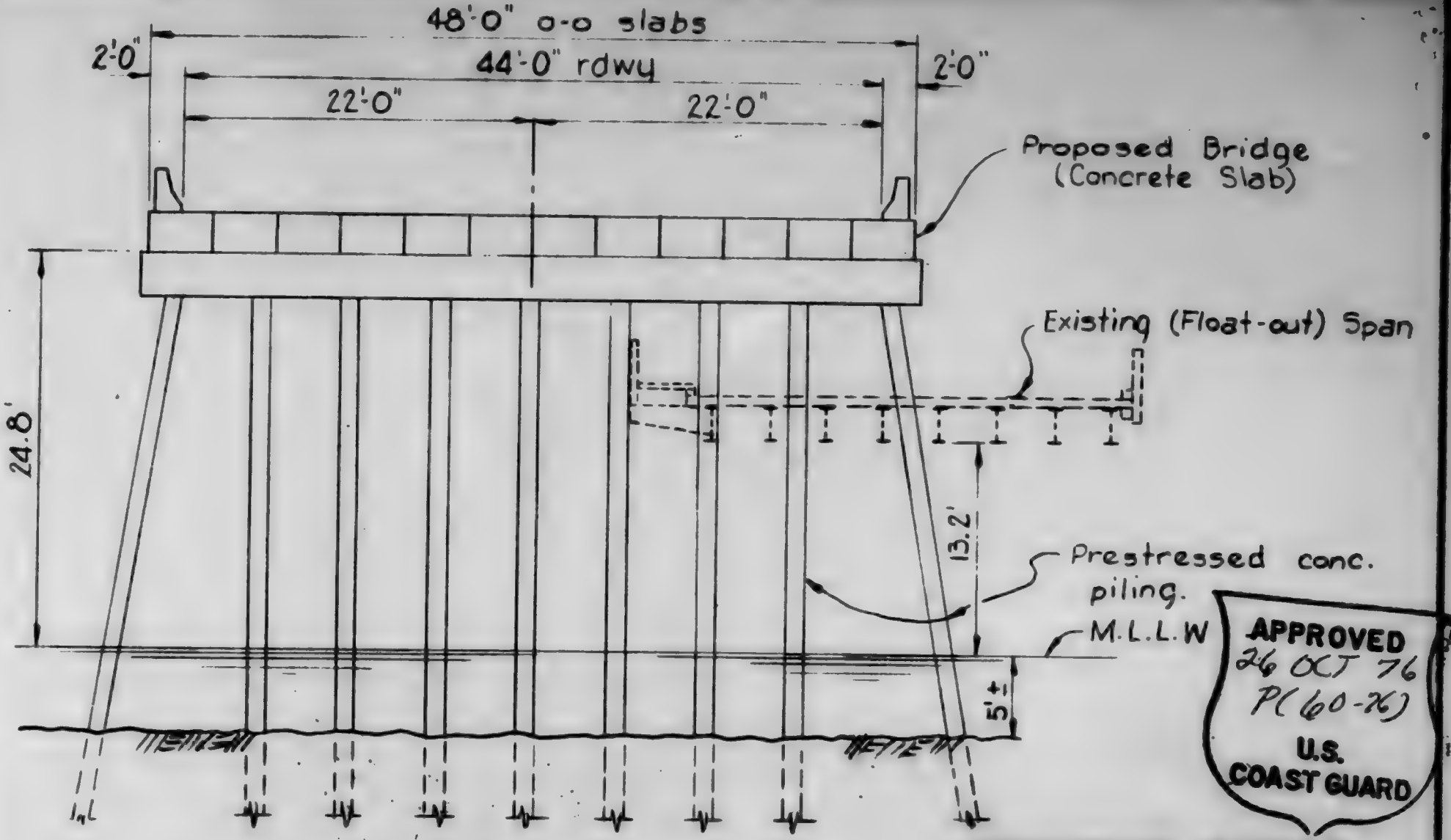
APPROVED
26 OCT 76
P(60-76)
U.S.
COAST GUARD

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 4 OF 6



PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 5 OF 6



TYPICAL SECTION AT CHANNEL

SCALE IN FEET

0 10 20 30

NOTE: PILE PROTECTION NOT SHOWN.
SEE SHEET 4.

APPROVED
26 OCT 76
P(60-76)
U.S.
COAST GUARD

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 6 OF 6

8651

9

OREGON STATE HIGHWAY DIVISION

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

October 20, 1976

NOTED
E. S. HUNTER

Mr. John Payne
Portland District, Corps of Engineers
P. O. Box 2946
Portland, OR 97208

Dear Sir:

Re: Skipanon River Bridge
S. Unit, Astoria-Camp Riles Section
Oregon Coast Highway
Clatsop County

Enclosed herewith is an application for a Section 404 permit for the above project, together with three copies of the essential plans and elevations for the portion of the project involving the new bridge over the Skipanon River.

We would appreciate your earliest consideration of this application.

Very truly yours,

Frank E. Terpin
Location Engineer

Enc.

WAE:mc

bc E. S. Hunter (w/att)
J. H. Versteeg "
R. W. Ellison "
C. G. Swenson "
Gary Potter "
D. E. Keyes "

RECEIVED
STATE HWY ENGR
OCT 20 '76
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

Form 81-734-3123

APPLICATION FOR A DEPARTMENT OF THE ARMY PERMIT

One set of original drawings and two copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and checklist).

1. Application number (To be assigned by Corps).	2. Date. Day Mo. Yr.	3. For official use only.

4. Name and address of applicant.

Frank E. Terpin, Location Engineer
Oregon Department of Transportation
State Highway Division
State Highway Building
Salem OR 97310

Telephone number 378-6883 Social Security No. N/A

5. Name, address, and title of applicant's authorized agent for permit application coordination.

Donald E. Keyes
Location Liaison Engineer
Oregon State Highway Division
212 State Highway Building
Salem OR 97310

Telephone Number 378-6265

6. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any, to be erected on fills, or pile or float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance.

See attached

7. Proposed use.

Private ☐ Public ☒ Commercial ☐ Other ☐ (Explain in remarks)

8. Name and addresses of adjoining property owners whose property also adjoins the waterway.

J. Shumaker
Rt. 1, Box 770
Warrenton OR 97146

J. Calloway
Rt. 1, Box 762
Warrenton OR 97146

Amax Pacific Corp
c/o C.P. Corporations System
400 El Camino Real
San Mateo CA 94402

Bellcom Resources Co.
Suite 500
299 Park Avenue
New York NY 10017

Buck Jacobs
P. O. Box X-241
Eagle Mountain CA
92241

9. Location where proposed activity exists or will occur.

Sec. 33 Twp 8N Rge 9W (Where applicable)

Oregon	Clatsop	Warrenton	
State	County	In - City or Town	Near - City or Town

10. Name of waterway at location of the activity. Skipanon River

11. Date activity is proposed to commence. March 1977

Date activity is expected to be completed. June 1979

12. Is any portion of the activity for which authorization is sought now complete? Yes ☐ No ☒
If answer is "Yes" give reasons in the remarks section. Month and year the activity was completed _____. Indicate the existing work on the drawings.

13. List all approvals or certifications required by other Federal, interstate, state or local agencies for any structures. construction, discharges, deposits or other activities described in this application.

Issuing Agency	Type Approval	Identification No.	Date of Application	Date of Approval
Division of State Lands	Removal/Fill		Not submitted as of this date	

14. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes ☐ No ☒ (If "Yes" explain in remarks)

15. Remarks (see paragraph 3 of Permits Pamphlet for additional information required for certain activities).

N/A

16. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

_____
Signature of Applicant

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowlingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisioned not more than five years, or both.

The application must be signed by the person who desires to undertake the proposed activity; however, the application may be signed by a duly authorized agent if accompanied by a statement by that person designating the agent and agreeing to furnish upon request, supplemental information in support of the application.

If the activity includes the discharge of dredged or fill material in navigable waters or the transportation of dredged material for the purpose of dumping it in ocean waters, the application must be accompanied by a fee of $100 for quantities exceeding 2500 cubic yards and $10 for quantities of 2500 cubic yards or less. Federal, State and local governments are excluded from this requirement.

APPLICATION FOR A DEPARTMENT OF THE ARMY PERMIT

6.

The project consists of construction on new alignment of a section of the Oregon Coast Highway. The permit application is for the construction of a channel change and the riprap protection at the ends of the new bridge across the Skipanon River. There will be approximately 3000 cubic yards of excavation for the new channel change and this material, with an additional 500 cubic yards for a total of 3500 cubic yards, will be used to fill the existing channel. There will be approximately 425 cubic yards of loose riprap placed under the ends of the structure and 4800 square feet of fibrous filter cloth under the riprap. The excavated material consists of soft sand, river silts and some organic material. It is assumed that standard construction equipment will be used, probably dragline, bulldozer, dump trucks, backhoe, et cetera.

INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
1	Title Sheet

SOUTH UNIT ASTORIA-CAMP RILEA SECTION OREGON COAST HIGHWAY CLATSOP COUNTY	SHEET No. 1
FED. ROAD DIV. NO.	STATE
10	OREGON

STATE OF OREGON

STATE HIGHWAY DIVISION

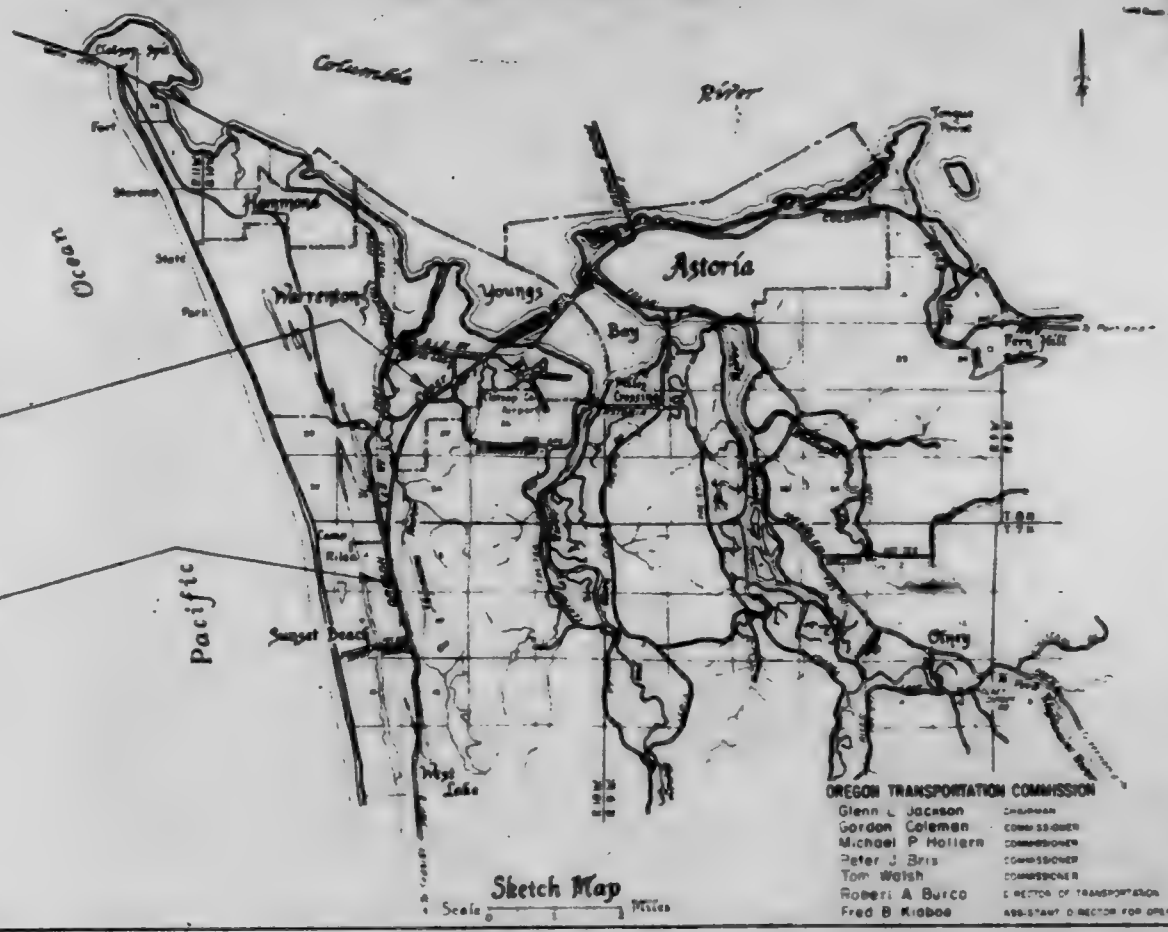
PLANS FOR PROPOSED PROJECT

SOUTH UNIT

ASTORIA ~ CAMP RILEA SECTION

OREGON COAST HIGHWAY

CLATSOP COUNTY



H. S. Coulter — STATE HIGHWAY ENGINEER

E. S. Hunter — ASSIST. STATE HIGHWAY ENGINEER

OREGON TRANSPORTATION COMMISSION

Glenn L. Jackson	CHAIRMAN
Gordon Coleman	COMMISSIONER
Michael P. Hollern	COMMISSIONER
Peter J. Bris	COMMISSIONER
Tom Walsh	COMMISSIONER
Robert A. Burco	DIRECTOR OF TRANSPORTATION
Fred B. Klabee	ASSISTANT DIRECTOR FOR OPERATIONS

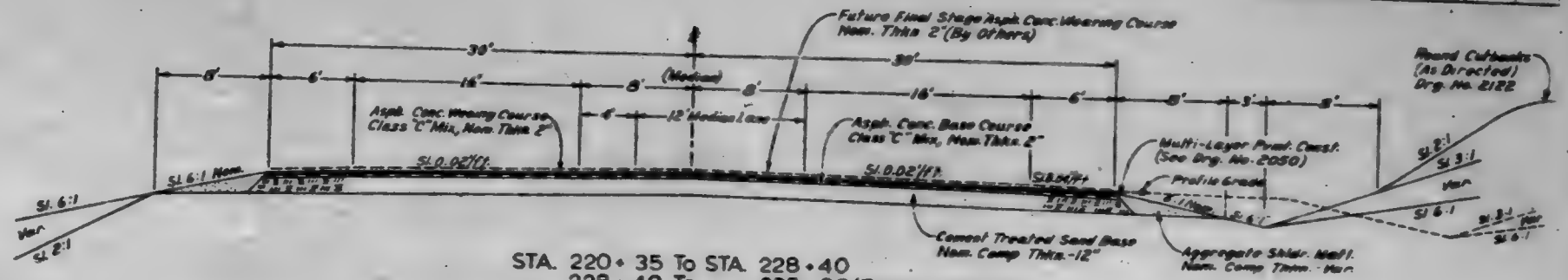
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

APPROVED

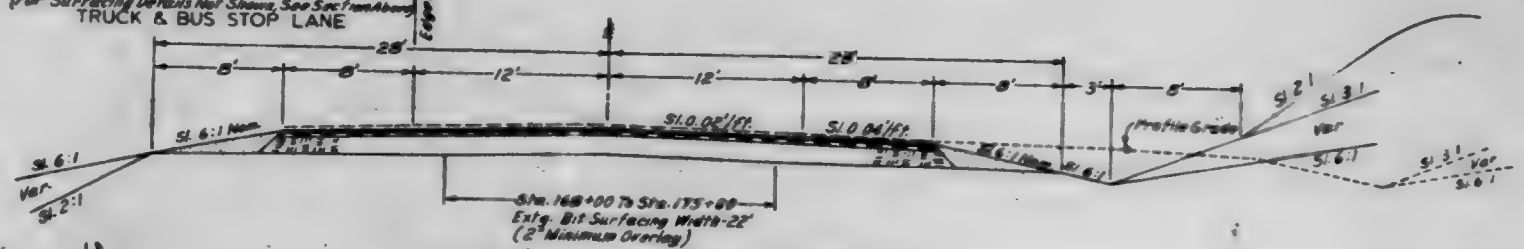
DIVISION ADMINISTRATOR — DATE

TYPICAL SECTIONS

SOUTH UNIT				SHEET No.
ASTORIA - CAPE FOULWEATHER SECTION OREGON COAST HIGHWAY CLATSOP COUNTY				2
10 OREGON				

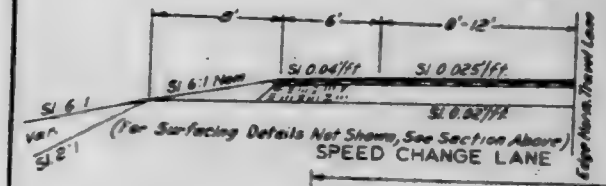


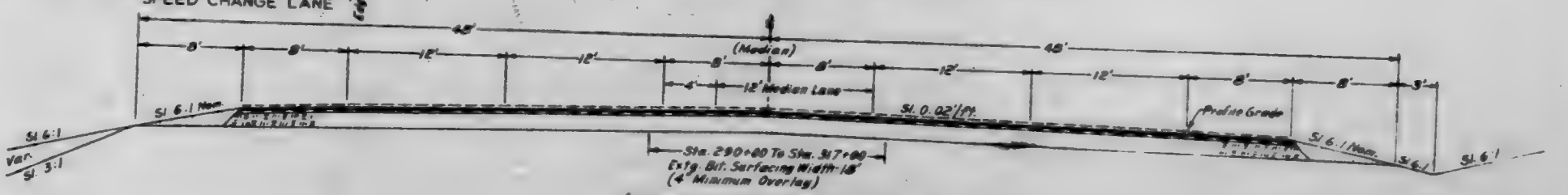
STA. 220+35 To STA. 228+40
228+40 To 235+00 (Taper Section)



(For Surfacing Details Not Shown, See Section Above)

STA. 168+00 To STA. 214+00
214+00 To 220+35 (Taper Section)
235+00 To 270+00
270+00 To 278+80 (Taper Section)





(For Surfacing Details Not Shown See Section Above)

STA. 278+80 To STA. 308+00
308+00 To 317+00 (Taper Section)

T.8N., R.10W., W.M.

SOUTH COUNTY
ASTORIA-CAMP RILEA SECTION
OREGON COAST HIGHWAY
CLATSOP COUNTY

FED. ROAD DIV. NO.	STATE	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
10	OREGON			5

① Sta. 221+12
Instl. 36" Culv. Pipe - 186'
Const. Flared End Slopes Lt. & Rt.
Granular Backfill 150 C.Y.
Tr. Exc. 240 C.Y.
(For Details, See Std. 2A)

② Painted Traffic Markers (By Others)
Drg. No. 2104

③ Const. Road Connection
(For Profile, See Std. 3A)

④ Sta. 224+78
Instl. 36" Culv. Pipe - 120'
Granular Backfill 110 C.Y.
Tr. Exc. 180 C.Y.
(For Details, See Std. 2A)

⑤ Sta. 228+15
Instl. 18" Culv. Pipe - 146'
Const. Flared End Slopes, Lt. & Rt.
Granular Backfill 90 C.Y.
Tr. Exc. 180 C.Y.
(For Details, See Std. 2A)

⑥ Sta. 232+08
Instl. 18" Culv. Pipe - 106'
Const. Flared End Slopes Lt. & Rt.
Granular Backfill 90 C.Y.
Tr. Exc. 120 C.Y.
(For Details, See Std. 2A)

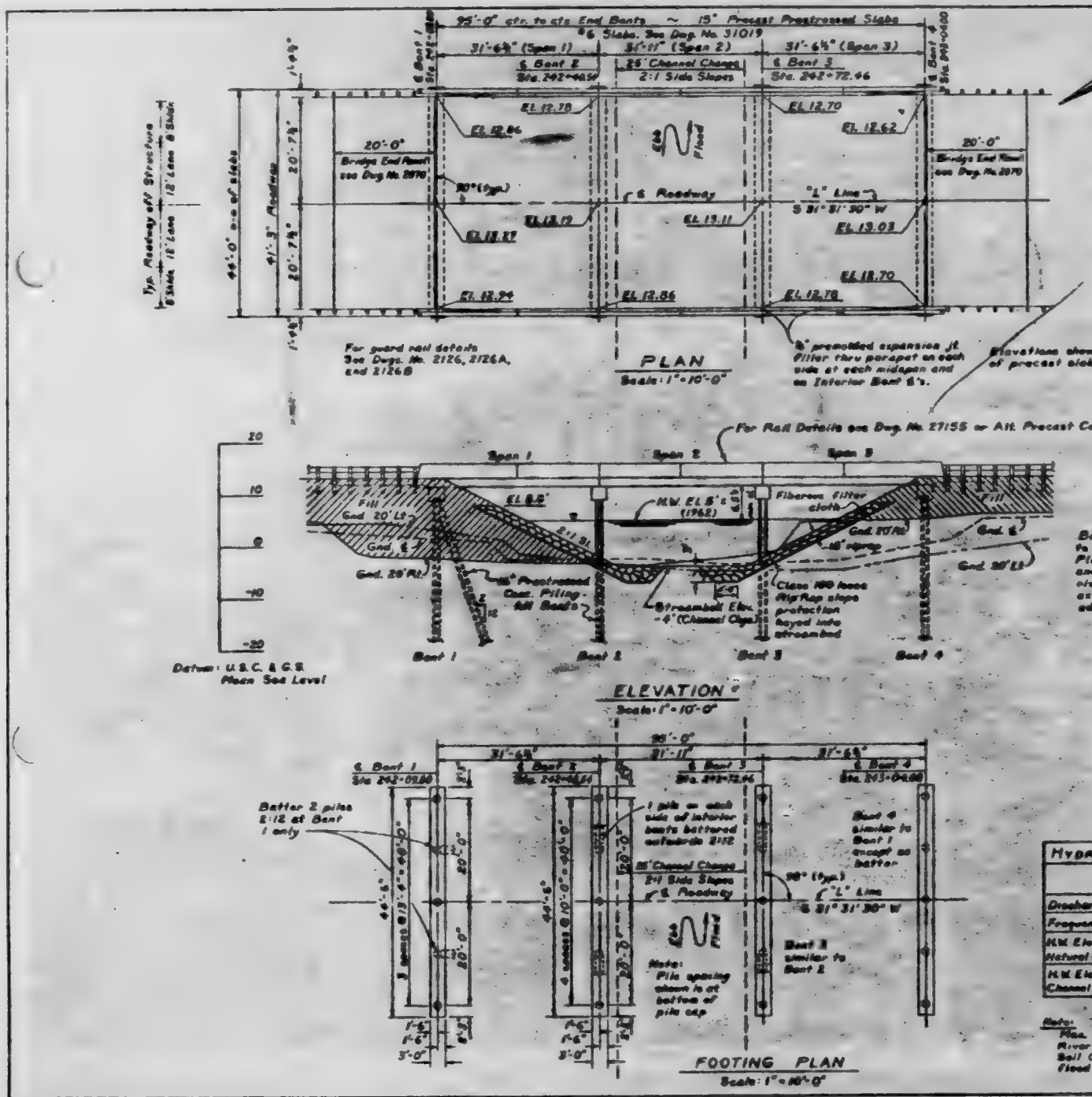
⑦ Bridge No. 8317
Const. Bridge - 99'
Rdwy. Width - 42'-8½"
Drg. Nos., See Std. 1

⑧ Const. Riprap Conc. Bridge Paneł - 2 (Total)
Drg. No. 3070

⑨ Sta. 240+29 To Sta. 244+36
Const. Guard Rail - 100' (Type 3R Total)
Const. Guard Rail - 500' (Type 2AR Total)
⑩ Const. Anchor - 6, (Type 1X Total)
⑪ Inst. End Piece - 6 (Type CX Total)

⑪ Const. Channel Change
25' Bottom 2:1 Slopes
Const. Loose Riprap (Class 100) - 425 C.Y.
Fiberious Filter Cloth - 4800 Sq. Ft.
Emb. 3500 C.Y.
Exc. 9000 C.Y.
Toe Trench Exc. 120 C.Y.

J. & E. Calhoun
Buck Jacobs
J. & E. Shoemaker
L. & E. Brake
Access Control Line
S 31° 31' 30" W.
Astoria Pacific Corp.
Ballcom Resources Co.
Warrenton City Limits
D.L.C. No. 80
SKIPPANON
Sec. 28
Sec. 33
Sec. 27
Sec. 34
DOLPHIN AVE.
N 89° 28' 30" E
R 1150.00'
Δ 13°06'46"
T 74.65
N 89° 28' 30" E
N 0° 31' 30" E
N 89° 28' 30" E
N 0° 31' 30" E
N 89° 28' 30" E
N 0° 31' 30" E



HYDRAULIC DATA	
	Design Flood
Discharge-c.f.s.	900
Frequency-yrs.	50
H.W. Elevation Natural Channel	5'
H.W. Elevation Channel Change	5'

Note:
Max. Flood Data N.A.
River elevations controlled by
Soil Conservation Service
flood control program.

GENERAL NOTES:

All material and workmanship shall conform to the Standard Specifications for Highway Construction of the Oregon State Highway Division.

Bridge designed for H S20-44 loading with an allowance of 50 psf for superimposed dead load.

All reinforcing steel shall conform to ASTM Specification A 615. Bars No. 3 thru 7 shall be Grade 40 (f_y = 20,000 psi) unless shown otherwise. Bars No. 8 thru 11 shall be Grade 60 (f_y = 30,000 psi). The following splice lengths shall be used unless shown otherwise:

bar size	splice length
3 - 7	24 d (1'-0" min.)
8 & 9	48 d
10 & 11	60 d

All bars shall be placed 3" clear of the nearest face of concrete unless shown otherwise.

Prestressing steel shall be in accordance with detail plans. Concrete in prestressed-precast units shall be as shown on the detail plans.

All other concrete shall be Class 3300-1½" (f_c = 1,320 psi).

All piling shall be 16" precast-prestressed concrete driven to a minimum bearing of 70 tons per pile. Piling at interior bents shall have alternate pile tips per Dwg. No. 23857.

OREGON STATE HIGHWAY DIVISION

SKIPANON RIVER BRIDGE

SOUTH UNIT: ASTORIA ~ CAMP RILEA SECTION

OREGON COAST HWY. CLATSOP CO.

PLAN & ELEVATION

Sheet 1 of 2

ACCOMPANIED BY SHEETS 31197, 30961, 2870,

30960

8651

9

PRO 6-2

Department of Transportation

STATE HIGHWAY BUILDING, SALEM, OREGON 97310

ROBERT W. STRAUB
GOVERNOR

October 5, 1976

TO G. L. Green, Division Adm.
Federal Highway Administration

FROM L. W. Rulien
Program Management Engineer

SUBJECT Minor Program Change
Archeological Salvage

We request your approval of a minor program change to add archeological salvage including any or all of the three phases of work set forth in FHPM 7-7-4 (PPM 20-7) to the following listed projects.

It is understood your approval of the preceding request will result in authorization and obligation of additional federal funds, as tabulated, for each project. Reimbursement will be claimed on an actual cost basis.

U of O No.	Project No.	Requested Authorization Date	Project Est. Cost	Federal Funds
001	JOP-95(3)	Jan. 17, 1976	$ 495.50	$ 425.00
002	RF-DP-29(26)	Jan. 19, 1976	4,009.00	3,439.00
003	RF-187(17)	Mar. 1, 1976	16,000.00	13,728.00
004	RS-15-107(2)	Mar. 3, 1976	658.00	564.00
005	ROS-000S(3)	Mar. 4, 1976	526.00	451.00
006	I-205-7(2)303	Mar. 3, 1976	1,235.00	1,059.00
007	RS-01-109(1)	June 20, 1976	461.30	395.00
008	RS-23-122(1)	June 20, 1976	468.50	401.00
009	US-TQS-265(4)	June 24, 1976	16,540.00	14,191.00
010	RF-29(24)	Mar. 12, 1976	460.00	394.00
011	RS-599(1)	Aug. 30, 1976	370.66	318.00
012	RF-115(24)	Aug. 30, 1976	370.68	318.00
017	RS-30-110(1)	Sept. 7, 1976	370.00	317.00
018	RS-117(2)	Sept. 7, 1976	345.00	296.00

Enclosed are two copies each of form "Archeology Authorization" for each project for your approval. Upon approval please return one approved copy for our files.

We further request authorization to proceed with work by the U of O for each project on the date shown in the preceding tabulation.

JLG:bb
Enc.

cc: Gary Potter
D. E. Swan

1.	Elk River – Port Orford	~~Hot~~ Curry	JoP-95(3)	8325
2.	Slater Creek – Mystic Creek		RF-DP-29(6)	8310
3.	Buchanan – Beede Reservoir	Harney		
4.	Head Road – Airport Road	Jackson	Con 21-8	Jackson
5	Statewide Roadside Obstacles Projects		Dis 10-1	SP.
6	Columbia River – Lake Road	Multnomah & Clackamas		21-1 SP 205
7	Powder River (Phillips) Bridge	Baker	RD-01-109(1)	8400
8	Malheur River (Russell) Bridge	Malheur	RS-23-122(1)	8349
9	Airport Rd. – Lancaster Dr.	Marion		
10.	Remote Section	Coos County	Con 21-4	Coos Bay Roseburg
11	Shipanon River (Warrenton) Br.	Clatsop	Mai 14-1-1	SP
12	S. Unit Astoria – Camp Riley		Con 21-101	Clatsop
13	N. Fk. Cold Springs Cr.	Umatilla	RS-30-100	$450
18	Fifteenmile Creek Bridge	Wasco	Con 19-1	F.

Please put
copies on
Lincoln and Tillamook
Lincoln Highway
9-3

8631

UNIVERSITY OF OREGON

Museum of
Natural History

EUGENE, OREGON 97403
telephone (code 503) 686-3033

September 2, 1976

Pieter Dykman
Oregon Department of Transportation
Highway Division
Salem, Oregon 97310

Dear Mr. Dykman:

The archaeological survey of the Skipanon River Bridge project area on the Warrenton-Astoria Highway has been completed. The survey was conducted by Richard M. Pettigrew, Survey Archaeologist for Highways, Museum of Natural History, on September 1, 1976.

No evidence of archaeological sites was discovered. Therefore, we plan no further archaeological work there, and have no objections to the planned bridge construction.

A final, detailed report will be forthcoming.

Sincerely,

David L. Cole
Curator of Anthropology

DLC:rb

cc: R.M. Pettigrew

cc: Fredrickson
Hunter

SEP 13 '76
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

Noted

8651

104-1915

8

RECEIVED
AUG 13 1976
DIST. ENGINEER
PE | RTE | ROE
LO | ROE | RTE

Robert Straub
XXXXXXXXX

August 13, 1976

Commander (oan)
Thirteenth Coast Guard District
Federal Building
915 Second Avenue
Seattle, Washington 98174

NOTED
E. S. HUNTER

Gentlemen:

SUBJECT: Skipanon River Bridge Hearing
Warrenton High School
July 28, 1976

At the hearing for the Skipanon River Bridge held by the US Coast Guard at the Warrenton High School on July 28, 1976, Mr. Herbert G. Palmberg made several statements regarding the Highway Division's handling of the design and construction of the proposed new bridge which require comment by the Highway Division.

In the second paragraph of Mr. Palmberg's statement, as shown on page 9 of the hearing transcript, he criticizes the Highway Division for depicting only one alternative in their permit request from the US Coast Guard. This particular alternative was a result of public meetings and hearings conducted in the City of Warrenton and was selected as the alternative most in keeping with the testimony and letters received by the Highway Division relative to this structure.

Several meetings with personnel in the Warrenton area culminating in a public hearing on December 20, 1973, involved several alternative proposals for the Skipanon River crossing. Those alternatives are summarized in some detail on page 24 of the Final Environmental Impact Statement. Two reasonable alternatives (an opening double bascule span and a fixed span) were also presented at the public hearing conducted on June 5, 1975. From an analysis of the testimony received at that time, the high fixed span was considered to be the most acceptable alternative for this particular site.

It was not considered to be in the public interest to present and discuss each of the many alternative proposals studied for this site at each of the public meetings or hearings held. Once any of those alternatives appeared to be unacceptable to the people, they were discarded.

On page 11 of the hearing transcript, line 7 through 12, Mr. Palmberg again raises the argument that no alternative solutions were offered. The proposal which he indicates was offered by the local people, of a high level bascule type structure with a 20' vertical clearance above mean lower low water, would require a greater structural depth below the deck surface than the high level fixed span proposed by the Highway Division. Therefore, the grade of the structure would be nearly as high, the approaches nearly as long, and the amount of right-of-way acquired about equal to that required by the high fixed span as proposed by the Highway Division. The clearances which he recommends are considerably in excess of those required by the original permit, and I can see no reason why the Highway Division should be obligated to construct this structure with this particular configuration.

On page 17 of Mr. Palmberg's statement, lines 16 through 25, and on page 18, lines 1 and 2, he presumes that the Highway Division's decision was based on a primary interest favoring vehicular traffic in opposition to navigation interest. The recommendations made by the Highway Division were based on an analysis of the testimony taken at both hearings and are not, to the best of my knowledge, prejudicial.

He further indicates that no designs or estimates for retractable span or for a single lift bascular span with vertical clearances of 20' over mean low water were prepared. Many estimates were prepared for structures of varying types although the high fixed span was the only span with a high level grade.

In most of the discussions regarding a bascule span at this location, navigation interests indicated that the span should be quick opening and should be manned at all times. Since the expense of maintaining a crew of drawbridge operators on any movable bridge on a 24-hour basis is quite high ($25,000 to $75,000 per year) there is no advantage to the Highway Division to construct a movable structure at a high level. Alternate 1-F shown on page 24 of the Final Environmental Impact Statement, indicates that a bascule span with the horizontal clearance of 34' and a vertical clearance of 16' would cost $2,000,000, $500,000 more than the high fixed span. As indicated above, raising the structural to provide 20' clearance above mean lower low water would require the construction of longer approach spans, the acquisition of additional right-of-way, and possibly the same displacement of buildings as the fixed span will require. This could raise the construction cost of the bascule span to $2,500,000, to say nothing of the continued maintenance cost.

On page 19, lines 6 through 19, Mr. Palmberg discusses other adverse features of a high fixed bridge. To provide a bascule span bridge with 20' of vertical clearance would save approximately 5' in grade line elevation. However, if navigation interests consider the clearance of 27' above elevation minus 5.8 inadequate, a bascule bridge having 7' less clearance would require very frequent openings.

The grade line on the fixed span proposed has been prepared in line with current highway design practice, and is not appreciably steeper than the grade line which would be required for a high level bascule structure.

On page 20, lines 7 through 12, Mr. Palmberg indicates that the Oregon State Highway Division public hearings mislead the public so far as the structure was concerned. The Environmental Impact Statement discusses the history of the area in detail and Mr. Palmberg has discussed, in detail, those points in the Environmental Impact Study with which he disagrees. Both the original statements of the Environmental Study and Mr. Palmberg's comments are contained in the Final Environmental Impact Statement which has been available to everyone interested in this particular project.

The Oregon State Highway Division did not schedule any election in the City of Warrenton. This was done by the people of Warrenton and was not influenced, as to date, by the Highway Division.

It should be pointed out that the Highway Division has, with reluctance, agreed to comply with the Coast Guard's request to bring the structure into compliance with the original Corps of Engineers permit. In the original Coast Guard letter, it was requested that either this be done, a reasonable alternative proposed, or that the existing Skipanon River Bridge be removed. A proposal to replace the bridge in compliance with the permit did not meet with favor in the City of Warrenton, nor did it meet with favor of the navigation interest who requested that this be done. We have, through the process of citizen participation, proposed a reasonable alternative which we feel best satisfies the conflict between marine and vehicular interests and will not severely compromise either interest.

Very truly yours,

ORIGINAL SIGNED BY

C. O. Fredrickson
REGION II ENGINEER

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STATE HWY ENGR
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FOR
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COF/elf/dea
cc: City of Warrenton
E. S. Hunter
W. J. Hart w/copy of hearing transcript
E. L. Everton

8251

8

Box 300
Salem OR 97308
August 3, 1976

Oregon Project RS-599(1)
Skipanon River Bridge
Coast Guard Public Hearing

1041BR

H. A. Schell, Division Bridge Engineer

NOTED
E. S. HUNTER

Mr. G. L. Green, Division Administrator

On July 28 I motored to Warrenton High School with Messrs. Ellison, OSHD and Steinbrugge, FHWA, Regional office, to attend the public hearing held by the Coast Guard on the navigation clearance for the proposed Skipanon River Bridge. Commander Walton opened the meeting and presented the procedure for conducting the hearing. He attempted to have a pro and con opinion throughout the entire course of the presentation. Approximately 93 people attended and the hearing was lively and well mannered.

The first person to speak in favor of the State's high level fixed span was Hal Snow, Warrenton city attorney. He indicated that the position of the city was in support of the Oregon State Highway Division's location. His comments also seemed to be consistent with all of the local governmental agency's opionions. This includes the Port Authority of Warrenton, Clatsop County Commission, Planning Commission, City and Fire Chief officials, Port Authority of Astoria.

The opposition was led by Herbert Palmberg and he was concerned that the Coast Guard did not show alternates in their notice. He also said that there were no meetings with local representatives of the different alternates to discuss the cost to benefit ratio. In the previous hearing held by Oregon State Highway Division he requested opening spans. Mr. Palmberg claimed the Chamber of Commerce also supports this type of structure. He also claimed that the opening span has never been considered by the governmental agencies. His final recommendation was a bascule span with a 20-foot clearance above M.L.L. water.

Mr. Litchfield represented the Oregon State Highway Division and gave a presentation for the proposed high level fixed span. His support was from the local government input in the planning process which developed this particular criteria for the site.

cy Perpin
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Various other people spoke throughout the hearing. Generally, it appears that the structure clearance will be a difficult task for the Coast Guard to analyze. Much of the presentations for the high level bascule span was based on expected future development, some people even indicating that navigation should go as far as Cullaby Lake. Various Port people indicated in the hearing that proposed expansion of areas downstream from the bridge site are now being considered and constructed to relieve some of the problem of moorage that apparently is perplexing the local people. Attached are my notes on the hearing and wherever possible an attempt was made to indicate the individual's preference.

During the next day the three of us reviewed the entire Warrenton area in order to become completely familiar with the hearing's comments' validity. High masted fishing fleet boats occupy about 10 percent of the moorage located in the Warrenton public moorage area. The rest of the boats are low level pleasure craft boats. There appears to be a potential for development downstream from the site.

We then motored up to the check dam for the Skipanon River. It is my opinion that if the Corps of Engineers' dam is removed the Skipanon River would be dry much of the time in the upper reaches when there is low tidal water. It would be ineffective as a navigation area. The Coast Guard indicated that the Skipanon River is navigable 1500 feet upstream from this check dam. I question whether this is possible for much of the river bottom area from the bridge up to the check dam was exposed during the period we reviewed the site 1 hour after -0.8 tide.

The hearing was very lively and interesting. Commander Walton indicated that his reply and recommendations would be forwarded to their Washington, D. C. office by August 15.

Original Signed by
H. A. Schell
Division Bridge Engr.
H. A. Schell

cc:
OSHD (R W Ellison)
Region (10BR.1)

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AUG 4 1976
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8651 Skipanon River (Warrenton) 1977
Br. Sec. of Warrenton-Astoria Hwy.
(Grade, pave, struc, sign & illum) #6

Skip bridge/ Navigation, government interests clash during

Thurs. 29 July '76

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON — A 16-man coalition of navigation interests led by Warrenton landowner Herb Palmberg debated Wednesday the merits of a fixed span Skipanon Bridge replacement plan with a 26-man coalition of government interests led by Warrenton city officials.

The forum was a U.S. Coast Guard hearing held at Warrenton High School which attracted more than 80 interested parties, 43 of whom offered oral testimony and many of whom offered written testimony.

The Coast Guard has decided the Oregon State Highway Division must replace the present low, slow-opening bridge with a bridge that doesn't unduly restrict navigation. However, it hasn't defined "unduly" to anyone's satisfaction yet.

The Highway Division has decided a high fixed span, one which would offer 25 feet of vertical clearance at mean lower low water and 17 feet at mean high water, wouldn't unduly restrict navigation. Accordingly, it has applied to the Coast Guard for a permit to build such a bridge.

The Coast Guard will combine the testimony taken at the hearing with testimony taken at two Highway Division hearings and voluminous other materials collected over the last five years during which the bridge has been an issue in arriving at its decision.

The Palmberg-led coalition testified in favor of a high, fast-opening bridge rather than the high fixed bridge proposed by the Highway Division.

The city-led coalition testified in favor of the bridge the state wants to build.

The Palmberg forces argued more moorage is needed, the best place to put it is upriver and that it can't be put there unless an opening-span bridge is built.

The city forces agreed that more moorage is needed, but argued it could be provided upriver even if a fixed-span bridge was built and that the best place to put it is downriver anyway.

Other issues raised included:

—Emergency vehicle access to East Warrenton.

The city forces argued construction of an opening bridge would lead to long and costly delays in getting police, fire and medical vehicles into East Warrenton where the city's boat basin is located and where a regional shopping center and major manufacturing facility are planned.

The Palmberg forces argued that there would be few openings and all openings would be brief, hence there would be little delay to worry about. They also noted there is an alternate route available and that a fire substation could be constructed in East Warrenton.

—Downtown traffic congestion.

Fixed bridge proponents expressed concern construction of an opening bridge over which more than 4,000 vehicles would pass daily would result in traffic backing up into a dangerous five-way intersection and into the city's commercial center.

Again opening span proponents minimized the delay factor and the likelihood numerous openings would occur.

—Expense.

The Highway Division has indicated it would cost substantially more to construct an opening span. City forces seized on that point in supporting the state's fixed bridge plan.

Palmberg attacked the state's figures, said the state never had done the design work for a high, fast-opening span as requested and noted the dollars would be coming from state and federal coffers anyway.

—Log truck delay.

Warrenton Lumber and D&R Timber representatives said they send up to 150 log trucks a day through Warrenton to their mill. They said the lumber industry is highly competitive, their mill lost money in three of the last four quarters and that log truck delays would badly hurt Warrenton's principal employer.

Navigation interests again argued any delays would be few and of short duration as most boats don't need more than 20 feet of clearance. They said an opening span wouldn't noticeably affect the local lumber industry.

—The need for vertical clearance.

While navigation interests admitted 90 per cent of the boats that probably would use the river could get under a 25 foot high fixed span, they said trollers, sailboats, dredges and piledrivers couldn't.

Opposing interests conceded the point, but said trollers and other tall boats don't need to get upriver because there is ample downriver moorage and that dredges and piledrivers can get under fixed bridges with their booms lowered or be transported overland. They noted tugs would have no problem with clearance and that the upper Skipanon is only six feet deep anyway.

—The significance of the advisory election.

Palmberg and his allies argued an advisory election in which a majority of Warrenton and Hammond residents opted for a high fixed span design over a high opening span design wasn't valid because most boaters don't live in the area while nearly all roadway users do.

The city using the advisory election as one of its biggest selling points. Its representatives said the results showed what the people really want.

—The nature of the governmental opposition to an opening span.

—Navigation forces claimed the city is conducting a personal vendetta against Palmberg, that it has refused to let the issues be aired publicly and that it coerced other governmental units into coming to its aid.

City officials said the subject had been discussed at two public hearings, 26 city commission meetings and 12 planning commission meetings, that it had been the subject of 22 daily newspaper articles and that the city's decision had been made only after all of this input had been received.

Representatives of other governmental units, most notably County Commissioner Lyle Ordway and Port of Astoria Traffic Manager Gail Packard, said they also had deliberated for a long time in public before arriving at thoughtful decisions.

—Possible dike damage and bank erosion.

City interests argued heavy boat traffic upriver would lead to the erosion of dikes the city's taxpayers are required to maintain and might threaten a few homes.

Palmberg discounted that argument. He said the U.S. Army Corps of Engineers would perform dike maintenance at no cost to the city.

—The river's historic use.

Persons in Palmberg's camp said the river historically had been open to upriver traffic and still would be used extensively if the present bridge hadn't been built.

City forces argued the river hadn't been much use to anyone until it had been dredged by the city at a locally-borne cost of $500,000

Public meeting

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Thurs. 29 July '76

...bridge/Navigation, government interests clash during hearing

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City forces argued the river hadn't been much use to anyone until it had been dredged by the city at a locally-borne cost of $500,000 and contended the work was done to benefit log rafting interests navigation interests are driving off the waterway.

Seattle-based Coast Guard officials will accept additional written testimony until Aug. 11. They will arrive at a recommendation by Aug. 15.

Washington, D.C.-based Coast Guard officials will make a binding decision later in the year after reviewing the hearing record, the recommendation from Seattle and reams of related materials.

Public meeting

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OFFICIAL REPORT OF PROCEEDINGS

BEFORE THE

UNITED STATES COAST GUARD
13TH COAST GUARD DISTRICT
WARRENTON, OREGON

DOCKET NO.

IN THE MATTER OF:

PUBLIC HEARING

RE

PROPOSED BRIDGE OVER SKIPANON RIVER

PLACE: Warrenton, Oregon

DATE: July 28, 1976

PAGES: 1-104

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2462 Kuhio Avenue
Honolulu, Hawaii 96815
(808) 923-7557

BEFORE THE

UNITED STATES COAST GUARD

13th COAST GUARD DISTRICT

WARRENTON, OREGON

In the Matter of:

PUBLIC HEARING

RE

PROPOSED BRIDGE OVER SKIPANON RIVER

Library,
Warrenton High School,
Warrenton, Oregon.

Wednesday, July 28, 1976.

Pursuant to notice, the above-entitled matter came on for hearing at 7:10 o'clock p.m.,

BEFORE:

COMMANDER RICHARD WALTON, Chief, Aids to Navigation Branch, Operations Division, 13th Coast Guard District.

- - -

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P R O C E E D I N G S

CDR. WALTON: Good evening, ladies and gentlemen. I am Commander Richard Walton, Chief of the Aids to Navigation Branch, Operations Division of the 13th Coast Guard District in Seattle.

We'll have some other representatives here from our Coast Guard Headquarters. They haven't arrived yet and I'll introduce them to you when they do arrive.

I'd like to introduce Mr. Christensen from my staff, who is head of the Bridge Division. And I'd also like to thank all of you for taking the time and trouble to come tonight.

This public hearing has been authorized by the Commandant of the Coast Guard, under the authority of 33 U. S. Code and Title 49, Code of Federal Regulations.

The existing Highway Bridge at Skipanon River Mile 2.0 was constructed as a single-leaf, hand-operated, bascule span in accordance with a permit granted 15 September, 1916. The bridge has been altered to a float-out span without authority to do so. For this reason, the Commandant of the Coast Guard has ordered the bridge owner to restore the bridge to permit requirements or to provide a suitable replacement.

The purpose of this hearing is to consider an application from the Oregon State Highway Division for approval of the location and plans for a proposed fixed replacement bridge.

By Public Notice 75-N-26, dated 29 October, 1975, which were issued to you at the door, interested parties were given

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opportunity to submit written comment on the application. Numerous comments were submitted. The application has generated much controversy and this hearing is being held to gather additional information from all sources.

The plans submitted by the applicant show the bridge to have clearances within the main navigation span of 54 feet horizontal and 24.8 feet vertical at mean low, low water. A vertical clearance of 17.1 feet is provided at mean high water. Plans of the proposed bridge and a description of the proposed work are shown in the salmon colored hand-out distributed at the door. Enlarged drawings displayed here depict information contained in the hand-out.

Marine interests have objected to the size of the navigation opening of the proposed bridge and have requested this hearing for the purpose of obtaining additional information. Your comments should be limited to Coast Guard areas of responsibility of providing for the reasonable needs of navigation.

You were each given a card upon arrival, and if anyone still has a card, please hold up your hand. Mr. Christensen will collect it at this time. These cards are used to determine attendance and whether the person desires to be heard. Each person desiring to speak will be asked to present his views. There will be no cross-examination. When a speaker is finished, if I desire to hear questions in the interest of clarifying a point, I may pose a question to him.

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This meeting will be conducted until all who wish to speak have been heard. There is a Court Reporter present who will report all material presented. A copy of the transcript of this hearing may be purchased directly from him. Each person who speaks will be requested to step forward in turn, and identify themselves before presenting any statement. It is requested that no comments be made from the floor, as the Reporter may not be able to hear what is said or to identify the speaker.

Additionally, time will be allowed until 9 August, 1976 for submission of additional written comments. After that date, all material presented will be forwarded to the Commandant of the Coast Guard for a final determination.

Are there any questions now as to the procedure we propose to follow?

(No response)

CDR. WALTON: Okay. First, are there any representatives or messages from members of the Congressional delegations?

(No response)

CDR. WALTON: Are there representatives or messages from any State delegations?

(No response)

CDR. WALTON: Are there representatives or messages from any Federal agencies that wish to be heard?

(No response)

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CDR. WALTON: Are there any representatives from local government who wish to be heard at this time? I recognize Mr. Snow.

STATEMENT BY HAL SNOW

MR. SNOW: Commander, my name is Hal Snow; I'm the City Attorney for the City of Warrenton, and in that capacity, have been asked to lead off their presentation.

We've submitted to you a list of some 27 individuals who have contacted the city and I believe are here this evening, regarding their position in support, of the city's position, on the bridge. They are, for the record -- No. 2 is Mr. E. R. Baldwin, is the former City Manager of the City of Warrenton, and is now a consultant with the city, as well as Dant & Russell Timber Company; Mr. Don Edy is with Knappton Towboat in Astoria; No. 4 is Mr. Les Newton, is the Mayor of the City of Warrenton. He runs a marine and vehicle engine repair operation; No. 5 is Gilbert Gramson, the current City Manager; No. 6, Mr. Ted Bellingham, is the Manager of Warrenton Lumber Company; No. 7, Mr. Howard Johnson who we hope is here, is with the Port of Astoria; No. 8, Ruth Cotter is a businesswoman and a new member of the Warrenton Chamber of Commerce Board of Directors; No. 9 is Mr. Myron Beals who is with the Johnson Drug Company here in Warrenton; No. 10 is Della Wilson, Warrenton City Commissioner and an employee of the Oregon State Police; No. 11, Dean Chamberlain, is a member of the Warrenton City Planning Commission; No. 12

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is Fred Andrus, Chairman of the City of Warrenton Planning Commission and former Editor of the Daily Astorian; No. 13 is Mr. Martin Nygaard with Dant & Russell; No. 14, Mr. Earl Cadle, who is the owner of Kampers West, a large recreational vehicle park in the city; No. 15 is Mr. Bob Gohl, who is the local barber and active citizen; No. 16, William Hartley who is the Manager of the city's mooring basin; No. 17, William Bronson, City Police Chief; No. 18, Jack Lesch who may be late, and he will be represented instead by Mr. John Day. They are the city's planners and planning consultants. Ed Wilner is No. 19 -- he's a long-time resident and real property owner; Ruth Newton, No. 20, is a housewife; No. 21 will not appear; No. 22, Mr. Gail Packard, is the Traffic Manager for the Port of Astoria; No. 23 is Mr. Dick Ford, the City Building Inspector, and more importantly, the City Fire Chief; No. 24, Mr. Jim Hier, is a charter boat operator who I believe has a petition from navigation interests; No. 25, Roger Thompson, is with Dant & Russell and an active citizen who attends many City Planning Commission meetings; John Shepherd is the Fire Chief for the town of Hammand; and Leon Wilson, No. 27, is an interested Warrenton citizen. And two letters from Jones Stevedoring Company and Brady Hamilton Stevedore Company which we'd asked to be introduced into the record.

The issue of the construction of this bridge is the most thoroughly discussed and debated issue in the city in recent

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years. There have been numerous hearings held and an election. By count, the matter was discussed since March of 1973, 36 times by the Warrenton City Commission, until last September. It was on the Planning Commission and discussed by the Warrenton City Planning Commission in that time period, 12 times. By my count, there were 22 articles appearing in the Daily Astorian from March, 1974 until December of this year; and the Daily Astorian is the only daily newspaper circulation in the county. We are a water-oriented community. The city's position in support of the proposal that you have in front of you this evening, was not reached in a vacuum. The State of Oregon has an open meetings law, which requires open operation of local government. There are no pre-meetings held by the City of Warrenton and there have been none. The city's position was reached openly and everyone has been given an opportunity to be heard. The city went so far as last June, conducting a plebiscite advisory election, to be better advised of the consensus of all the people in the city. The Oregon State Highway Division design reflects the consensus and the desires of the City of Warrenton and represents the official position of the City of Warrenton. In the city's opinion, the design allows maximum usage by navigation, without affecting the environment, at the most desired location and at a minimum cost. It represents an optimum balancing of all the interests arrived at, fairly, and the city feels meets the reasonable needs of navigation.

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CDR. WALTON: Thank you, Mr. Snow. And now I'd like to call on Mr. Palmberg.

STATEMENT BY HERBERT G. PALMBERG

MR. PALMGERG: I feel like I'm fighting an uphill battle to try to preserve something that popular demand wants; and I've been doing it for the past 5 years, and we'll continue to do it until this thing is totally resolved to the benefit of the community.

You'll notice that you have -- this was passed out as a public notice depicting only the bridge for which the State made an application for a permit to construct. It does not depict any alternate designs whatsoever such as have been requested by navigation interests consistently over a period of years, and even by the city, until this so-called advisory election was held, after two public hearings by the Oregon State Highway Commission.

In working on this thing for the past many years, I have tried to get some of the agencies involved to sit down and discuss the merits of the issue, pro and con -- benefits and costs. And that, I have been unable to do. We had one meeting with the Coast Guard which was intended to be covering the interim engineering features of a bridge to be operated -- as was to be operated until the new bridge was built. And at this meeting, there were in attendance Coast Guard representatives, State Highway Department representatives -- about 3 of them; 3 repre-

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sentatives from the City of Warrenton, the Attorney, the Mayor, the City Manager; and the meeting kind of got lost in the shuffle, because we got into legal entanglements and discussions that were really not related to the engineering of a new bridge at all. But we did have the meeting.

We had one meeting with the State, and at this meeting there were several State representatives that wished to attend the meeting, but we had agreed in advance that that was not to be the case. It was to be a meeting where one person from our side of the picture would discuss the issue with one person from the State; and we allowed in attendance, the City Manager, and the local representative of the State Highway Department. That meeting was only to discuss the detour feature of the bridge. And after the meeting was held, and I might say that at that meeting, the representative in regard to the detour said that everything we discussed sounded logical -- but we were advised afterward that this particular individual had no authority whatsoever to discuss anything except what the interim solution would be for handling the bridge openings during the period before the new bridge is constructed. So, that was a useless meeting.

As far as the City Commission of Warrenton is concerned, they have refused to discuss the situation at any time with navigation interests. At one time, an appointment with one of the city officials to come to our home to discuss some of the

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issues on the development of the upstream river -- but that particular Commissioner who was newly appointed by coercion from other Commissioners, was encouraged to not keep that appointment, and he did not keep that appointment; so, we've had no opportunity to discuss this thing, as far as the analysis of benefits and costs is concerned, with the City of Warrenton.

It's unfortunate that we don't have any alternate solutions on this bridge, but actually, there has been one alternative that has been proposed by navigation interests all along, and by the city until this election, and that was for an opening span that would have a 40-foot horizontal clearance and a 20-foot vertical clearance at mean lower low water.

The navigation interests are represented and have formed a group which represents all navigation interests on the river except for the lumber mill -- the timber interest. And the timber interest, I think everyone is pretty well familiar, is the largest industry in the community; has the -- a large number of employees, many of whom live in the community and of course are influenced by the desires of the lumber mill; and the lumber mill, of course, has been supporting the fixed span bridge for a long time. In fact, it was originally instigated, I think, by the timber interest, to ask for a closure of this river at this bridge to support no navigation except for logs. This, of course, was an illegal maneuver.

As far as the rest is concerned, I have a written report

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which I'll read pertinent parts of.

The Skipanon River Bridge became an issue in 1971, when local timber interests prevailed upon the Warrenton City Commission to request Congress to pass an Act which would close the Skipanon River to navigation above the bridge except for logs. I immediately acted in the interest of navigation to prevent this, and requested that the bridge be restored to original permit conditions. This the Coast Guard ordered the State to do in an order dated June 26, 1972, over 4 years ago, but the State has elected to build a new bridge to provide not only for present but for future needs of navigation.

Clatsop County, because of the well-known devisiveness of its citizens and political subdivisions, is possibly the most backward county in the State of Oregon. This local devisiveness has been strongly evidenced in the controversy concerning this bridge. The Skipanon River is a Federal navigable waterway and as such, its use transcends any local considerations.

Our aim must be to construct a bridge that will best serve the overall public good, giving full consideration to the future as well as to the present. Since time is limited at a hearing like this, written documents in support of oral testimony must of necessity be submitted. On the conclusion of my remarks, such documents in support of an opening span bridge which we've had for the past 60 years, will be submitted. For the record, I wish first to make the following general statements in support

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of an opening span bridge:

The preponderance of testimony at Oregon State Highway Division public hearings held December 20, 1973 and June 5, '75, favored an opening span bridge with clearances approximately 40 feet horizontal and 20 feet vertical above mean lower low water in closed position.

The Skipanon River is a Federally authorized navigation project providing for a channel 40 feet wide and 6 feet deep at mean lower low water extending 4,500 feet upstream from this bridge. This project was completed in 1939 and it will be maintained by the Government as necessary to meet the needs of navigation.

The Warrenton City Commission reversed itself and withdrew its support for an opening span after a so-called "advisory election" held June 10th, 1975, after the two State Highway Division public hearings. This election was not a fair evaluation of navigation needs for the following reasons:

The city claimed the vote of 123 to 110 for a fixed versus an opening span was a substantial majority. This was not a substantial majority, and had not a flyleaf been distributed to voters to vote for a fixed bridge, the vote might well have been the other way.

The town of Hammond was included in the election with Warrenton. Since Hammond has a mooring basin in competition with Warrenton and since Hammond residents use this bridge to

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drive east and would prefer it never being open -- just as most of us would prefer on the Young's Bay Bridge, incidentally -- it's quite obvious that if the Hammond votes were not counted, the vote would likewise have been the other way. Many of the owners and operators of marine enterprises along the Skipanon River do not live in Warrenton voting precincts; hence, the vote reflected more the desires of the vehicular interests than the needs of navigation.

I might add that the timber firm is the largest employer in the City of Warrenton and their employees were probably encouraged to vote for the fixed bridge since this is what the timber company wants; and were those votes not counted, we probably would still have had a vote that went the other way.

The Warrenton Chamber of Commerce has continuously supported an opening span bridge. A Chamber poll, to be taken after this hearing, was initiated by a representative of the lumber firm on the Skipanon River, in an attempt to get local business interests to vote for a fixed bridge without knowledgeable information as to the future needs of navigation.

Previous Port and County Commissions have advocated restoration of the bascule span for this bridge, as written documents will substantiate. The present Port and County Commissions have acted, at the specific request of the Warrenton City Commission, to support a fixed bridge. The Port's action was contrary to evidence developed by its own staff.

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The Warrenton City Commission's attorney has stated in a letter, of which a copy is being submitted, that the city's Comprehensive Land Use Plan for areas above the bridge cannot be finalized until a study is made after the type of bridge to be constructed has been decided. The obvious conclusion is that an opening bridge and not a restrictive fixed span will permit a much greater upstream development with resultant tax base increase and benefits for the overall public good.

Current and proposed facilities, including the recent Brown & Root oil rig platform installation, will utilize all the Spipanon River area below the bridge. With waiting lists for moorage spaces totaling well over 1,000 at Ilwaco and Chinook, Washington and at Hammond and Warrenton, together with the future certainty of an increasing demand, the potential moorage and service facilities of thousands of vessels in the Skipanon River above the bridge are urgently needed, and these improvements would be seriously jeopardized were a fixed bridge with only 25 feet vertical clearance at mean lower low water constructed.

Some objections to the new bridge and dredging of the upstream channel are because of misleading statements indicating that there will be local taxation for these improvements. This is not so. The bridge will be built with 78% Federal funds and 22% State funds. Cost is of minor importance compared to the navigation and tax base benefits to our community. Dredging

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of the channel and riprapping of the dikes for justifiable commercial navigation purposes would be done with Federal funds. No local taxation will be required for any of these improvements.

There is being submitted as written testimony a recent article appearing in the July 23, '76 issue of the Daily Astorian, confirming the economic expansion now taking place in Warrenton, further establishing the urgency of preserving unrestricted access to the upper Skipanon River for moorages and marine services for all types of commercial fishing and recreational vessels and the marine equipment necessary to construct and maintain facilities for such vessels.

Referring to the land use plan provision that property on the east bank of the Skipanon from Mile 2.0 to Mile 3.5, which is between the Harbor Street Bridge and the U. S. 101, is residential, does one presume that no upstream moorages will ever be constructed regardless of the type of bridge built? Of course not. Therefore, the land use plan will be modified if for no other reason than to provide parking space for the moorages which will develop up there.

I requested and received a copy of the Coast Guard District's Findings of Fact relating to the fixed bridge and believe that a substantial amount of pertinent information relating to navigation on the Skipanon River was not made available for these findings. Referring to the specific paragraphs in the Findings of Fact, I feel the following corrections and comments

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should be made:

It seems appropriate to point out that the float-out span constructed in 1932 to replace the original bascule span, continued to allow unrestricted upstream navigation and that the river was dredged with completion in 1939 as an authorized Federal navigation project 4500 feet upstream from the bridge. The subsequent illegal blockage of the river by logs, ordered ceased recently by the Corps of Engineers, with the river no longer being used for this purpose, has made restoration of full marine use of this portion of the river again possible. There remains only to restore the bridge to legal condition and to dredge to project depth of 6 feet, the channel which has shoaled due to deposition of silt, bark, sinker logs, et cetera, from the log operations such that nevigation is presently possible only at high tide.

Paragraph 5 of the Findings of Fact: The applicant's decision -- the applicant being the Oregon State Highway Division -- after a meeting on March 8th, 1976 with the FHWA -- and I presume that's the Federal Highway Administration -- and the Coast Guard, must be questioned for some reasons as follows:

The applicant has a primary interest favoring vehicular traffic in opposition to navigation interests.

No designs or estimates for a retractable span, or even for a single leaf bascule span with vertical clearance of 20 feet above mean lower low water as requested by navigation in-

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terests and by the city until the election, has ever been presented for any consideration or comment.

The land use plan is not a consideration, as it is to be modified depending on the type of bridge to be built. Obviously, an opening bridge will permit much more beneficial land use.

Other adverse features of a 5-foot higher fixed bridge must be considered: Namely, the longer approaches on each side which will interfere with the mooring basin entrance on the east side and the city's shopping center on the west side, as well as existing marine businesses on both sides. And I might add that the city has consistently been objecting to a high bridge that would have long approaches coming out on both sides of the bridge, and now this is the one that they're asking us to build rather than one 5 feet lower.

The longer adverse grades -- thousands of vehicles will be required to travel each day crossing over this 5-foot higher bridge; the longer obscured sight distance and the consequent hazard because of turnoffs on each side of the bridge, especially during icy conditions.

With respect to Paragraph 6(a), the river is navigable for at least 4½ miles above the bridge and it is susceptible of navigation to Cullaby Lake, which is ½ mile wide, 3 miles long and about 6 miles above the bridge. The bridge at Mile 3.5, contrary to statements in the findings, was opened many years ago by the Brookfield Company to perform dike work on the right

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bank, just upstream from that bridge.

Historically, prior to the blockage by logs and before and during the period of operation of the bascule span which was from 1917 to 1932, the river above the bridge was used extensively by vessels navigating to canneries, tugboat moorages, mills, log booms, et cetera; and, in early days, to an upstream landing from which a stagecoach took passengers south.

There are presently commercial facilities upstream of the highway bridge at Mile 2.0. Mr. Hellberg has a gillnet boat loading and unloading and tie-up site; Palmberg Construction Co. has a dredge and tugboat moorage site; Oregon Ocean Services has a floating warehouse and a moorage; and Joy's Charter Offices are located on the upstream side of the bridge. In addition, there are extensive commercial facilities contemplated as soon as the new bridge is built and the channel is to be dredged.

Paragraph 7(b): If the potential for future navigation is unknown, as stated, the waterway should definitely not be restricted by a fixed bridge. Actually, the potential is known. Plans are being made for marine ways and vessel repair facilities, for temporary lay-up and winter moorage for trollers, trawlers, sailboats, dredges, piledrivers and large recreational vessels, as well as for other marine-oriented developments.

Paragraph 8: Contrary to the findings of fact, there are homes and warehouses on shorelands above the bridge in connection with a floating warehouse and gillnet boat moorage and a

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dredge and tugboat moorage. Furthermore, the potential is not debatable as was stated in Paragraph 7.

The project has not had full and unprejudiced exposure to the public participation process or this hearing would not have been necessary. Unfortunately, the applicant and certain prejudiced local public bodies have given input negative to navigation. Agencies of navigation interests and individuals interested in navigation, were misled by the Oregon State Highway Division public hearings and the Warrenton City Commission, the testimony presented at the hearings and by the city being definitely for an opening span bridge until the misrepresentative advisory election of June 10th, 1975 was held after those hearings. Agencies and individuals interested in navigation have objected to the proposed fixed bridge, and now finally have an opportunity for input to the proper authority -- the U. S. Coast Guard.

The dikes are not a bona fide reason for denying access to the river. If so, why a road on the dike surrounding the Warrenton Mooring Basin and similar accesses to the river over all other Columbia River dikes? One has only to fill lands to dike level for a reasonable distance behind the dike and the Corps of Engineers then no longer considers that reach a part of the dike. Such fills will be made with dredge spoils from the river in connection with shoreland, marine-oriented improvements.

Viewing the situation in perspective, a fixed bridge would

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be far more detrimental to navigation than would an opening bridge to vehicular traffic.

Present limitations of the land use plan and claimed concerns over rights of ownership are hardly any justification for denial for all time of the use of a waterway.

The Corps of Engineers' Draft Environmental Impact Statement Supplement confirms, as indicated, the Government's proposed bank protection work upstream from the bridge because of navigation. This would not be at the expense of local taxpayers, contrary to statements publicized by local officials.

The illegal altering of the bridge to a float-out span does not justify its abandonment after 60 years as an opening span. The claimed small increased cost of an opening span will be recovered many times over in navigation benefits and revenue from increased tax base on upstream developments. Annual operating costs could be minimized by regulations covering bridge openings as future conditions may warrant.

The upstream area when dredged will exceed in size, with adequate depth, the moorage space available below the bridge. Developments are contemplated to accommodate high clearance vessels and the only possible limitation would be the fixed bridge of limited height.

In view of the testimony being presented at this hearing and until August 11th -- you stated August 9th -- you meant for mailings to be made by August 9th, I presume. The information

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we had was that we could submit testimony until August 11th, is that correct?

We suggest modification of the recommendations for the bridge as follows:

A permit should provide for a bascule span bridge with 40 feet horizontal clearance and 20 feet vertical clearance at mean lower low water in the closed position, with the following provisions:

6 months and 2 years for the start and completion of construction; falsework to accommodate the present navigation needs; the removal of existing bridge structure to be 8 feet below mean lower low water within the horizontal clearance distance from the bridge.

In view of the already long delay in complying with the U. S. Coast Guard order of June 26, 1972, which was to restore this bridge to original permit conditions by June 26, 1974, with a reasonable extension of time if the bridge was to be rebuilt with a change in the permit provisions, which has taken place. In view of this long delay to restore the bridge to the original permit conditions, it's also requested, should the evidence presented to date leave any question as to the type of span to be considered, that the Coast Guard's final decision be deferred until after the November, 1976 elections for City and County Commissioners and the April, 1977 elections for Port Commissioners.

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Respectfully submitted, Palmberg Construction Co., thank you.

CDR. WALTON: Thank you, Mr. Palmberg. I basically have 3 groups here. One is a list supplied by the city; another is a group representing Mr. Palmberg's interests; and a third group which may be a line one side or the other, but has not indicated so. So, I will rotate between the 3 groups. Next, I'd like to call T.W. Litchfield.

STATEMENT BY T. W. LITCHFIELD

MR. LITCHFIELD: My name is T. W. Litchfield and I am Regional Operations Engineer for the Oregon State Highway Division.

I'd like to read into the record this letter dated July 15, 1976 from C. O. Fredrickson, Region Engineer, to the Commander of the 13th Coast Guard District.

"The Highway Division of the Oregon Department of Transportation supports the recommendation to construct a high level, fixed span at the crossing of the Skipanon River by the Warrenton-Astoria Highway. This alternative is recommended as a result of the public meeting and citizen input procedures required by the Oregon Action Plan, and is the alternative supported by the testimony of the majority of persons in attendance at the public meetings and hearings conducted regarding this project. It is also the alternative most favored by the governmental entities involved in the transportation development of

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the immediate geographical area.

"Replacement or modification of this bridge structure is being considered as a result of a U. S. Coast Guard letter dated June 26, 1972, requiring either that the bridge be restored to a fast-opening bascule configuration or that an acceptable alternative be proposed. Previous and subsequent correspondence relative to the original permit and the actions taken relative to the Coast Guard requirements and the timetables for these actions, are chronologically listed and contained in the Final Environmental Impact Statement for the Skipanon River Bridge, completed and adopted by the Highway Division on October 15, 1975, and by the Region Federal Highway Administrator on December 1, 1975.

"Response to public meetings and public hearings, both written and transcribed, has been evaluated. Land use in the area affected by the structure has been considered. Economics of construction, operation, maintenance and public benefit have been studied. Each of these factors indicates that the fixed span proposal, for which a construction permit has been requested, is the best and most desired solution to the Skipanon River Crossing for which this hearing is now being held."

CDR. WALTON: Thank you. Emerson Baldwin?

STATEMENT BY EMERSON R. BALDWIN

MR. BALDWIN: I'm E. R. Baldwin. I was City Manager for the City of Warrenton for 30 years beginning in 1945 and re-

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tiring in 1975. I immediately got involved in this Skipanon bridge controversy when it was first presented to the city by Mr. Palmberg.

The city's position in this originally was to make no recommendation for any bridge that would do far greater damage to existing businesses and industries, and was the possibility of upriver gain.

To give you a little background of this thing, I'll go back a few years -- roughly about 1880 -- when the Warren family imported Chinese labor to build the original dikes in Warrenton; and in 1922, the City of Warrenton repaired them to some standards but not adequate; in 1939, the Corps of Engineers required of the city an agreement which is very valid that if they would rebuild the dikes to the standard of today, the city would maintain them from there on out. About 1922 then, the city floated a bond issue of $500,000 which in those days was considerable money, compared to today's dollars, and dredged a meandering little slough, bulkheaded it and created what is now the Skipanon River, both below the railroad bridge and above.

The city did that because at the time the city had only one industry, the lumber industry; and for 50 years, this was the industry. In 1945, the city began to diversify and attempted to increase by making provisions for fishing and sports boats, by promoting to the Corps of Engineers the requirement

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of a small boat basin. In addition, they sold at a very nominal figure, land to New England Fish -- at that time, San Juan Fishing and Packing, who agreed to put in a fish processing plant to accommodate the local fish boats.

The city also sold to E. W. Hendrickson and Son, a parcel of ground which was to be developed for a marina, and a boat tie-up. At the time this was done, there was tie-up space in Warrenton for 4 fish boats which certainly would be the extent of navigation.

When the river was dredged by the Corps to a 30-foot depth, Prouty Lumber and Box put in a mill that accommodated ocean-going vessels, but about 1938 or '39, the Bar Pilots elected to bring no further ships into Warrenton because the boats at that time -- the ships at that time were getting larger and larger and could not safely navigate the Skipanon River.

The city did what I consider very positive planning in putting the boat basin below the bridge. They did this to accommodate the boating people, the navigational people, and not to upset highway traffic which in this modern age is 99 and 9/10% of your traffic. They further did this not to inconvenience the logging industry, which was the bread and butter industry up to at least 1945, who had historically used the upper river for log rafting and sorting; and by the way, log rafts are certainly a legitimate navigational operation. The city thought it had a very good situation going by keeping the

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boats below the bridge and the log rafts above, but we're apparently about in the position of the Arab and the camel in the old proverb. Little by little, the city is being edged out of the Skipanon River which it created, and the businessmen and the taxpayers and the businesses who first used this facility, are beginning to be endangered.

The City Commission then, as I said, took the position that they would not be a party to attempting to require any governmental agency to build a bridge that would be detrimental to the best interest of the most people, including the businessmen in the logging industry. Unfortunately, when I left the city in 1975, there were a lot of things left undone, but I firmly believe that the City Commission in the earlier period of time, acted properly.

I have read this document, the Final Environmental Impact Statement, from cover to cover, and I find that in my opinion, it is fairly put together; and I can only recommend again that a bridge be built that will not damage local businesses.

CDR. WALTON: Thank you. Mr. Elmer Salmi?

STATEMENT BY ELMER SALMI

MR. SALMI: I'm Elmer Salmi; I'm with the Warrenton Boat Yard here in Warrenton, and I don't know, I guess I kind of feel like an old-timer, along with ex-Mayor Baldwin there. We've almost been in business just as long, and we've seen the river grow all these years -- over 30 years now, and sometimes

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it has grown more slowly than other times, and there's perhaps a lot that can be said about the river, and we don't want to bring about too much repetition here if we can help it. I was talking with the City Mayor here just last week, and of course, I'm representing boats, you know, and water, and anything that floats; and I don't know, maybe it kind of makes me feel like between the frying pan and the fire or between the Devil and the deep blue sea; but perhaps there are others here that feel the same way, so I know I'm not alone. And I would like to say this, as our representative of the Coast Guard has mentioned -- he appreciates our coming here -- I might say this: I appreciate the Coast Guard, all the way from Washington, D. C., taking time out to consider this meeting tonight. I mean, it's a real good gesture considering this is our Bicentennial year and they think of, you know, governments giving up, you know, after they've been at it for about 200 years, that that's going to be the end. But this is certainly representative of the people; and I certainly personally wish to thank the Coast Guard for taking this time to listen to the different views that we have here tonight.

Through the years, I've noticed the bridge has been opened a number of times; and the reason it's been opened is because there's been traffic through there that nothing less than an open bridge would take care of. And also in the line of progress and the river's growing, I've noticed through the years,

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and especially the last few years, and since the Mooring Basin has been built, the increased demand for moorage. And as I've gathered from our Mayor and others, there are plans to increase the moorage below the river which I can certainly, as a boat yard operator, appreciate that view on the city's part.

But what do we do when the demands keep coming for more moorage? If it wasn't for the river, you wouldn't be in this room tonight. The school wouldn't be here. The town wouldn't be here. I think we should look at things in the right perspective, and since the river is there, I think we should utilize it to its fullest. Sure, there's progress -- I mean, there are things that we've got to put up with and there are sacrifices we've got to make, and all these things that -- well, we wonder now, "What shall we do to overcome this hurdle?" and so on.

Now, with reference to this bridge, a closed span bridge is a pretty neat deal, just to put it in today's vernacular, but it does develop a bottleneck; it restricts the full flow of the potential traffic that could go above the river. And with these demands for more moorage and the potential of having a mooring basin above the river which was presented at a Chamber of Commerce meeting here I guess about 4 or 5 meetings ago, and I personally feel that we need more moorage space. Now, who owns the moorage is not my problem. I mean, whether it's public or whether it's private. But I personally feel that we

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need more moorage, more growth in this area. I mean, if the city wants to run it, I think it's fine; let private landowners get together and let them work something out; or if the city wants private landowners to run it, go ahead; but let's not take and discourage this growth in boating that is just going from, what shall we say? It's going actually from garage to garage. Everybody's garage, you know, has a boat, almost. And I've noticed this, too, you know, as these boat owners come with their boats, every year they come with a bigger one. That means more room, more space. Where are we getting it from?

Just the day before yesterday, I cruised up around the upper side of the Skipanon Bridge there, and I noticed that tremendous horseshoe that the river makes up there. It's fantastic. I don't know how many of you have been there, but it's fantastic. And it's -- I would say it's a gold mine right there to getting a mooring basin just -- it's already -- what shall we say, half built. It's got dikes around it and it's already been dredged down; you see water all around that thing. I think it's just fantastic. I mean, we could go ahead and -- in fact, Mayor Newton mentioned it -- we could use that as an industrial park, and that's true, we could; but perhaps that would cost more, then we would at the same time be losing our potential for getting more boats into the area. And I can say from experience that we've been losing customers; we've been losing boats into the area because we haven't had the moorage.

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And that's something -- we've got to face that situation.

And then, too, in the line of industrial parks -- I mean, they're just about half a mile as the bird flies. I mean, we've got this huge ex-aluminum complex up there. I mean, it's just sitting idle. We certainly should utilize all the available space we have before we would consider destroying anything that would be a potential to take and increase the boating in this area, and to cause, really, more industry -- more, it would expand everybody's business. And like I was mentioning a bit ago, we have lost business from this area into other areas because we've been kind of slow in getting with it. And progress don't wait. If we don't have it, somebody else will -- I mean, as a community.

And I recall in our last hearing -- I think it was here in this same room -- we were mentioning about -- I think our Fire Chief -- I don't know if he's here tonight or not -- anyway, he mentioned about the fire situation, you know -- if there's fires on the other side of the bridge and so on, if we have an open span; but, you know, I trust that it won't be long that we'll have another substation or something on the other side, because there are so many boats to take care of; there's that huge new shopping center coming in, and no doubt, a lot more homes on the other side. So, it's just going to be maybe Assistant to the Chief or something, I don't know.

Anyway, to sum it all up, I feel that perhaps we should

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bring it -- and I'm glad -- I might first say -- glad that the Coast Guard is here because they look at this thing from the nautical point of view, from the mariner's point of view. They are not interested in the highways; they're interested in the waterways. That's why I can really appreciate their being here tonight; and again, I would like to repeat -- I wish to thank them for coming here tonight and to consider these various views. Thank you.

CDR. WALTON: Thank you, Mr. Salmi. I did mention that I'd introduce the representatives of the Coast Guard Headquarters when they arrive. They had been sitting in the back there. Mr. Meister and Mr. Empress (phonetic). Would you please stand up, please? They are observes in the back.

(Messrs. Meister and Empress rise and acknowledged)

CDR. WALTON: We have a lot of people who have indicated they would like to speak tonight, so I would request that everybody try and limit their remarks as much as possible. So far, attendance here is 77 people.

Mr. Alvin Holdiman, and you indicated a question mark on whether you wish to be heard or not. Do you wish to be -- speak at this time?

MR. HOLDIMAN: Not at this time; I'd like to observe. I might say something later on, which brings in another branch.

CDR. WALTON: Thank you. Mr. John C. Day?

MR. DAY: I'm representing someone who's supposed to be here about 8:30, so if you could schedule me for later. It's

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the City Planner for Warrenton.

CDR. WALTON: Gail Packard?

STATEMENT BY GAIL PACKARD

MR. PACKARD: My name is Gail Packard; I'm the Traffic Manager of the Port of Astoria. I appear here representing the Port of Astoria, and at this time, I would like to read into the record the following resolution:

"Whereas, the Oregon State Highway Division was ordered by the Coast Guard to operate the present draw span bridge in accordance with appropriate Federal regulations or to implement alternatives which would achieve the same results, and

"Whereas, the Warrenton City Commission conducted an advisory election on Tuesday, June 10, 1975, for all registered voters of the adjoining cities of Warrenton and Hammond, Clatsop County, Oregon, and

"Whereas, a substantial majority of the voters favored the high fixed span at the present bridge location, and

"Whereas, the Warrenton City Commission unanimously passed Resolution No. 385, dated June 16, 1975, urging the Oregon State Highway Division to construct a high level, fixed span at the existing Harbor Street location, said proposal being most nearly approximating Design Alternate 1(g) 'fixed span' proposed by the State Highway Division, and

"Whereas, the State Highway Division on Wednesday, September 17, 1975, proposed a fixed replacement bridge across the

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Skipanon River at State Secondary Highway 105 in Warrenton, Clatsop County, Oregon;

"Be it therefore resolved that the Port of Astoria hereby urges the U. S. Coast Guard to adopt the Oregon State Highway Division proposed fixed span replacement bridge, said proposal most nearly representing the community's desires.

"Passed by the Port of Astoria, Clatsop County, Oregon, this 11th day of November, 1975.

"Approved by the President of the Port of Astoria, this 11th day of November, 1975.

"Signed, James T. Campbell; Attest: J. F. Hoagland."

CDR. WALTON: Thank you, Mr. Packard. Don Corkill?

STATEMENT BY DON CORKILL

MR. CORKILL: I come here and I'm speaking as an individual, but it concerns me that a bridge that's been opening for 60 years is suddenly going to become a fixed span; and it also brings to mind the fact that we are still under SB 100 in the state of Oregon, which is the foster parent of the LCDC; and they made a statement on March 19th. It said -- this is by L.P. Day who just recently resigned, as you all know -- "Cities, Counties and Port Districts can do much in the direction of economic development without getting into a beef with the LCDC, so long as they do not do unwarranted or permanent damage to natural and economic resources." Now, it looks to me like this is both a natural and an economic resource which the City of

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Warrenton is very fortunate to have. I look out here at Hammond, Warrenton and Astoria Mooring Basins -- I see a few hundred boats. You look across the river over at Ilwaco and you see thousands of boats. We have water here. We could have the boats over here. And I'm sure when we're talking in the interest, as Mr. Baldwin mentioned, of the local merchants -- that if we had those people here dwelling weekends and sometimes for weeks and months in the summertime aboard their boats, I'm sure that the local merchants would receive far more than they would lose by the occasional opening of this bridge, if it were an opening span.

We also have to take into consideration that under the new Land Use Planning that is demanded and of which Warrenton has applied for funds, that in that case, it is to take care and it continues up to the end of tidal water; and that water is above -- is tidal above -- in all of the area in which we're speaking of -- you might say almost up to the lake at the far end of it -- and I would like very much to see that we do not do detrimental damage to a span that has been opening for 60 years by making a fixed span in that position.

CDR. WALTON: Thank you, Mr. Corkill. Bernard Shultz?

STATEMENT BY BERNARD SHULTZ

MR. SHULTZ: I'm Bern Schultz. One of the oldest old-timers of this district. We moved here in 1917, June. And I listened to the arguments and discussions. You know, some

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of the old-timers in 1917 had visions. I could quote several of their names -- Barlow, for instance -- some of you may remember him; Horner, some of the Kendrids (phonetic) -- they had visions of boat traffic and a gate at Cullaby Lake. They had visions of opening up clear to Seaside, way back then. I was interviewed by the Coast Guard by a man from Seattle several years ago, and it seemed at that time, the Highway was questioning whether there ever was a quick opening span in Warrenton. I operated that bridge as Assistant to Dewey Neil. He was the Bridge Tender. Very often I went down there and opened that thing myself, 15 years old at that time. I could get a boat through there in less than 10 minutes, and the bridge opened and closed. Of course, it didn't have a great -- a lot of traffic at that time. I have gone down there late at night when the boat whistled, to open it, when I knew Dewey Neil was out of town.

I can't see -- I've lived here a long time. Warrenton has a great potential for development, and it's going to develop whether we try to stop it or not. It's doing it, and our river -- we're really fortunate to have a river such as we have. It could be opened clear to Cullaby Lake easily, without a great lot of cost. Everybody's going to boats, and I've been over to Ilwaco and I've been over to Westport just looking their situation over. They're progressive. They see where the future development and money is. We have natural

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resources here; we have a natural mooring basin that could be developed. It's on the wrong side of the bridge. I think it's high time we stopped and let personalities take a rest, and get together and start working to open up our country and get things going here. There's a great potential here in this location. We've been neglected for years; we've been backward for years.

I've heard some citizens who have been here 15, 20 years, "Well, we want our little town just to stay just like it is." It can't stay that way and it won't. So, I would like to see a quick opening, bascule bridge put in. It won't take up near as long approaches and after all, every boat that goes through -- it won't be having to open that bridge for a boat. The State Highway Division, I imagine, will get busy then and put a bypass so the main part of the traffic can skip -- those who want to come in and use the facilities here can.

Thank you.

CDR. WALTON: Thank you, Mr. Shultz. Don Edy?

STATEMENT BY DON EDY

MR. EDY: My name is Don Edy; I'm the Manager of Knappton Towboat Company in Astoria. My company operates towboats and barges on the Columbia, Willamette and Snake Rivers and has been operating in the Lower Columbia River area for more than 50 years. This includes extensive experience on the Skipanon River.

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I've examined the Skipanon River Bridge and the area above the bridge to the dam. I have determined by talking to City of Warrenton officials, that the area above the bridge has been zoned residential according to their approved comprehensive plan and zoning ordinance.

An opening drawbridge would provide access to a channel with an authorized depth of 6 feet for only a very short distance. In view of this fact, my company feels that the fixed span bridge with approximately 25 feet of vertical clearance, would allow adequate towboat service to the affected area.

CDR. WALTON: Thank you. David Palmberg?

STATEMENT BY DAVID PALMBERG

MR. PALMBERG: First I have -- some people were unable to make it tonight, and they will be sending in written testimony and I do have one in hand to submit.

My name is David Palmberg; I live above the bridge, not on the Skipanon River but next to it. I have a boat; I want to use that river; and I'm a shoreline property owner. I have a letter I shall read and then submit to the Coast Guard.

To limit the Skipanon River in its navigational capabilities above the reference bridge would be an error. The potential impact with the proper bridge on navigation, moorages, development and community economy is tremendous.

Needless to say, a fixed span bridge of only 24.8 feet above mean lower low water will restrict navigation. It would

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forever limit the potential and future needs of navigation. With the ever increasing number and size of vessels, it is imperative that this river be unrestricted.

The potential for moorages in the area above this bridge can number well over 1,000. The lower river below the bridge is almost totally utilized and there is little room left for moorage or marine development. A private firm may be developing space for some 60 moorages, but this is for private condominium owners. The City of Warrenton has plans to develop space for some 20 to 30 moorage sites, but these will be for large ocean commercial fishing vessels. With the waiting list for moorage sites today numbering over 1,000 in the Lower Columbia River, Hammond, 275, can be verified by contacting Mr. Robert Fox in Hammond; Warrenton, 66 -- and I have a verification on that in an enclosure; Ilwaco and Chinook makes the total over 1,000. The moorage areas available above this bridge are needed. And to develop its full potential, an opening span bridge is mandatory.

Potential marine-oriented development above this bridge is tremendous. The increase in tax base to the city and county on increased valuations and development; with development and business comes increase in work force; will draw people to the community; increase in tourism; all has to be good for the community economy.

With the potential moorage space developed, the community

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stands to gain thousands of dollars in tourism money. Here's an example figure -- now, keep in mind there's potential room above the bridge for over 1,000 moorage spaces -- 400 new boats -- just say only 400 -- to use the moorages. Each boat, owner, guests and moorage fees, will spend approximately $2500 per season each. This figures out to be over $1 million in the community that season.

The Comprehensive Land Use Plan of the City of Warrenton has been used as a tool against upriver development and for wanting a fixed span bridge. I personally have been before the City Planning Commission many times and I have been repeatedly told, they cannot change the Comprehensive Plan; they have to have a study; it hasn't been started, to my knowledge; they cannot change the Comprehensive Plan above the bridge until it is known what kind of bridge is going to be built. So, to use the Comprehensive Land Use Plan against river development and against an opening span bridge, is in error.

The potential of utilizing this river further upstream even to Cullaby Lake, would bring about tremendous development and still further navigational needs. But, it all starts with this bridge. It has to be an opening span bridge for this potential to become a reality.

The best bridge for now and the future is what is needed for navigation, community economy and development. That bridge is an opening span bridge with a minimum of 20 feet vertical

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clearance at mean lower low water.

And if Mr. Al Oakley doesn't show up, I would like to present some more material.

CDR. WALTON: Okay, you may present some more material at another time. I have one question -- the tourism that you anticipate here -- what size boats would they be operating?

MR. PALMBERG: It's hard to determine at this time. They are all sizes. To go along with the moorage facilities and the marine development, in my opinion, you'd have to have the opening span bridge to take care of all sizes of vessels that may have to go up for repair work, winter storage, what have you; and not to mention the needs of dredging the river to project depth, the driving of piling and such, which takes large dredges or piledrivers.

CDR. WALTON: Thank you. Luella Kerr? Do you wish to be heard?

MRS. KERR: No, I do not want to speak.

CDR. WALTON: Okay. William Kerr? I have a check on this one.

STATEMENT BY WILLIAM KERR

MR. KERR: My name is William Kerr. I believe my views have been expressed so far this evening by several of the gentlemen; and I wholeheartily agree with them on wanting a bascule type span, for the simple reasons which they've explained, so I needn't repeat anything that they've said.

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Thank you.

CDR. WALTON: Leslie Newton?

STATEMENT BY LESLIE NEWTON

MR. NEWTON: I am Leslie Newton, Mayor of the City of Warrenton and resident for the past 25 years, as well as a businessman within the city for the past 15 years.

I wish to reiterate my opposition to the bascular-span bridge and speak in support of the fixed-span design proposed by the Oregon State Highway Division.

During the past year and a half, I have observed the flagrant disregard for the welfare and safety of the citizens of Warrenton in the frequent openings and closings of the existing bridge. It is felt that in many cases, this activity was not warranted. When the bridge span was removed, it limited fire and police protection to the citizens of the east side of the Skipanon River. Perhaps you are unaware that at the present time, although a fire truck is parked on the east side of the river when the bridge is opened, this truck is not manned as the Warrenton Fire Department consists of volunteers who work on the west side of the river or out of town. It requires a drive of about 4 miles to reach that fire truck from the west side of town when the bridge is opened to river traffic. This delay in reaching the truck creates an extreme hazard to the people living on the east side of the river. Any opening span would create the same problem. The same situation exists for

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every emergency service provided by Warrenton itself.

I believe the only feasible bridge design to best meet the needs of all interests is a fixed-span bridge; low enough not to disrupt any of the existing businesses along Harbor Drive, yet high enough to allow the passage of most recreational vessels. Ample moorage space does exist downriver from the present bridge for any vessels unable to get under a fixed-span bridge due to high masts or tall trolling poles.

I believe the expenditure of $1.5 million to build a new bridge is excessive in comparison to the cost-benefit ratio to be derived from this replacement, and to insist the Highway Division build a bascular-span bridge that would exceed $2 million, borders on the mind of ridiculous. The majority of the citizens of Warrenton have difficulty understanding the need for any change in the bridge, and if we must have a replacement, the fixed-span bridge will more than adequately serve this community.

I also have a letter here that was handed to me by a commercial fisherman, a resident of this city, and one of the few people who have legal access at the present time to the Skipanon River; and if I may, I'd like to read it into the record.

"I would like to take this opportunity to convey to you my support for the high level, realigned, fixed-span bridge. My reasons are as follows: An advisory election was held by the majority of the people voting -- over 60% -- indicated sup-

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port for the high level fixed span.

"Navigation that is advocated -- sport boats -- for the up-river use is down considerably this year indicating either a downward trend or the boats are going to other harbors. Ilwaco, Washington has been steadily increasing. Hammond has funds for expansion. The average sport boat spends 90 days down here for fishing, he will pick the closest moorage to the ocean, hence, Hammond or Ilwaco.

"Disruption to the normal flow of summer highway traffic. A main intersection exists two blocks from the bridge in down-town Warrenton. Traffic could conceivably be backed up past the intersection, creating a hazardous condition.

"Cost of the opening span compared to a high fixed span. Navigation interests have publicly intimated that an opening span is only Step 1. Step 2 would be the dredging of the river. Step 3, the riprap of dikes up to the dam. Step 4, they have advocated the removal of the flood control dam which would open more river to be dredged, and dikes to be riprapped; and last, a bridge tender.

"Gentlemen, the decision is yours to make and I hope when you make it you take into consideration the cost-benefit of your decision. I feel it would be a waste of taxpayers' money to erect an opening span.

"Thank you. John T. Davis, Jr."

CDR. WALTON: Thank you. Lewis Long?

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STATEMENT BY LEWIS LONG

MR. LONG: I'm Lewis Long, the Crab Pot Restaurant. We are fast running out of industrial property in this area, especially on navigable waterways. In building this bridge, I believe we should look to the future for perhaps industrial development of the Upper Skipanon. A fixed span will definitely limit the use of the river for navigational purposes, while an opening span would allow a great deal more use of the river to more people, both industrial and recreational. This area could very well be one of the great ports on the West Coast if we'd just let it. One industry draws another, and as they develop there is more and more demand for prime river property.

I'm definitely in favor of an opening span.

CDR. WALTON: Thank you. Daniel Bergeron?

STATEMENT BY DANIEL BERGERON

MR. BERGERON: I'm Jim Bergeron; I'm testifying as a local citizen. I've had a Warrenton address for the past 8 years. I've been closely associated with marine interests during that 8 years, first as a college instructor in fishing and oceanography; second, as a fisherman -- I've fished out of Warrenton; and presently, I'm in a marine-oriented State position.

I believe there is a real need for more moorage space, and as has been pointed out in many of the studies that have been done, the Skipanon is an area that could be developed with the

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least environmental damage.

The study that was done for the aluminum plant showed that the Skipanon area was rather unproductive, so it seems that if any kind of industrial development or development that affects the waterway is to be done, this is one of the most desirable areas.

I fished out of New England Fish Company, and there are some real problems there with moorages. Vessels are often tied 2 and sometimes 3 abreast. This is very dangerous not only when a fisherman is traveling back and forth, which occurs in the early morning hours and in the evenings, ordinarily. You travel over these rails -- I, myself, slipped on a rail one time, and by luck, fell into the boat instead of out.

There's also a real problem with fire. There have been numerous fires on board fishing boats in the local area. Some I'm sure at that plant. If there are 2 or 3 boats tied together, it's a real problem to get water to them, to get out and get the various vessels moved; it can easily spread to shoreside facilities as well as to the other vessels; and a lot of the vessels are wood.

I'm also fairly well-acquainted with many fishing interests, and I'm certain that the prevailing interests -- and many of them have testified in the past, and some of them will here -- is for increased moorage space, somewhat for these reasons.

There are problems that have been pointed out in areas

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like Newport, when the commercial and the sport fleet are together -- there is a conflict for space. The Newport area opted for a division of area, where the sport fleet could be by themselves, and the commercial fleet was where they were best suited. And the facilities that were developed were different. Newport's fleet is growing. Our fleet in the local area is declining; and I feel that this is one of the reasons -- the reason that they have much better facilities for their commercial fishing fleet.

Around the local area at the present time, we have a very difficult time unloading supplies, unloading equipment on board a commercial boat. The East End Mooring Basin is one place you can do it. The West End Mooring Basin -- you've got to put everything on a cart and wheel it down through the charter boat people and tourists, and you get some real strange looks at times.

There's another problem -- or maybe it's not a problem -- I think it's an opportunity that's going to develop with the 200-mile limit. This is going to, we hope, give a climate for further investment in the fishing industry. At the present time, investment is limited because of the rather unsure nature of the fisheries. If we are guaranteed a certain percentage of the fish that are out there and we have the research that shows that there are fish out there, I'm sure investment will be available for an increase of our fishing fleet. And this is

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the logical place for that to happen. And if we already have problems with moorage, what's going to happen then?

Also, the Skipanon area is quite fresh; it has the best protection from the weather of any area that I can think of around here, especially from the winter winds. So, this would be an excellent place to bring in both sport boats and commercial boats.

We have another potential change that's coming in salmon license fees. It has been proposed to bring our own fees into line with the fees in Washington. At the present time, the suggestion is to remove the fee for our fishermen. Actually, most people would rather see a license fee in Washington that is equal to ours, and I imagine that will eventually come. If this happens, many of our Oregon boats at present -- Portland boats -- that are in Ilwaco, may very well opt to come over here, especially if we have the facilities to back them up.

We also have the condominium development in the Warrenton area. This is undoubtedly going to bring more people into the area and they are going to have boats. So, we're going to have additional demand for sport boats.

There's another area that has been mentioned -- the shortage of land for industrial development. The Port is suggesting that we fill an estuary to create industrial land. Here, I think we have land that we can have for industrial development, for sport use -- whatever -- without much filling, that is not in

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any way dangerous to the environment, and probably could be utilized at a cheaper rate than some of the land that is presently proposed for filling. I don't say I'm necessarily against filling -- don't get the wrong idea. But I think we should not close off the opportunity for development of any land that lies close to a waterway in the local area.

CDR. WALTON: Thank you. Ruth Newton?

STATEMENT BY RUTH NEWTON

MRS. NEWTON: Ladies and gentlemen, I'm Ruth Newton -- wife, mother and grandmother, and I've lived in Warranton since 1951. I definitely oppose the construction of any type of opening span bridge in Warrenton across the Skipanon River.

We already have a traffic problem where Harbor Drive and Main Street intersect, as that intersection is so close to where S.E. First, S.W. First and N.E. Skipanon Drive also intersect with Main Street. A traffic delay of 4½ to 5 minutes could really create a traffic tie up for that entire area, including people wishing to use our Post Office services. An opening span bridge could cause costly delays in lives and property to those who live east of the Skipanon River, due to delays in emergency services provided by our Police and Fire Departments.

Last year, we voted on the type of bridge we would want across the Skipanon River so our elected officials would know the wishes of the majority of the people affected by such a bridge. We're constantly being asked to conserve our natural

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resources. Sitting in a line of vehicles with engines running waiting to cross the Skipanon River bridge certainly would not be conserving.

Many of our businesses receive merchandise by freight truck which uses Harbor Drive, either coming into or leaving Warrenton. Also, industries in this area use truck transportation which could be delayed by a bridge opening.

Other delays that could affect nearly every home and/or business in Warrenton, Hammond and Fort Stevens are going to and from work, to medical and dental appointments, to classes at Clatsop Community College, to necessary shopping and banking in Astoria, as well as at the new shopping center being constructed in East Warrenton, and possibly even school bus delays.

I cannot believe that any opening span bridge would benefit people enough to compensate for the inconvenience to all of us who live here, as well as the tourists who are urged to come to the Oregon Coast.

Any opening span bridge would be more expensive in maintenance as well as having to have someone on duty to operate it. That would create unnecessary jobs.

I have heard that this won't cost us anything -- but as a taxpayer, I feel sure that some portion of my taxes would be used for this, and I feel we can practice a bit of economy here.

A fixed-span bridge will save us tax dollars and fuel, and not cause unnecessary hazardous traffic delays.

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Thank you for listening to me.

CDR. WALTON: Fred Andrus?

STATEMENT BY FRED ANDRUS

MR. ANDRUS: My name is Fred Andrus, and I'm Chairman of the Planning Commission of the City of Warrenton, and I have here a letter which is short and I'll read.

This is to advise you that the Warrenton Planning Commission, at a meeting held November 12, 1975, voted to recommend construction of a fixed-span bridge over the Skipanon River on Harbor Drive in the City of Warrenton. The vote was 6 to nothing with one abstention.

The Planning Commission action was based on consideration of various alternatives proposed by the Oregon State Highway Division, and on estimates of likely future development of the portion of the city lying above the bridge.

It was noted that a limited amount of waterway is available above the bridge. The land along the west bank is presently well developed, partly residential and partly bordering the downtown retail business district, and is zoned accordingly. Land along the east bank, below the existing dam, is zoned for residential development.

The fixed span proposed by the State Highway, with 25 feet vertical clearance at mean lower low water, seems adequate to permit the passage of pleasure craft and other small vessels without high masts.

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For these reasons, it appeared to the Planning Commission that a fixed span, with a clearance proposed by the Highway Division, would be adequate to meet navigational needs for the foreseeable future.

CDR. WALTON: Thank you. John Kalander?

STATEMENT BY JOHN KALANDER

MR. KALANDER: My name is John Kalander and I'm owner of West Coast Propeller Service, which is on the east side of the Skipanon River, and I'm in favor of an open span bridge for the reason that this is a marine-oriented area and everyday I have people stopping at my place asking where can they get moorage spaces. And on the upper side of the bridge there, it's just natural born for moorage; and most of it's been already taken up what I was going to talk about, so I'll cut it short and let somebody else take their turn. Thank you.

CDR. WALTON: William Hawks?

STATEMENT BY WILLIAM HAWKS

MR. HAWKS: Good evening, I'm William Hawks. I have a small business in Warrenton. And in reference to the proposed bridge across the Skipanon River at Mile 2.0 in Warrenton, Oregon -- my wife and I are owners of the Seafarer Restaurant and Tavern. We have been in this business at this location for 25 years.

If this bridge is allowed to be built, it will create a dead-end street in front of my place of business. Also, pro-

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perties on the east approach and properties on the west approach of the proposed bridge, will be adversely affected. This proposed bridge will adversely affect about 11 places of business on the west approach, and approximately 7 homes and the Warrenton Municipal Mooring Basin on the east approach. But really, doesn't it seem preposterous to even think of building a bridge over the Skipanon when this bridge would only favorable affect one land promoter.

I strongly suggest that the Skipanon River be closed to navigation from the railroad bridge upriver to Cullaby Lake. The Skipanon River has not now nor has been navigable for 8 or 10 years. A little over 4/10 of a mile upriver from the proposed bridge, there is a concrete dam from bank to bank across the Skipanon River. This dam is equipped with a tide gate to control water level upstream from the dam. If this dam is removed, it would adversely affect the environment and water level control of all of the upper Skipanon River. And of course, Cullaby Lake would be ruined as a public recreation area.

Public money could better be well spent on roads or enlarging the present municipal mooring basin. We could use a public launching ramp and a grid for our fishing fleet. The Skipanon River is held within its banks by a system of dikes, as Warrenton is below sea level at high tide. If these dikes are allowed to be changed, damaged or abused, we could have the Skipanon River running -- or covering most of Warrenton.

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In conclusion, I can see no reason to build a bridge across the Skipanon River at Mile 2.0 at Warrenton, Oregon. This bridge would damage the many and help a few. The Skipanon River should be closed to navigation from the railroad bridge upriver to Cullaby Lake.

Thank you.

CDR. WALTON: Lyle Ordway?

STATEMENT BY LYLE ORDWAY

MR. ORDWAY: Thank you. Lyle Ordway, County Commissioner, Clatsop County. I am here primarily to restate the position the Clatsop County Board of Commissioners took at their meeting last fall. This was in support of the City of Warrenton's proposal, and regardless of some of the statements that have been made, this was done in my case, and I would say for all the Board of Commissioners, with a lot of thought and study on the whole matter. We studied, of course, Warrenton's Land Use Planning Program which I had moved diligently into, to some depth, and established that this general area was considered for residential -- applicable for residential. This area above the bridges also is a very limited area. The proposal that is submitted tonight in no way is going to eliminate the use of this area for waterborne transportation. It will limit it, that's true. I personally believe one thing that has not been brought out tonight and is a very important point -- the Skipanon River is only so big. I think that some of the projections

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made here tonight, we could find a lot more boats in the Skipanon than there is room for. The traffic problem in the Skipanon with the planned development now for moorage, is going to create a measurable amount of traffic problems. In line with that, I might mention the Board of Commissioners has set aside and held back from that land which we propose to deed to the Port of Astoria for the Brown & Root development; we have held back properties which Warrenton requested for expansion of the boat basin. This will give a measurable expansion to their present facility; and it would seem to me that any large boats that might need a higher fixed span -- or a higher opening than this fixed span is proposed, certainly should and could use the lower river or some other area.

And I would state again, I am fully in support of Warrenton's proposal, and the Board of Commissioners on the instructions of Hiram Johnson. I also would state for him, we are -- we continue our support and believe that it is not only the most practical as far as cost, but it's also very practical as far as the land use and the river traffic problems that might evolve in the Skipanon.

Thank you.

CDR. WALTON: Thank you, Mr. Ordway. Frances M. Stamp submitted a question -- I'll read the question: "If a bascule opening span -- does the Coast Guard have authority to direct the Highway Department to construct it at any particular height?"

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The answer to that question is that if the Highway Department proposed an opening span of a specified height, we would go through a procedure very similar to what we're going through for this bridge now. The determining factor would be whether the height of that bridge would pass the majority of traffic and meet the reasonable needs of navigation so that the bridge would not have to be unduly opened.

Another thing that may or may not be public knowledge is that when the Coast Guard received this proposal from the Federal Highway Department, we went back to the Federal Highway Department and asked them if they could construct this bridge with a pull-out span; the idea being that this span would pass most of the marine traffic and the occasional vessels that would require a larger height such as construction vessels -- the pull-out span could be opened and the traffic passed.

Due to their study which concluded that the costs will be prohibitive, due to the engineering considerations, it was considered not a feasible alternative.

Do I have this right -- Dean Chamberlain?

STATEMENT BY DEAN CHAMBERLAIN

MR. CHAMBERLAIN: My name is Dean Chamberlain; I am speaking as a private citizen of Warrenton. I've lived here and I've owned property since 1948. I have lived here most of the time except for a few War years, at that time; and so, I feel that I'm somewhat qualified to have some opinions here.

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I have noticed that most of the speaking tonight has been talking about boats -- the use of their boats -- marine use and such; but I think that everyone present realizes and does know that the logging industry of Clatsop County and this part of the state is a great percentage of our income.

Also, before I proceed any further, I have no family working in the logging industry; I have no family or relatives working in the fishing industry. I'm just a citizen living here.

But I do feel quite strongly about this bridge, and I would like to say that if I must say which I favor of the two, which apparently is going to go in, it would be a high fixed span, for the reasons that have been mentioned by several people before -- emergencies services, traffic tie-ups and whatever. And it has been mentioned by, I think, Mr. Palmberg or David Palmberg, something like 78% of the cost of this bridge if it goes in would be paid by the Federal Government and 22% by the State. Who are we trying to kid when we say it's going to be paid by them? The original outlay of that will be paid by them; the rest of it is going to be paid by you and I. You get nothing from the Government. There's no free hand-outs. You just get a short-time loan.

I would like to say before I leave this stand that I'm opposed to any kind of bridge. I would like to see this bridge closed from the railroad bridge upriver, as has been stated before. And if we need to spend this $2½ million -- or I may

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be a little bit off on that, but I think I'm pretty close on that-- for construction of this bridge, let's build this fixed-span bridge and put the rest of the money into straightening that road out from Williamson's Shop down to Camp Rilea.

CDR. WALTON: Thank you, sir. Kenneth Kinney?

STATEMENT BY KENNETH KINNEY

MR. KINNEY: My name is Kenneth Kinney; I am a resident of Hammond, Oregon. I've been in that area now 7 years, when I'm not vacationing somewhere else.

I'm in favor of having an opening span that you can get unlimited traffic above. I've been in the maritime industry 54 years, starting out in 1922, I think it was. I hold presently a Master's license, piloting on the Columbia River, some in Alaska, all over the West Coast; and I've seen the area deteriorate as far as the navigable waterways gradually being cut off. Every place you go you can see a little chunk nipped at it all the time. Basically, it's because your Highway Department wants to put a road in somewhere; somebody favors a road; and the only reason they favor it is because for some personal interest. Now, here -- granted, it's a small waterway but it's navigable. It's been navigable for years -- as far as we know, maybe back to Lewis and Clark's time. I would say that if you're going to take this away from it, why don't you go back and close the Erie Canal? They dug that by horse and wagon. By gosh, now, they're still using that, and that's been

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a long while ago. I say here, you have one already put in and you need it. If you're not going to use it, put a dam across right down at the mouth of the Skipanon, clear out at the river; plug the whole thing up, fill it in with sand. You can use the land then, but you're sure as hell going to dry up the community. And that's the way I feel about. I say, let's don't get misled by what the State has proposed on this plan they gave you here. If you studied it closely, you'd see the new span that they propose as 671 feet -- they measure out 671 feet, with an elevation from 13.2 to 28 feet. That's 13 feet high. You're going to have a big loop right over the top of that thing up there, and they propose to do it in 671 feet. Now, how many accidents are you going to have on top of that bridge? People coming down through there -- they're not acquainted, it's crooked -- by the plan, it's crooked; you're going to have accidents on that -- more so than you've got today, and granting, this isn't very good the way it is, but you're going to have a lot of accidents; and you're talking about fire protection-- I've also been in the Fire Department, City of Portland, retired from there, and you mentioned how much delay they have. How many fire calls have they had on the east side of the river in the last year -- last 2 years? How many did they get over there? Unless you go for an out-of-the-community fire with a rig, it goes quite a ways. You went to Astoria with your rig to fight the fire on the docks down there, because they needed help.

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Now, because of that-- how many locally have you had? Very few that I can see around here -- very few. So, you can't use that as a criteria for refusing to open this waterway to the ultimate use it may be used for.

Gentlemen, I hope that the Coast Guard would rule in favor of a high opening span -- one that you had unlimited use of, not just a lift that goes up 25 feet, 35 feet, 45 feet. They've already made so many changes in the heights of the bridges on the Columbia River, and now they find they set it to a minimum of 62 feet for any bridge on the Columbia River and its tributaries. Well, just have 62 feet here then -- if they want a fixed span -- something or other. It could go clear over the town. You could put the bridge clear -- you could put an overhead pass and go clear out to the other side of town here if you want to. You don't have to put them right down, because 671 feet as they propose is going to put that bridge right out on Main Street -- right out on the Main Street is where it's going to come to, pretty near. And if it goes the other way -- it will go out clear to the West Coast Propeller Shop before they hit the ground level again. Well, good Lord, you're going to have something going on here that's going to be more than detrimental than you realize, if you go by the plan; and I don't say the State Highway Department won't change this. If they get a chance, they'll change it. I was at a hearing down at Siletz -- down at Salishan or down at -- on the Siletz River

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Bridge, and they originally proposed to put in a lift bridge down there. Granting they had that -- well, they finally settled by people talking against the fixed opening span. They finally put in a fixed span, 39 feet above low water down there. Here you've got 28. They change them everywhere they go; they put in a different level. You couldn't take a boat and go up from here or go from Newport and come up here and expect to come up here -- you don't know what you're going to run into. You don't know what the bridge heights are, unless you have a coast pilot.

So, I would definitely talk against putting in this type of fixed bridge, definitely. Thank you.

CDR. WALTON: Roger Thompson?

STATEMENT BY ROGER THOMPSON

MR. THOMPSON: I'm Roger Thompson and I'm here as both a concerned citizen and I'm also an employee in this area, which I'm a homeowner on the Upper Skipanon River. And when I bought a year or so ago, I didn't plan on having an industrial boat basin in my back yard or my front yard, and having the noise and congestion of a boat or light industry, as some people say, in this area. And I'm also -- my job is a Safety Director at probably the largest employer in the area -- which, whether we want to or not, we do have accidents -- serious ones. I feel that a quick opening span, which is 5 minutes, could mean the difference between a life or not in a serious accident, either at

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our operation or in the other canneries on the west bank of the Skipanon.

And as being -- going to different Planning Commission meetings, there is quite an expansion of the town on the west side. With these people, there is going to be more need for emergency vehicles from the east side to the west side, which most of them will have something to do with life or limb.

I am fully against a short portion of the river being developed for a few people -- the benefit of a few people. I think more of the property and property owners in a development of this town, will be on the west side of the river. I am strictly for a high fixed span which I think is the most economical way to build a bridge across the river.

Thank you.

CDR. WALTON: Della Wilson?

STATEMENT BY DELLA WILSON

MRS. WILSON: Commander, all interested parties, I am Mrs. Robert Wilson, a State employee, and an appointed Warrenton City Commissioner. My husband and I live at 180 S.E. Fifth in Warrenton, Oregon, which is on the Skipanon River side of the dike fill. There is one other residence in this area and it is zoned residential. There has been some talk of a commercial mooring basin being created in this area. My husband and I have lived here for 20 years and enjoyed this location on the river. During that time, we have observed natural tide action wash away at the

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edges of our property, and there is wave action -- enough to move logs in and out of that channel. At times when the tide is low and the reading is for minus tides, all we have is one big mud flat. No water, just mud. In thinking of this, any vessel moored, tied or whatever, ought to have a flat bottom or moorings strong enough to hold firm, or it will topple over.

The bridge that the State of Oregon Department of Transportation, Highway Division proposed, would be my choice for a new bridge. The State recommended a high fixed span, which would be constructed at the present site in Warrenton, allowing passage of small boats.

The majority of Warrenton residents also voted in favor of this type of structure, and with that vote, as evidence of preference, let us have the fixed span Skipanon Bridge approval.

Thank you.

CDR. WALTON: Thank you. Ruth Cotter?

STATEMENT BY RUTH COTTER

MRS. COTTER: I'm Ruth Cotter and I'm a housewife and we own a small business; and our home is located on the Skipanon. And I look out any time of day and see this river, but it looks like a creek. It's not a really navigable waterway. It could be developed but at whose expense and at whose advantage?

I think someone should address themselves to the homeowners on the highway side of the Skipanon. And for the most part, these are older families. Most of them are on fixed incomes.

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And if the dikes -- if they develop this river and fill the dikes to support traffic in this river, most of the houses above Fifth Street would be basements, because they're that low on that highway side. And I really question that we would get that much benefit from any development on that small a river to support the cost that this open bridge would cost us. And I am for the fixed span bridge and as little development as we have to have on that upper side. If we need boat moorage, maybe we could have a little of it; but far enough down, closer to the bridge, so that those homes above that commercial area wouldn't be affected. Because we're really only talking about like to Seventh Street, and that's just not enough to benefit. It would benefit the other side of the river, but not enough.

So, those are my views. Thank you.

CDR. WALTON: Thank you. Thomas Wilson?

STATEMENT BY THOMAS WILSON

MR. WILSON: I'm Thomas L. Wilson and I've been in Warrenton since 1942. I'm a steam-fitter and a plumber and a construction worker at the present time, and I have put in 10 years of commercial fishing. And I have done a little rafting on the Skipanon River; and at low tide, the log rafts are laying on the bottom. You can go down there at any time at low tide, and you can see the rafts laying on the bottom of the river; and I don't think personally that there is enough room in the Skipanon River for any moorage -- not above the bridge.

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You have boats going in and out of this river and you're going to have your boat accidents. It's the same. I helped fight fires on the Skipanon River. I helped fight fires across the -- on the west side, or the east side. I was in the Warrenton Fire Department for 21 years -- volunteer. And I am with the Highway Commission -- I think this high fixed span would serve the needs of the people, and as I say, I carry a lunch pail; I get up every morning to go to work. I get up and want to go across this bridge to go to work, and that thing is open with a thousand boats coming out of there like they propose -- then I ain't going to get to work.

(Laughter)

CDR. WALTON: Thank you. R. L. Haskell?

(No response)

CDR. WALTON: Is Mr. Haskell still here?

(No response)

CDR. WALTON: Edward Bellingham?

STATEMENT BY EDWARD BELLINGHAM

MR. BELLINGHAM: I'm Ted Bellingham, Manager of Warrenton Lumber Company, a division of Dant & Russell -- an operation here at Warrenton.

There have been some statements concerning the wood industry earlier in the evening, and I have some factual information that I'd like to tell you people.

Our mill at Warrenton is -- book value is $6,200,000.

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Last year's payroll for 150 employees, which was a recessed year, was $2,200,000. Our taxes in 1976 will be $158,000.

The lumber industry is a pretty competitive industry. Any additional costs that we have, we certainly have to consider. Our company has operated at a loss for the last -- the first three quarters in '75 and managed to come up and make a small portion of that back in the last quarter. So, obviously, we oppose any type of bridge construction that will create -- impede any of our normal flow of lumber that we move to the Port of Astoria. We stand on our submission which is included in the final statement submitted by the Oregon State Highway Commission.

Thank you -- an impact statement that was.

CDR. WALTON: Gilbert Gramson?

STATEMENT BY GILBERT GRAMSON

MR. GRAMSON: Commander Walton, representatives of the U.S. Coast Guard, ladies and gentlemen: As City Manager of Warrenton, I'm speaking in support of a fixed span bridge proposed by the Oregon State Highway Division.

On June 16, 1975, the Warrenton City Commission unanimously passed a resolution which endorsed a fixed span design. This remains their position, and I'm reaffirming it this evening. In my opinion, this decision of the City Commission was reached after much deliberation, and consideration of all the issues involved.

I have enumerated the main issues among the many that were

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considered by the Commission before deciding on the fixed span as a most desirable design.

I would now enumerate these at No. 1, the fixed span would allow the maximum upriver moorage development and usage for recreational and most commercial vessels. The 25 feet of clearance at mean lower low water, and 17 feet at mean high water, will provide clearance for over 90% of the boats using the lower river today. No detour route would be required during construction, as work on the fixed span could be done in stages. There would be minimal effect on private property with only one family being displaced; whereas, on the other proposals, the change could displace up to half a dozen families. There would be no traffic disruption and congestion with a fixed span; whereas, with the opening one, the Highway Department has stated, we could expect a 10 to 15-minute delay during the opening and closing of this bridge. The fixed span bridge is a compromised design which we feel would satisfy both the navigation and highway users.

There will be little or no infringements on the businesses located along Harbor Street. The cost of the fixed span bridge will be 1½ million in comparison with 2 million plus for the opening span. The special vessels, such as piledrivers and dredges, are today equipped, or can be equipped, with booms that can be lowered that will allow passage under the fixed span bridge. The fixed span bridge would require a minimum amount

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of dredging and work along the riverbank.

These, then, were the main issues among the many which the City Commission took under consideration before reaching this decision to support the fixed span bridge.

The City and the community has for some time now been agonizing over this entire issue, and in fact, as you heard tonight, some citizens cannot understand why a new bridge is required, especially at this time; but it is our sincere feeling that if a bridge must be built, then the fixed span is the best solution; and this will allow the type of development upriver that is desired.

I'd like to add just a couple of points here that have been made this evening. The City has approved or are in the process of approving the following plans and applications that have been made for additional moorage in the Skipanon River: Warrenton Deep Sea has applied for 8 additional moorage spaces; Port Warrenton Condominium, 55; City of Warrenton has proposed a commercial dock, and we have submitted the plans to the Corps of Engineers and the State Land Board -- part of the plans which have been approved now -- for 26 additional spots; E. H. Caruthers Company has submitted plans for 30 additional moorage spaces; Clatsop County has set aside 16 acres which would provide us with 500 additional moorage spaces in the lower river; however, we have not gone beyond the bare planning on this last phase. But in the works -- in the process today is 120 addi-

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tional moorage spaces with 500 more that we would like to get working on just as soon as possible.

Thank you.

CDR. WALTON: David Elliott?

STATEMENT BY DAVID ELLIOTT

MR. ELLIOTT: My name is David Elliott and I've got a petition here signed by 40 of the younger people -- mainly high school and recently out of high school. This petition here only took about 2½ hours to get it, and with more time, I'm sure I could have gotten more, but with working and stuff, I really didn't have that much time. I'd like to put this on the record, but also, I was not able to find too many petitions for the older folks, you people, that I got four signed on this one that would like to sign.

And people talk about the traffic build-up on that bridge. What about the traffic build-up going over such a high bridge proposed by the fixed span bridge, that on ice or snow or anything we get coming down, going into the mooring basin? It's a very sharp corner, and coming down a hill like that could cause many accidents, traffic builds up; and by having the opening span bridge, it sits lower, and also, they say about the Fire Department and medical help trying to get over the bridge -- with an opening span bridge, it takes approximately 5 minutes or so for all of the volunteer fire departments to get to that bridge to get over it -- at that time, the bridge

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could be down and stay down until vehicles have passed before opening. The fire alarm will ring -- from that point, the bridge cannot hear it; the bridge can stay down until fire vehicles and medical vehicles have passed.

And they also say about traffic, sitting in your cars idling, waiting for the bridge to come down -- I was over the Megler Bridge just 3 days ago; I sat on top of the bridge -- the Astoria-Megler Bridge, for over an hour, trying to get across. I wasted over a quarter of a tank just sitting there, nothing to do. If they want to get rid of traffic build-up, they should have some way you can speed up the toll through those bridges, or take out the toll and build up the same kind of funds some other way to cut the toll off, because when you're sitting clear across into the Washington side waiting for that bridge to come up, you can't turn around and go any other route, there isn't anything to do. And, if something does happen to the bridge and it says open, and there is a fire, there are alternate routes that the fire trucks can take. You can go down the dike and around -- there are other ways to get around; and like the shopping center -- you can always go down by the high school, the Crab Pot; you can go around other directions to get to that shopping center. They can make new routes from the shopping center into town. If we do get a mooring basin up above the bridge with an opening span bridge allowing all boats to pass through, that need to be passed through, then there will

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be more boats in the Warrenton area, and that way we won't need the shopping -- we do need the shopping center, but instead of people leaving Warrenton to go do their shopping, they can always stay -- they'll be closer to the town and use the town facilities -- use the stores; and I know people that have stores don't want all the other people leaving; and so, I don't see why they don't understand that the opening span bridge will bring in more people to their stores.

They also say about time, hazard, blocking up the intersection back there. Well, I'm sure that 5 minutes -- and we don't get that much traffic through that intersection -- that 5 minutes would not clog up that traffic line; which, there are other roads -- if there is a traffic build-up, they can turn down towards -- down by the Mini-Mart, and just down by Pop's and go down by that road and go some place else, or even go around the block and by that time, the bridge will be down. So, I am for the opening span bridge.

Thank you.

CDR. WALTON: Martin Nygaard? Am I pronouncing that right?

STATEMENT BY MARTIN NYGAARD

MR. NYGAARD: I was never much good at speeches. I'm Martin Nygaard with D&R Timber Company here in Warrenton. Our position is to back the State Highway Division on their decision to replace the present Skipanon Bridge with a fixed span bridge, and we are strongly in favor of that proposed fixed span bridge.

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We have in the summertime as high as maybe 140 to 150 loads of logs coming into our log yard on the west side of the Skipanon. Yesterday, for instance, there were 147 loads that came into our dump. That's 294 crossings of log trucks on that bridge. We have 15 of our own trucks, and the annual payroll for those 15 trucks is $300,000. There are right now maybe 40 or 50 different individual trucks coming in to make up this 147 loads.

Any additional -- we wait long enough for the Young's River Bridge. Any other additional waits of 5 to 10 minutes, and you should see the stream of boats coming in at high water in the summertime from sport fishing. If these things were going, that bridge would be up constantly; so, any additional truck time could be very costly, as well to our company, as other companies that haul into us and independent truckers that are coming into our yard.

As well as the 15 truckers that we have on our payroll, D&R Timber's annual payroll for this area is -- I shouldn't say "annual" -- last year's payroll was $1,506,900. D&R Timber is one of the larger employers in the Warrenton area -- approximately 75 men. In order to be able to continue to supply over a million and a half payroll dollars to this area, we must keep our operating costs down. An open span bridge will only result in lost time for our trucks; therefore costing D&R Timber additional dollars.

We therefore resist any type of open span that would delay

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log trucks from entering or leaving our log yard.

Dant & Russell, the parent company to D&R Timber, has previously submitted a comprehensive analysis of their opposition to a bascule span bridge in the final Environmental Impact Statement, and we wish you to adopt this statement as part of this hearing. That's D&R Timber.

Now, this is Martin Nygaard -- 80 to 90% of the sport boats that are in our mooring basin today could get under this 25-foot bridge. It sounds like this little narrow -- little, short distance which I've walked since 1939, many, many times up and down that river, both sides of it -- sometimes in it -- is going to be a utopia for the City of Warrenton, but an expensive utopia. A million and a half bucks for this bridge -- probably another couple million the Army Engineers are going to have to spend to dig it out -- and for what? There's plenty of room to expand below that bridge. We had a payroll for some probably 35 years -- 15 to 20 men that were run off at that river; and that was a commercial, navigational interest. Many, many millions of feet of logs went underneath those two bridges, and come one day we got a new property owner in the area.

I personally am probably the second largest property owner along that river, and I have to go along with my company and say that we want a fixed high span bridge. Personally, I would rather see the bridge stay just the way it is, and navigation ended at that bridge.

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Thank you.

CDR. WALTON: Armas Johnson?

MR. NYGAARD: Oh, just one second -- I want to add one thing.

CDR. WALTON: Okay.

MR. NYGAARD: If I had a boat big enough -- could afford to buy a boat big enough to go under this 25-foot bridge, I certainly wouldn't want it parked in 6 feet of water.

(Laughter)

CDR. WALTON: Armas Johnson?

STATEMENT BY ARMAS JOHNSON

MR. JOHNSON: My name is Armas Johnson and I'm a resident of Hammond, but I've worked here in Warrenton in a marine-oriented industry on the east bank of the river. And I'd be affected by any change in the bridge opening and closing, or whatever; but if the bridge was open, I'd start to work about 10 minutes earlier; and I'm in favor of a full opening bridge because I can't see closing Federal waterways to stop navigation.

CDR. WALTON: William Bronson?

STATEMENT BY WILLIAM BRONSON

MR. BRONSON: I'm William Bronson, Chief of Police of Warrenton. My interest in the future and in the past has been traffic safety for the public in the City of Warrenton, for some 23 years. And according to Page 57 of the '75 Traffic Volume Tables, they indicated that there were 3900 cars crossed in the

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area of the Skipanon Bridge at Mile Post 2.0 there on the bridge.

This survey was taken near King Avenue on East Harbor, also known as Highway 105; and this covers a full 24 hours. Obviously the bulk of the cars are not traveling across that bridge from 8 o'clock in the evening, say, until approximately 5 o'clock in the morning. The bulk of your traffic is going to be at your daylight hours and on up until 8 o'clock in the evening.

This puts the bulk of these 3900 cars across that bridge during the daylight hours, and also, probably a very good chance at the same time that your boat traffic is going out of there, in the summertime, which is when your peak boat traffic is -- you're traveling out of the river to go fishing in the area of 5 or 6 o'clock up to 7 o'clock; and you're getting into the period of time where your traffic is going to work. Certainly you're getting into the area where the traffic is going to the boats in the basins.

Now, a big portion of this traffic has to cross the Skipanon Bridge to get to that basin. If you have traffic going down the river that necessitates opening the bridge, you're certainly not going to cross the bridge at that time.

My concern is what happens when the bridge is open? Is it going to cause a real problem on the east side of the river? We have additional traffic in this area coming up with the shopping center. It's obviously going to be one of the bigger businesses in this particular area. Right now, the bridge is

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about 750 feet from the west end of it to the intersection at Main and East Harbor. I call this "Main and East Harbor" because this is a main intersection, actually; however, we have an engineer's nightmare of 5 streets coming together with no adequate way to post it, sign it, put in lights or anything that will control 5 lines of traffic at one time. Now, part of this traffic is going to Hammond and to their basin; part of it is breaking off of Main Street and going to the city's basin. Part of it is going down N.E. Skipanon Drive into Skipanon Charter's basin. Now, if this bridge is closed for any length of time, and I'm talking about 10 minutes minus -- you're going to certainly back traffic through that intersection. There's no way possible you can put that volume of traffic through that area with the bridge open. You also certainly have to expect an increase in traffic.

This survey was taken in 1975, and I can't tell you what month it was; I don't have that information; but I can tell you that at 11 a.m. to 11:10 -- a 10-minute period, on the 22nd of this month, a Thursday -- certainly not a peak time for traffic, at 11 o'clock in the morning -- there were 51 vehicles that crossed the bridge. I sat there and counted them; this included two loaded log trucks, one empty log truck, a loaded cement truck, a loaded lumber truck, and a number of cars with trailers. If you have nothing but cars -- standard Detroit model vehicles, you've got approximately 20 feet of vehicle. If you allow only

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4 feet between those vehicles when that bridge is open, you can park approximately 31 vehicles between the intersection of Main Street and the present bridge. A new bridge of just about any type will probably be somewhat longer.

I don't know what the answer to this thing is. I just think that everybody should be cognizant of these facts, that you are going to have an increase in traffic; you've got a bottleneck now, and you're very likely to increase the bottleneck if you have an open span bridge. I cannot see how you can keep from increasing the bottleneck, unless somebody has a better engineering plan than I've seen up to date. You have a traffic hazard; navigational problems are real. I have no personal interest one way or the other except my particular job as a Police Chief and in handling the traffic. I think we all have to be aware that the bulk of people traveled by automobile, and I certainly hope that somebody comes up with an idea that doesn't create an additional hazard to what we have now, and traffic hazards are real; they're real in my book and I'm sure they're real in everybody else's.

Thank you.

CDR. WALTON: Thank you. Dick Ford?

STATEMENT BY DICK FORD

MR. FORD: Commander Walton, I'm Dick Ford, Fire Chief of Warrenton. And I think I'm going to have to recruit one young man here into the Fire Service. He said it takes us 5 minutes

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to get to the bridge. We had a call the other day and the siren blows about approximately a minute and a quarter, and we had men at the Fire Station with the fire truck going out of the station by that time. So, that was an exception, of course.

As Chief of the Warrenton Volunteer Fire Department, I list my reasons for recommending a high fixed span over the Skipanon River at Harbor Drive on Mile 2.0 as follows:

(1) An open span would not allow the Department to give immediate fire protection to the east side of the river; (2) the mooring basin contains from 2 to $3 million worth of vessels and related marine equipment during much of the year, and in the summer, the dollar amount is greatly increased; and we would not be able to give proper fire protection if we had a fire in the basin. The northeast bank of the Skipanon is proposed for industrial expansion with a large complex, and any delay would be costly if a fire were to occur simultaneous with the bridge opening. There is no way of knowing when a fire is going to start. We can have a fire call at any time, and so we want to be able to protect it -- give protection at all times. We also have a county-wide mutual aid prediction plan, which we spoke of a while ago by one of the speakers. Should a fire occur in Astoria, Lewis & Clark or Tongue Point, areas needing back-up assistance -- we could be delayed several minutes to reaching the scene. Statistics show that a fire increases -- almost doubles in intensity for every minute until it has either

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reached its maximum or is brought under control.

Again, in reference to the county assistance program, if Warrenton were in the need of back-up aid, or even Hammond -- the inconvenience would be in reverse, if no one could be brought directly to the scene in neither Warrenton or Hammond; and we've had a time or two where we've had to call for outside assistance, and the response has been immediate.

Ambulance service would be equally hampered in any case of an emergency. With the opening of the span, traffic would be backed up into the downtown area, again impeding the response by the Department from the Fire Hall to the emergency, in the north area, as well as delaying volunteers in attempting to reach the Fire Hall in response to the emergency call.

A high fixed span would not necessitate the long run of approximately 5 miles via the State Highway to reach the mooring basin, or east bank residences, as compared to the run of approximately 4/10 of a mile directly from the Station.

With the new shopping center under construction on the east -- Harbor Drive, it is felt protection of this is costly and populated areas should be considered as a high priority and any delays would cause much damage.

These are some of the reasons we of the Volunteer Fire Department feel that the high fixed span would be in the best interest of the greater majority of the Warrenton residences and businesses. As was stated before, if we had 1,000 cars -- one

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man stated 1,000 vehicles going across that bridge; another man states 3900 -- you can see what traffic would be backed up clear down into Main Street, and our main route to the north usually is coming out on Main and heading north, and we come out into a bunch of traffic -- we'd have to turn around and go back, causing further delay.

If the bridge is to be delayed, as someone stated, 10 to 15 minutes in the openings, and I've heard Mr. Palmberg scream his head off about the openings of the bridge and the Young's River Bridge, and he was -- didn't appreciate that very well, sitting in line, and I'm sure none of us would care much about sitting in line.

So, we of the Fire Department and me as a personal individual feel that the high fixed span would be most beneficial for business and the people in this area.

Thank you.

CDR. WALTON: Thank you. Roy Peterson?

(No response)

CDR. WALTON: Gerald Simmons?

STATEMENT BY GERALD SIMMONS

MR. SIMMONS: Mr. Chairman, my name is Gerald Simmons; I'm the Manager of the West Coast Trollers Association. You may be interested to know that there are 3300 trollers in Washington; approximately 2,000 in Oregon; 2500 in California and about 1500 in British Columbia --in 1975, the last year for which figures

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are available. And we are very concerned with the outcome of this hearing. What with the trend apparent to all in the extreme growth in the number of vessels of all sorts in the recent past, the competition for available facilities and most important, sites, is becoming more serious every year. We cannot afford to close off one more area of navigable waters with a fixed span as some advocate, and close the door to an area that is ideally suited for present and future marine needs.

We are here because the Coast Guard Headquarters in Washington, D. C. also is concerned about the impact this bridge will have in this regard from a navigational standpoint. As trollers, we are highly migratory in our operations, and use harbor facilities the full range of the coast. Today, there are waiting lists for moorages. I have a letter from the neighboring port of Ilwaco which I would like to enter into the record, which points this out, which was brought out earlier in some testimony from other people here earlier in the meeting. By the way, the Port of Ilwaco is probably the largest port in numbers of moorages in the Northwest, if not the Pacific Coast. But getting down to the reasons:

The Marine Documentation Office keeps records for the length, width, depth of most fishing vessels, but nothing to indicate their height is available from official records. As height or clearance is what this hearing is all about, I will give you the best information available as to the height of our

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troll fleet. The typical troll vessel ranges in height from 30 feet for the smaller vessels, to 55 feet plus for the larger vessels. For our needs, we should not be faulted were we to ask for at least a 55-foot clearance, which we are not. We do ask that the Skipanon River Bridge be an opening span with a vertical clearance of 20 feet at low water, but an open unlimited clearance when necessary for passage of trollers, sail boats, piledrivers, trawlers and other large recreational and commercial vessels. It is time to look past what to me appears to be some personal involvements, and pull together. This is not the only avenue or entrance into this town.

And I'll depart from some remarks that I had prepared in print, and just emphasize again one thing that I had in here. There's been much reference here early in the evening. I hear people from all over this community, and this general area, commenting about the growth to cross the river over there in the Port of Ilwaco. It sounds to me like there's a great amount of envy. You have that opportunity here with some of the most ideally situated adjacent property to your present mooring basin. It would be a crime to close that for future development.

Thank you.

CDR. WALTON: Thank you. James Hier?

(No response)

CDR. WALTON: Earl Cadle?

STATEMENT BY EARL CADLE

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MR. CADLE: Commander Walton, ladies and gentlemen, so many of my ideas have already been expounded here. I am the owner-operator of Kampers West Kampground; I'm Commander, Coast Guard Reserve, Flotilla 73; I'm a charter boat operator -- so my feelings can be mutual to both sides as to boating, being a boating enthusiast.

My boat will readily go under a fixed span bridge, and I feel that the County Planning Commission or the City Planning Commission have delved into this pretty thoroughly, and my feelings are that an opening span would encourage people to bypass Warrenton, possibly; the Highway Department would probably affix signs that would have them -- encourage them to bypass Warrenton; and I think as a businessman that -- and in conjunction with the rest of the business people here -- I feel that a fixed span bridge should possibly be the one to have.

Thank you.

CDR. WALTON: Thank you. Richard Olsen?

STATEMENT BY RICHARD OLSEN

MR. OLSEN: I'm Richard Olsen; I'm a small property owner here in Warrenton. It felled my lot here several years ago at a county auction to buy the site of the former Segertson (phonetic) Clam Cannery. And if anybody has any questions as to the navigability of the Skipanon River above the bridge, Mr. Segertson wrote a book -- he said -- "Raised by the Sea" is the title of the book. On the front cover is a boat some 50 to 55 feet long,

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tied alongside of the pilings in front of my property. Now, I would encourage an unlimited opening of the bridge so that we can redevelop the Skipanon to that point; and I'm going to submit written testimony later. Thank you.

CDR. WALTON: Thank you. Howard Johnson?

STATEMENT BY HOWARD JOHNSON

MR. JOHNSON: Yes, I'm speaking as a contract logger or a gyppo logger as it's called. I have trucks that haul logs in the county; I was born and raised here; I've lived in the county all my life. But you take the present Young's Bay Bridge over here as it is, and we come across there -- say, if one truck hauls 5 trips a day and he gets held up twice or a third time for sure he loses a trip. That's all overtime on drivers and that's over $12 an hour; and they sit there with their lunch pail by him. He's not like this fellow here worrying about getting his lunch pail going to work; they're already at work, but they're sitting there sleeping with their lunch pail by them -- alongside of them, drawing $12 an hour; and that makes it pretty interesting when you've got 6 or 7 trucks going. And if you have one here that opens up, it just doubles the problem. So, when you lose one trip on a truck, it's quite an interesting cost at the end of the month when you figure out what your trucker's been doing. So, I favor a fixed span bridge.

And I think the people in this area -- it's been stressed quite thoroughly that they should look at the present industry

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that is here -- the tourists are wonderful, but they're here today and gone tomorrow, where your sound industry is here every day of the year; and this should be looked into and give them a little consideration.

Thank you very much.

CDR. WALTON: I called John Day earlier. Is he ready to speak?

STATEMENT BY JOHN DAY

MR. DAY: I'm an assistant to Jack Lesch who's the City Planner for Warrenton, and I'd just like to read this statement and then present it for the record.

"From the standpoint of land use planning, any improvement in the navigability of the Skipanon waterway south of the Harbor Street Bridge, will alter the patterns and pressures of real estate development in that area.

"The Warrenton Comprehensive Plan adopted in 1974 and amended in January of this year, designates the area along the Skipanon south of the bridge for low, intermediate and medium density residential use, except for a small area near the central business district designated for high density residential use. If the State Highway Division rebuilds or replaces the bridge in compliance with the Coast Guard order issued in 1972, pressure for more intensive land use upstream from the bridge would be expected, regardless of bridge design or corridor alignment. Water-related development in this area, such as

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moorages and marinas, is not discussed in the Comprehensive Plan. Therefore, the plan would have to be amended before such development could take place.

"The city is not ignoring the need for more moorage facilities in Warrenton. When the Comprehensive Plan was amended recently, the area zoned for marine commercial use was expanded to accommodate expansion of such facilities, and the city is in the process of enlarging its boat basin at present.

"Management of such development, of course, is of utmost importance to the city. A public works improvement program would have to be coupled to any land use changes along the Skipanon south of the bridge, to provide utility services to that area.

"The Warrenton Comprehensive Plan calls for the development of a comprehensive study of the Skipanon waterway, to be 'undertaken and concluded as soon as possible.' Included in the study would be a consideration of land areas adjacent to the Skipanon, the use of dikes, building new dikes, dredging, land ownership, moorages, riparian rights, the Eighth Street Dam, availability of public services, and the effects of the proposed bridge. A Federal grant to help finance a Skipanon waterway study is expected at any time, and work on the study should begin soon.

"Completion of the Skipanon waterway study and its adoption as part of the Warrenton Comprehensive Plan, will go a long way toward addressing the problems of development upstream from the Harbor Street Bridge. These development problems are the reason

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we are here tonight.

"Bringing the Harbor Street Bridge into compliance with the original permit issued in 1916, does not necessarily solve the navigation and development problems on the Skipanon. The existing railroad bridge just north of the highway bridge still affords an obstacle to navigation, and the issue of access to the Skipanon over city-maintained dikes has not yet been clearly settled.

"But there is one other aspect of the highway bridge problem that should be addressed from a land use point of view, and that is the problem of traffic circulation. Harbor Street is a very important east-west traffic route between Astoria and downtown Warrenton, and is designated as such in the comprehensive plan. Traffic on Harbor Street during the summer is heavy. The traffic load will only increase when the Brown & Root oil platform fabrication plant begins operation to the north of the bridge. Frequent interruption of traffic flows caused by the opening of the bridge to allow the passage of large or tall boats, would exacerbate existing traffic problems on Harbor Street. Development of moorage facilities for that kind of craft upstream from the bridge should therefore be discouraged.

"It seems to be in the best land use planning interests of the City of Warrenton to favor a fixed span design for the new bridge which would permit the passage of most pleasure

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craft and some types of commercial fishing boats. Alternate 1-G presented by the State Highway Division, with its 27-foot clearance at extreme low tide, seems the best design to meet these land use considerations."

This was presented by Warrenton City Planner, Jack Lesch.

Thank you.

CDR. WALTON: Thank you. Mr. James Collins, you indicated you wanted to speak if necessary. Do you feel it's necessary?

MR. COLLINS: No, thank you.

CDR. WALTON: Thank you. Geraldine Elliott?

(No response)

CDR. WALTON: Is Geraldine Elliott here?

(No response)

CDR. WALTON: Donald Henry?

STATEMENT BY DONALD HENRY

MR. HENRY: My name is Don Henry and I'm speaking as President of the Warrenton Chamber of Commerce and I have a statement to read on their behalf.

The Warrenton Chamber of Commerce considers the Skipanon River to be one of the city's greatest assets and has supported development of the river above the bridge. There is a demonstrated need for additional moorage facilities for both commercial and pleasure boats. The type of bridge that will be constructed will have a permanent effect on both the possibilities for development, and the type of water traffic, for many years

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to come.

It was the unanimous vote of the 1975-76 Board of Directors of this Chamber to support a high-level, quick-opening span bridge. The Chamber feels that an opening span bridge built high enough to allow the majority of the water traffic to pass through without opening the bridge, would be the best solution to the vehicular traffic problems, while at the same time, optimizing our potential for future development and use of the waterway.

However, because this is such a controversial issue, the current Board of Directors voted to ballot all paid-up members of the Chamber, immediately subsequent to this hearing, in order to give our less-informed members an opportunity to hear all the testimony presented. The Chamber will then submit a written presentation to the 13th Coast Guard District supporting the type of bridge that will reflect the will of the majority of the members of this Chamber.

Thank you.

CDR. WALTON: Is there anyone at this time who has not made a statement who would like to do so? Yes, come forward, please.

STATEMENT BY ROBERT GOHL

MR. GOHL: I'm Robert Gohl; I own and operate the Club Barber Shop in Warrenton, since 1964. I also am a commercial fisherman; I have a combination troller-gillnet -- commercial

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gillnet boat.

"We, the undersigned, having long established businesses in Warrenton, object to the construction of an opening span bridge of the Skipanon River, as we feel this would be detrimental to the best interest of the business community."

And this is area businesses which were contacted in the last day or two -- they are: Club Barbershop, Bodey's Chevron, Warrenton Heating Oil, Sandy's Hair Fashions, Smith Cleaners, Warrenton Electric, the Club, Mini-Mart, Pop's Restaurant, Hartley's 66, Johnson Drug, Columbia Body Shop, Mason's Market, Seafarer Tavern, Newton's Auto Repair. That's 13 of the 16 major businesses in the downtown area. Their signatures are on here and there's been much testimony on traffic, both water traffic and vehicular traffic across the bridge. I have a shop that faces that mess of 5 streets coming in; on any afternoon between 4 and 5 o'clock, the cars are backed up to Hartley's Station right now. I mean, that's just normal flow. With the added people that we're going to have coming into the area through new businesses -- the money that we're going to spend on this bridge, which there really isn't that much need, I really don't feel. This is myself talking; this isn't for the business -- this is as Barbershop Bob -- is that our traffic problem is far greater than what the need for the bridge is. With the possible double in growth in the next 10 years in town, we have to do something; and the car traffic is far greater than what

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the boat problem is. We have plenty of room below the bridge to develop -- below the bridge -- dollar-wise. Hammond is going to more than double.

The smaller boats, if we went to a fixed span, and if we had to put a bridge in, the fixed span is the way to go. But -- then you could go ahead and put your 25 to 30, 35-foot vessel underneath that bridge on a fixed span. That's if you have to build a bridge.

But I've listened to the testimony -- I really feel that a bridge is not necessary at all.

Thank you.

CDR. WALTON: Thank you. Did I call Donald Henry? Did you have an opportunity to speak?

MR. HENRY: Yes.

CDR. WALTON: Okay. I think we just have one more then. David Palmberg indicated that he wanted to speak -- oh, we have another one? Okay, excuse me. Would you come forward, please?

STATEMENT BY VERN DAVIS

MR. DAVIS: Thank you. Ladies and gentlemen, my name is Vern Davis. I'm from Warrenton and have been here a half a century or so -- I mean a half a day or two or three or four -- whatever. What difference does it make?

We talk about a bridge and we talk about property and we talk about waterways and we sound like that every place but here has lots of moorage. I just recently came from LaPush where

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we've put in a new moorage in the last 15 years, and they have passed resolutions -- there will be no double tieing and no double parking, or you are fined $250 to $500. And being fortunate enough to be tied alongside the dock for a day, why, I thought when I untied there, I'd better leave here because I can't afford no $500.

And at Westport, we have the same problem. You come into Westport and you look for a place to tie, and you're lucky if you find one. You'd better quit fishing about 8:30 in the morning or you're not going to get a place to tie up; and then when you do tie up, why, they come along with the book everyday, which is a good deal -- I go along with this; and every month they send you a bill, and I notice there that I have $24 for this month and $24 for last month, and a few dollars for the month before, while I pay moorage here, which is all right -- they have to keep their moorages up.

But for the bridge purposes which we're all here for, I wanted to bring that up because everybody seems to feel that there's lots of moorage everywhere, but there isn't. Everybody has the same problem. And the boats are expanding faster than the moorages can keep up. As far as expanding here, we have plenty of room to expand below the bridge -- this is true.

The upper part of the bridge here -- we get what type of bridge we get in. We have the feelings in town already that if we can get the opening span bridge in, the next goes out the

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Eighth Street Dam and then we get her all the way up to the lake, then we dig a 25-foot channel to the lake and the lake goes dry, so then now what do we do?

(Laughter)

MR. DAVIS: I don't work for wages and I hear some of these reports of money about wages around here, and I think I should sell my boat and go to work. $12 an hour sounds pretty good to me. But I make my living by the boat and I have for over 10 years or so. I don't work for wages, and I see no advantage to me if there was an opening span up the Skipanon. I don't have any property up there that would benefit me.

And I just wanted to point out that anywhere you go, you have problems with tieing your boat -- you have the problem in Newport, you have the problem in Oakland. I've been into Moss Landing, California when there wasn't room for two boats to slide in or out -- only one. It was storming outside, the slips was full and they were tied across the end of the slips to where there was only room for one boat to go one way. And Morrow Bay is the same way.

So, when you talk about problems, we all have problems, and they're all up and down, it's not just here. But personally, I'm in favor of a fixed span which will alleviate traffic up-river for some small development, of the type that if it proves later on that this is not large enough, can be expanded, then the bridge can be changed. This is no big problem. They change

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things everyday.

Thank you.

CDR. WALTON: Thank you. We have a gentleman in the rear who wants to speak.

MR. SNOW: Commander, on the city's list, I believe 9, 16, 19 and 26 were not called. 9, 16, 19 and 26.

CDR. WALTON: Well, it's probably because on their card they didn't indicate such.

MR. SNOW: I think you ought to call them to give them that opportunity.

STATEMENT BY JOHN SHEPHERD

MR. SHEPHERD: Mr. Chairman, this is my second hearing I've been to tonight and I missed most of this hearing, so probably a lot of this has been said, but I think that I should make a statement to show that there is interest in this bridge not only in the City of Warrenton, but in the adjoining areas.

I'm John Shepherd; I'm the Fire Chief and Director of Emergency Services for the town of Hammond. I'm opposed to any type of an opening span at Harbor Drive in Warrenton for several reasons. As members of the County Firefighters Association, we provide back-up help to Warrenton and all the other communities on large fires. I feel that any opening bridge at this location could delay the Warrenton Fire Department in reaching the mooring basin, shopping center and the industrial developing areas east of Skipanon River.

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Having a mooring basin of our own to protect, I know the importance of a quick response with no delay when dealing with boat fires. As we depend on East County Fire Departments to aid us, under our mutual aid plan, we feel there is no need for another opening span between Hammond and Astoria, other than the Young's Bay span.

As Director of Emergency Services in the town of Hammond, I am equally concerned about the delays in ambulance service out of Astoria to all areas west of the Skipanon, for the canneries, the sawmill and the mooring basin in Hammond.

As the bridge is on a designated route between Highway 101 and Fort Stevens State Park, we at the town of Hammond tried to get the State to reroute their traffic down 101 in the Ridge Road and they said no, all State Highways closest to the State Park are designated and that's the way they'll route the traffic; so, for that reason, Harbor Drive and the drive to Hammond has to go to the State Park.

I feel there is a need for great improvement on this route due to the increased traffic to the park. An opening span, to me, would not be an improvement of this highway. Minor as it may seem, I cannot help think about the lines of cars sitting and idling their motors as they wait for the bridge to open when it doesn't have to be open.

I feel the present plan for a high fixed span is satisfactory to serve the needs of the area. If 90% of the boats can

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pass under the bridge, then we can put the other 10% out in the Warrenton mooring basin and let the 90% go under. Hammond is just now starting their basin project. We're building a new seawall. The rock bids are being let and as soon as this project is done and our sewer system is finished, we're going to increase the capacity of our basin from 250 to possibly 500 boats; so there is new boat moorage facilities coming to the area.

Thank you.

CDR. WALTON: Thank you. Is there anybody else now that would like to make a statement?

STATEMENT BY JIM PARKER

MR. PARKER: I'm Jim Parker; I run a fuel oil dock business in Astoria. For the people here, I'd like to go on record as saying I canvassed the fishing fleet -- your commercial fishing fleet real carefully on this situation. We're in the large boat bracket now. It used to be that a 40-footer was a big boat; now a 50, 60-footer. The boys that I've talked to which is your draggers, your shrimpers, your -- or your off-shore vessels -- being as how the bridge is going to be -- whether it's a fixed span or an opening span, I said, "Well, what do you want?"

Like Mr. Davis testified a little while ago, there is not enough moorage facilities in this community. I know, I've got 8 boats. I called this evening and said I could not be here because I'm trying to make room for big boats that tie at my

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fuel spot. I'm trying to run a fuel business not a mooring business. The boys did tell me this: "No, Jim, we will not use -- if there's a mooring basin put in we will not use it during the season because it's not really the thing for us to do. Leave it for the smaller boats. But relieve the pressure in the wintertime when we're tied up with no season as a shrimper. You've got adequate people here in town that takes care of many of the vessels -- that we will use this basin if there is one put up." Now, if there's 6 foot of water, I don't think anybody would ever put a basin in with 6 foot of water; and I would like to have the money, the cost of the log trucks to stop at a stop light also, instead of an open bridge. I would rather have that than the other way. But the boys did say this, and I talked to everybody from here to San Diego -- said this: "For God's sake, let's have some relief in your locality for some place to tie our boats."

Now, if Mr. Palmberg or Joe Blow or whoever puts in a mooring basin -- I'm all for them. Relieve the pressure in this community so we can have some place. One boat, 15 years ago, and I fought like hell with Astoria, Oregon -- the Port of Astoria to get a mooring basin where we could tie a boat, and incidentally, right now, the WESTERN runs aground at low tide. Two years ago we dredged it. We're in bad straits for mooring basins. 15 years ago, we finally got something going -- one drag boat in this community brought in $225,000 to the people

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in this community, so we need the industry. I say as long as the bridge -- and the people I've talked to say this: "If it's going to be a bridge, put a bridge that will come -- that will take care of everybody, not a certain few -- take care of everybody." Let's not build a two-lane highway when we need a three. Let's plan for the future. And I think that's what the boys want.

Thank you very much.

CDR. WALTON: Anybody else now who has not made a statement?

STATEMENT BY BILL HARTLEY

MR. HARTLEY: My name is Bill Hartley; I'm the Warrenton Mooring Basin Manager, and I have a petition here signed by the boat operators in the Warrenton Mooring Basin for a fixed span -- high fixed span.

Now, one of the problems of mooring basins is like everybody said -- there's just not enough. And with proper management and with everybody working together, I believe that 90% of the boats that I deal with can use a fixed span bridge, and with -- God, in the morning there must be 2 or 3,000 cars that 2 or 300 park in our basin here between the hours of 3 in the morning and 6 in the morning. And boats are -- if you had an opening span bridge, it would close off this area and just make a bottleneck in between the people going to Hammond or the people going to the Warrenton Mooring Basin. Now, in the basin -- our basin, we've got -- I deal mostly with sport boats; I've got 2

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floats of commercial boats; and we're in the process of building a deep draft commercial boat dock. And we want to get this off the ground. We've had a couple of people go against it, and maybe after tonight we can get going on it -- accommodate these big 60, 70, 80-foot boats.

And, I don't know what to say -- it's been said many times before and I'm just in favor of a high fixed span bridge.

Thank you.

CDR. WALTON: Is there anybody else now that wishes to be heard?

MEMBER OF AUDIENCE: Mr. Commander, ladies and gentlemen: I'm a newcomer here -- I've lived here 58 years. And when I was born, the City of Astoria was about 18,000 to 21,000 -- big Hammond mill up there. Industry was around -- I don't know where the people lived, because we've got about 10 or 11,000 living in Astoria now and houses are built all the time. I've seen these ocean vessels come in to the Skipanon. I worked at Young's Bay Lumber, at that time it was Prouty Lumber; and they turned around just about where -- at the south end of New England's property, and tied there and took lumber. And also took lumber at Prouty's. If you don't believe there's a big concern of sport boats -- and I would like you to look in the papers here lately about the sport fishermen not being closed off out in the ocean, trollers being closed off; sport fishing up in the Willamette, Upper Columbia. How many of you have been to West-

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port, Washington, 8, 10 years ago? You ought to go up there now and see what the sport and fishing fleet has brought into that area; where there was vacant property are all kinds of buildings and canneries. I would wonder quite a bit about putting a mooring basin on the lower part of the Skipanon, because there isn't too much industrial property around.

Now, the young fellow had a pretty good idea -- he went with a petition and he got a number of names. He also brought up that you have another access and I believe another man brought the same thing out. So, you're not limited to that one. And I think when you get the bridge built, you're going to have to look at getting in and out of this town with a big fish company going in down there at Point Adams; you're going to have an influx of an awful lot of cars going in there. And if you're looking for more mooring basins, you've got the east end white elephant up there that should be utilized -- a lot of talk about it through the years. But there you can put an awful lot of big boats. Of course, as we get older, I guess we get a little lazier and we'd like to be closer to the ocean, but you can do an awful lot of remodeling up there.

Thank you.

CDR. WALTON: Is there anyone else now that would like to make a statement who has not been heard?

(No response)

CDR. WALTON: Okay, David Palmberg, did you still want to

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submit evidence for somebody that's not here?

STATEMENT BY DAVID PALMBERG

MR. PALMBERG: I will submit this in -- send the letter in at a later date, but I'd like to read one paragraph out of the letter and I'd also like to explain what the Skipanon Waterway Association is and say who the members are.

Skipanon Waterway Association is an informal group of local marine-oriented businesses and individuals interested in maximum utilization of our most valuable asset -- the Skipanon River.

The members of the Association are Skipanon Corporation, Port Warren, Oregon Ocean Services, E. H. Caruthers, Co., Palmberg Construction Company, Warrenton Deep Sea, Warrenton Boat Yard, West Coast Propeller Service, the Union Oil Dock, Palmberg Construction Company, which is myself -- myself is Palmberg Construction Company and landowner, Jim's Diesel Service, Fitchar (phonetic) Boat Yard, another upstream shoreline owner -- Helberg's, and Lewis Long.

The one paragraph I'll read out of this presentation has to do with the Eighth Street Dam.

"A word about the Eighth Street Dam is apropos. It was by some oversight constructed without an Act of Congress, authorizing closure of the river. It is very expensive to maintain and operate and in its present operation condition, the dam is not fully serving its intended purpose of flood control and

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irrigation" -- and by the way, I was up there today and took a look at it. At low tide in the right-hand gate going upstream, is completely busted out again. It's got a big hole in it. "If removed, the upstream lowlands could be far more economically protected from flooding by constructing the very low dikes required in installing tide boxes as has been done in the downstream areas. Sub-irrigation or irrigation by other means from the river would still be available. The Corps of Engineers have stated that in view of the oversight in approval of the permit for the dam construction, the dam will be removed at Government expense when navigation requires, as a part of the Federal Navigation Project, which extends a distance of 1500 feet above the dam."

That's all -- just the future potential use of that river for navigation purposes extends all the way up to Cullaby Lake, and I think -- I've talked to a lot of people and a lot of you, I'm sure, can picture the possibilities of opening that river to Cullaby Lake. Some people laugh at it and think, "Oh, that's just a dreamer's idea." Well, dreamers do quite a few things sometimes, and it would be quite a unique development for our community.

CDR. WALTON: Thank you. This concludes our public hearing and I wish to thank all the citizens of Warrenton for the manner in which you conducted yourselves at this hearing, and for the information that was presented. All the documents and ver-

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bal testimony received will be made a part of the record.

It's obvious from the sincerity and diversity of opinions that were received tonight, that whatever decision is reached by the Coast Guard will not satisfy all segments of the community. I do wish to assure you, however, that whatever decision is reached will be only after careful review of all the testimony and as the facts dictate.

Additional investigations or verification of the evidence may be necessary, but I will make every effort to resolve those issues and make my recommendations to Headquarters by 15 August.

Thank you so much for attending.

(Thereupon, at 10:10 o'clock p.m., the hearing was concluded)

BILL'S RECORDING SERVICE
PORTLAND, OREGON - HONOLULU, HAWAII

BEFORE THE

UNITED STATES COAST GUARD

13th COAST GUARD DISTRICT

WARRENTON, OREGON

In the Matter of:
PUBLIC HEARING
RE
PROPOSED BRIDGE OVER SKIPANON RIVER

I, the undersigned Wm. Chun, hereby certify that I was Official Reporter in the above-captioned proceedings; that these proceedings were then and there recorded by me on the date as set forth in captioned Page 1 hereof; that thereafter, these proceedings were reduced by me and/or under my direction to typewriting; that the foregoing transcript, Pages 1 to 103, both inclusive, constitutes a full, true and accurate transcript of said proceedings, so recorded by me, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of August, 1976.

WM. CHUN,
Official Reporter;
P. O. Box 3854,
Portland, Oregon 97208.

BILL'S RECORDING SERVICE
PORTLAND, OREGON - HONOLULU, HAWAII

Ed Hunter 104-1915 2

Revised

OREGON STATE HIGHWAY DIVISION

REGION 2

2960 E. STATE STREET • SALEM, OREGON • 97310 • Phone 378-2626

July 15, 1976

Robert Straub
GOVERNOR

F. B. KLABOE
Administrator of Highways

RECEIVED
STATE HWY ENGR
JUL 16 '76
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

E. S. HUNTER

Commander (oan)
Thirteenth Coast Guard District
915 Second Avenue
Seattle, Washington 97174

Gentlemen:

SUBJECT: Proposed Bridge Across Skipanon River @ Mile 2.0 @ Warrenton, Oregon

The Highway Division of the Oregon Department of Transportation supports the recommendation to construct a high level, fixed span bridge at the crossing of the Skipanon River by the Warrenton-Astoria Highway. This alternative is recommended as a result of the public meeting and citizen input procedures required by the Oregon Action Plan, and is the alternative supported by the testimony of the majority of persons in attendance at the public meetings and hearings conducted regarding this project. It is also the alternative most favored by the governmental entities involved in the transportation development of the immediate geographical area.

Replacement or modification of this bridge structure is being considered as a result of a US Coast Guard letter dated June 26, 1972, requiring either that the bridge be restored to a fast-opening bascule configuration or that an acceptable alternative be proposed. Previous and subsequent correspondence relative to the original permit and the actions taken relative to the Coast Guard requirements and timetables for these actions are chronologically listed and contained in the Final Environmental Impact Statement for the Skipanon River Bridge, completed and adopted by the Highway Division on October 15, 1975, and by the Region Federal Highway Administrator on December 1, 1975.

Response to public meetings and public hearings, both written and transcribed, has been evaluated. Land use in the area affected by

the structure has been considered. Economics of construction, operation, maintenance and public benefit have been studied. Each of these factors indicates that the fixed span proposal, for which a construction permit has been requested, is the best and most desired solution to the Skipanon River Crossing for which this hearing is now being held.

Very truly yours,

C. O. Fredrickson
REGION II ENGINEER

COF/elf

8651

OREGON STATE HIGHWAY DIVISION

REGION 2

2960 E. STATE STREET • SALEM, OREGON • 97310 • Phone 378-2626

Robert Straub
~~XXXXXXXXX~~
GOVERNOR

F. B. KLABOE
Administrator of Highways

July 12, 1976

Commander (oan)
Thirteenth Coast Guard District
915 Second Avenue
Seattle, Washington 96174

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Very truly yours,

C. O. Fredrickson

C. O. Fredrickson
REGION II ENGINEER

COF/elf

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE (206) 442-5864

RECEIVED

3271
Serial 361
18 June 1976

In reply refer to
Proposed bridge across
Skipanon River at Mile 2.0
at Warrenton, Oregon

PUBLIC NOTICE NO. 76-N-14

Notice of Public Hearing

Notice is hereby given that the Commandant has authorized a public hearing to be held by the Commander, Thirteenth Coast Guard District at Warrenton High School, Warrenton, Oregon at 7 p.m. in the evening, Wednesday, 28 July 1976. The purpose of the hearing is to consider the application from the State of Oregon Highway Division for a permit to construct a 2-lane, fixed highway bridge across the Skipanon River, Mile 2.0, at Warrenton, Oregon. The proposed bridge will replace an existing float-out span bridge at the same location. All interested persons may present data, views and comments orally or in writing at the public hearing concerning the impact of the proposed bridge on the environment and its effect on navigation. A final environmental impact statement prepared by Federal Highway was filed with the Council on Environmental Quality on 1 December 1975 as lead agency in compliance with the National Environmental Policy Act.

The hearing will be informal. A Coast Guard representative will preside at the hearing, make a brief opening statement describing the proposed bridge and announce the procedures to be followed at the hearing. Each person who wishes to make an oral statement should notify the Commander (oan), Thirteenth Coast Guard District, Federal Building, 915 Second Avenue, Seattle, Washington 98174 by 26 July 1976. Such notification should include the approximate time required to make the presentation. A transcript will be made of the hearing and may be purchased by the public. Interested persons who are unable to attend this hearing may also participate in the consideration of this bridge permit application by submitting their comments in writing on or before 11 August 1976 to the Commander (oan), Thirteenth Coast Guard District. Each comment should state the reasons for any support or opposition, comments or proposed changes to the plans, and the name and address of the persons or organization submitting the comment.

RECEIVED
JUN 23 1976
BRIDGE SECTION

P/N No. 76-N-14
Notice of Public Hearing

Copies of all written communications will be available for examination by interested persons at the office of the Commander (oan), Thirteenth Coast Guard District. All comments received will be considered before final action is taken on the proposed bridge permit application. After the time set for the submission of comments, the Commander (oan), Thirteenth Coast Guard District will forward the record, including all written comments and his recommendations to the Commandant, U. S. Coast Guard, Washington, D.C. 20590. The Commandant will make the final determination of the bridge permit.

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD
COMMANDER, 13TH COAST GUARD DISTRICT
FEDERAL BUILDING
915 SECOND AVE.
SEATTLE, WASHINGTON 98174

OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. COAST GUARD
DOT 514

BRIDGE
NOTICE

8651

July 6, 1976

Commander (oan)
Thirteenth Coast Guard District
915 Second Avenue
Seattle, Washington 96174

SUBJECT: Proposed Bridge Across Skipanon River @ Mile 2.0 @ Warrenton, Oregon

The Highway Division of the Oregon Department of Transportation supports the recommendation to construct a high level, fixed span bridge at the crossing of the Skipanon River by the Warrenton-Astoria Highway. This alternative is recommended as a result of the public meeting and citizen input procedures required by the Oregon Action Plan, and is the alternative supported by the testimony of the majority of persons in attendance at the public meetings and hearings conducted regarding this project. It is also the alternative most favored by the governmental entities involved in the transportation development ~~in~~ of the immediate geographical area.

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Response to public meetings and public hearings, both written and transcribed, has been evaluated. Land use in the area affected by the structure has been considered. Economics of construction, operation, maintenance and public benefit have been studied. Each of these factors indicates that the fixed span proposal, for which a construction permit has been requested, is the best and most desired solution to the Skipanon River Crossing for which this hearing is now being held.

Very truly yours,

C. O. Fredrickson
REGION II ENGINEER

COF/elf

8651

9

Reprisals denied

The Daily Astorian has carried numerous letters from Mr. H.G. Palmberg on the subjects of the Skipanon channel and Skipanon River bridge.

His most recent letter covers an accounting of his purchase of what he calls "inaccessible land" some fifteen years ago and the complaint that the city of Warrenton has not cooperated in any manner and is making reprisals against his "children."

Since I personally have been involved with city affairs during much of this period of time, I would hasten to say there have never been reprisals against any member of the Palmberg family and no personalities have been involved. The matter has been strictly of policy.

It is a general policy to spend no public monies for other than public projects, and where the city of Warrenton would not spend its money for other than public projects, it would not be instrumental in urging any agency to do so. Projects qualifying for public money would be public safety such as police and fire departments, and any other service open to the general public.

Warrenton's subdivision ordinances require land developers, at their own expense, to provide for improvements because any profits are theirs. This "inaccessible" land, however, is not that inaccessible since the Palmbergs have built three fine homes and a warehouse on this something less than 200-acre tract, acquired from Clatsop County approximately fifteen years ago. Benefitting from the Japanese log market, Mr. Palmberg was fortunately able to sell timber from this tract and should have, if his sales were equivalent to those of the city, cleared at least $50,000 from the tract acquired for slightly less than $12,000.

The city, in appraising the up-river ownerships, finds very little other private ownership and no public lands. Consequently, policy would not dictate expenditure of $50,000 to $75,000 for channel development and $2,000,000 to $2,500,000 for bridge improvement to benefit properties costing something less than $12,000. The city could not recommend other agencies do this if it would not spend its own money.

I would again say there is nothing personal. It was, and still is, strictly a matter of policy.

E.R. BALDWIN
former City Manager
City of Warrenton

NOTED
E. S. HUNTER

RECEIVED
STATE HWY ENGR
JUN 25 '76
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

RECEIVED
JUL 8 1976

8651

June 21, 1976

The Honorable Vernon Cook
State Senator
519 N.E. Fourth
Gresham, Oregon 97030

Dear Senator Cook:

The following material concerning the Skipanon River Bridge at Warrenton is in response to your June 4 request. I believe the attachment will cover questions 1 and 2 of your inquiry related to open and fixed-span bridges.

Concerning the funding question, the Skipanon River Bridge project was included in the Highway Division's Six-Year Construction Program and was budgeted for Fiscal Year 1977. The projected funding would be from the allocation for Federal Aid Secondary Highways. This would be 78 percent Federal and 22 percent State money. However, the current strain upon State funds is such that matching the 22 percent State share may be a problem.

Our request for a permit to construct the high-level, fixed bridge has been forwarded to the Coast Guard. We understand that the Coast Guard will hold a formal public hearing to solicit comments and information on the project. The input from this meeting, plus the record of the State's public hearing on the project, will be assessed by the Coast Guard in arriving at a decision as to the type of structure for which a permit should be issued.

Sincerely,

F. B. Klaboe
Chief of Operations

Attachment

bc: H. S. Coulter (w/att.)
E. S. Hunter "
W. J. Hart
C. O. Fredrickson "

WJH:dh DM:srb

HOME ADDRESS
VERN COOK
519 NE 4TH
GRESHAM, OREGON 97030
665-8143

MULTNOMAH COUNTY
DISTRICT 12

COMMITTEES
CHAIRMAN:
REVENUE
MEMBER:
JUDICIARY
CONSUMER & BUSINESS AFFAIRS

STATE OF OREGON

OREGON STATE SENATE
SALEM 97310
378-8879

June 4, 1976

NOTED
H. S. COULTER

Fred Klaboe, Administrator & State Highway Eng.
Highway Division
Dept. of Transportation
Salem, Oregon

Dear Fred:

The matter of determination of a fixed or opening span for a proposed replacement bridge crossing the Skipanon River at Warrenton, Oregon has recently come to my attention.

In view of the problems of vessel accommodation in the Columbia River Estuary, especially on the Oregon side, I would appreciate receiving the following information:

1. Clearances and detailed unit price cost estimate and plan layout for an opening span bridge.

2. Clearances and detailed unit price cost estimate and plan layout for a fixed span bridge.

3. Status of fund availability of State and/or Federal matching funds.

Your assistance in this matter will be greatly appreciated.

Sincerely,

Vern Cook,
State Senator

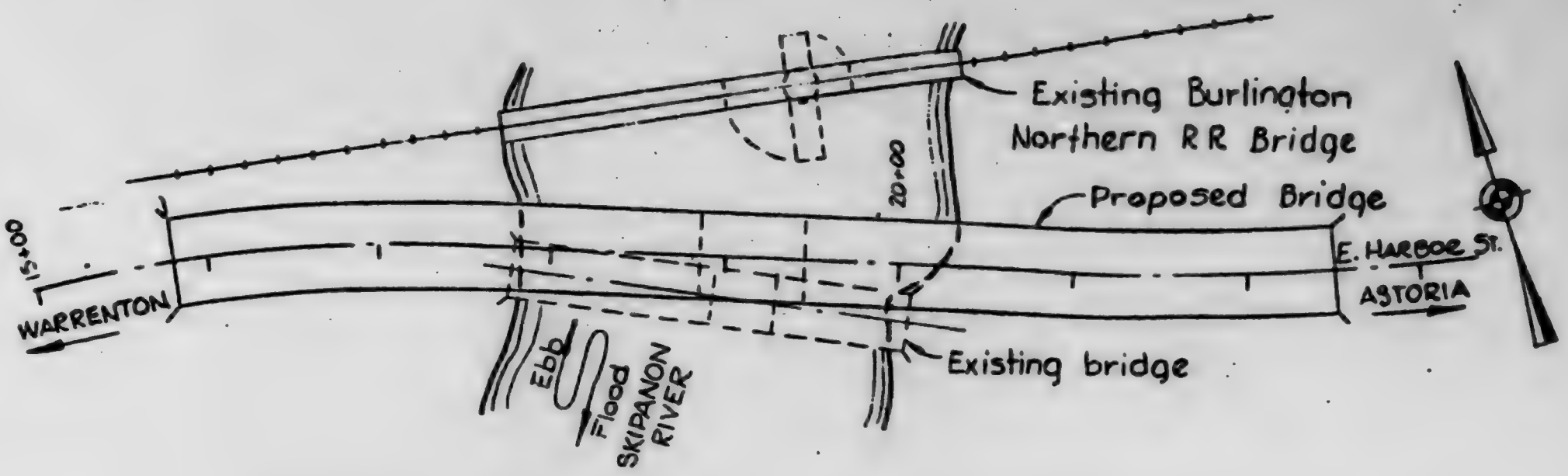
VC/mr

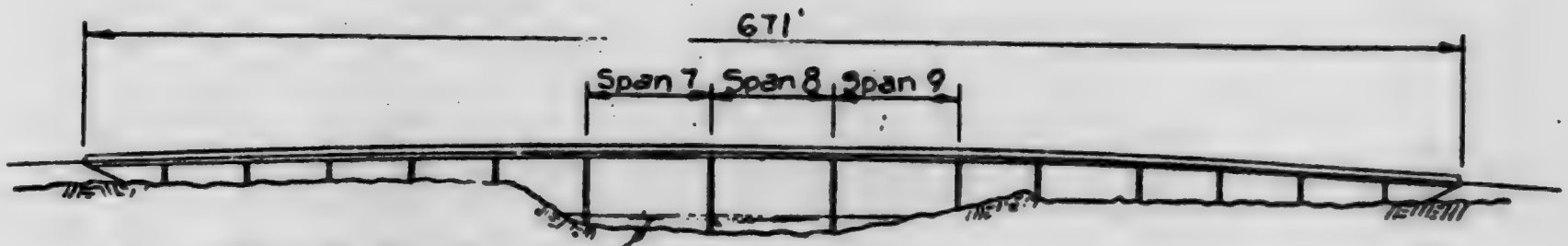
RECEIVED
STATE HWY ENGR
JUN 9 '76
REFER TO
Walt Hurt cy ESH
FOR
Info | Inves | R/D | D/R | Sig | Act | File

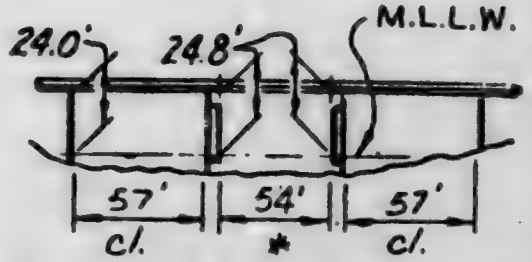
RECEIVED
DOT OPERATIONS
JUN 9 '76
REFER TO
Coulter
FOR
Info | Inves | R/D | D/R | Sign | Act | File

Figure 5

PLAN AND ELEVATION, FIXED SPAN







SPAN 7, 8 & 9 - CLEARANCES

* Span 8 horiz. cl. is face-to-face of pile protection.

SCALE IN FEET

0 100 200 300

1. COST SUMMARY HIGH LEVEL FIXED BRIDGE

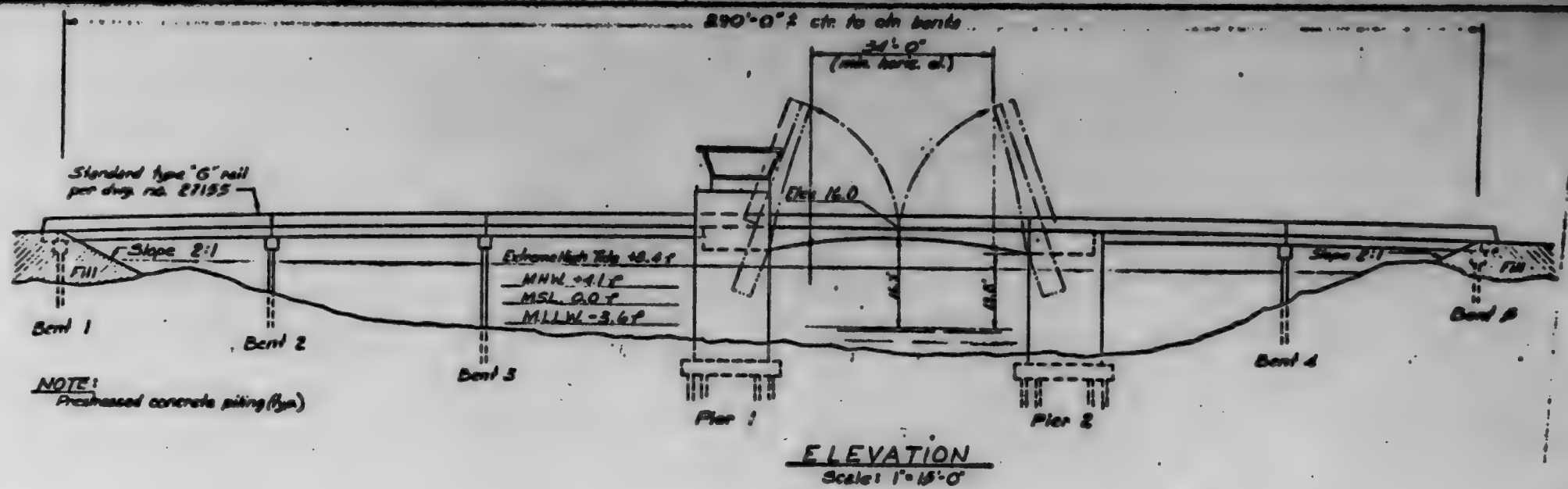
Grading and Drainage	$ 110,000
Surfacing	70,000
Extra Pavement for Stage Construction	2,500
Utilities - Bell Telephone	16,000
City Water	27,000
Miscellaneous	4,500
Subtotal	$ 230,000
20% for Engineering and Contingencies	46,000
671 ft. Structure (includes 30% Engr. & Cont.)	824,000
Right of Way	184,000
TOTAL ESTIMATED COST	$1,284,000

OREGON STATE HIGHWAY DIVISION - BRIDGE SECTION
Preliminary ESTIMATE SHEET

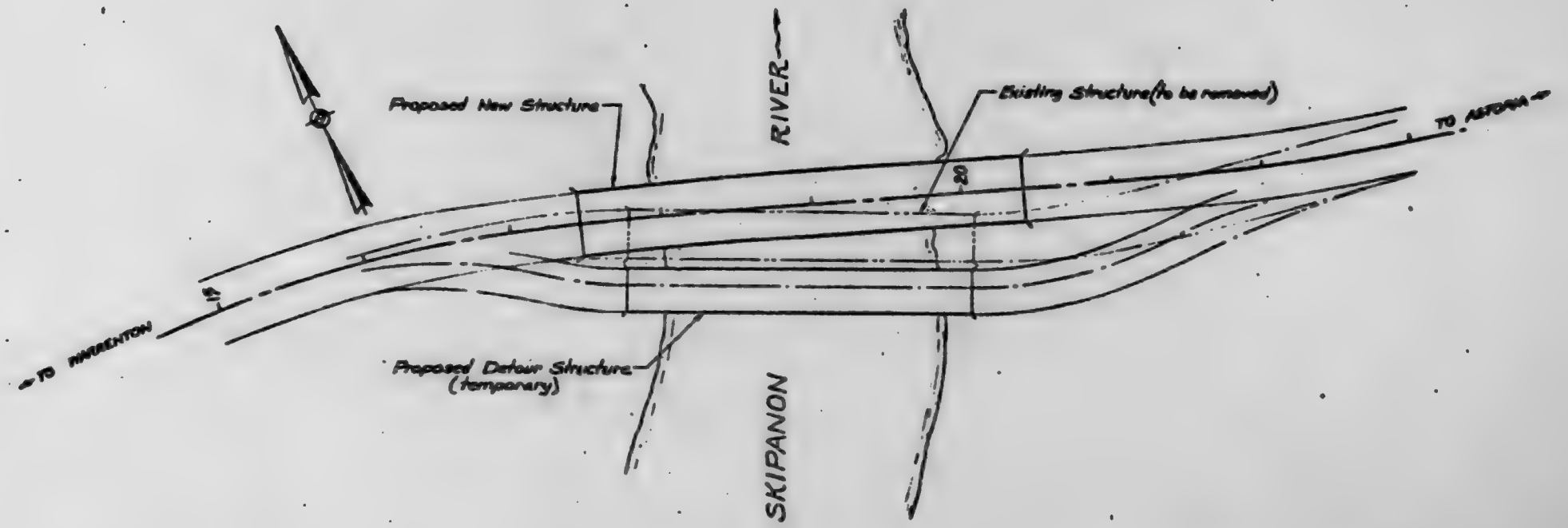
Bridge Name Skipanon River County Clatsop Bridge No. 11226 A
Section and Station _____ Highway Warrenton - Astoria
Estimate Made By JA Date 6-15-76 Checked By _____ Date _____
Description Fixed Span

Estimate From No Plans (Sketch) Completed Plans Drawing No.
(Strike out the ones which do not apply)
Calculation Book No. _____ Loading HS 20-44

ITEMS	UNIT	QUANTITIES			COST	
		Substrct.	Superstrct.	Total	Rate	Amount
Mobilization	All					50 000
Shoring, Cribbing, etc.	All					
Structural Excavation	Cu.Yd.	125		125	10 00	1250
Excavation Below Elev. Shown	Cu.Yd.					
Untreated Timber Piling (No.)	Lin.Ft.					
Treated Timber Piling (No. 22)	Lin.Ft.	880		880	5 00	4400
Steel Piling (No.)	Lin.Ft.					
Prestr. Conc. Piling (No. 147)	Lin.Ft.	7350		7350	10 00	73500
Furnish Pile Driving Equipment	All					15000
Drive Timber Piling	Lin.Ft.	880		880	5 00	4400
Drive Steel Piling	Lin.Ft.					
Drive Prestressed Conc. Piling	Lin.Ft.	7350		7350	4 00	29400
Structural Concrete Class 3300	Cu.Yd.	272	153	425	170/140	64050
Metal Reinforcement	Lbs.	26820	16600	43420	0 25	10860
Structural Steel	Lbs.					
Prestressing Steel	Lbs.					
Prestr. Conc. (18x48-40-0)	Each		120	120	1440 00	172800
21x48-40-50	"		24	24	1600	38400
26x48-60'	"		36	36	2800	102600
Rail #	Lin.Ft.					
Slope Paving (incl. preparation)	Sq.Yd.					
Slope Paving Curb	Sq.Yd.					
Drain Pipe	Lin.Ft.	70		70	5 00	350
Berm Paving	Sq.Yd.					
R.C. End Panels	Sq.Yd.	213		213	35 00	7455
Expansion Jts.	Lin.Ft.					
Electric Conduit	Lin.Ft.					
Membrane Waterproofing	Sq.Yd.					
Timber Curbing/Pier Protection	MFBM	5		5	1000/M	5000
A.C. Overlay	Ton			372	24 00	8928
Removal of old Bridge	All	—	—	—	—	19000
Maintenance of Traffic	All	—	—	—	—	25000
Subtotal						654000
Plus 30 Percent for Engineering & Contingencies						140,000
TOTAL COST						$824,000



ELEVATION
Scale: 1"=15'-0"



SITE PLAN
Scale: 1"=50'

OPENING SPAN

2. COST SUMMARY LOW LEVEL OPENING BRIDGE

Grading and Drainage	$ 100,000
Surfacing	95,000
Detour	10,000
Utilities - Bell Telephone	16,000
City Water	27,000
Miscellaneous	4,500
Subtotal	$ 252,500
20% for Engineering and Contingencies	50,500
290 ft. Structure (includes 30% Engr. & Cont.)	1,745,000
Right of Way	78,000
TOTAL ESTIMATED COST	$2,126,000

In addition to the above, it is estimated that the annual operating and maintenance costs for this structure would vary from $30,000 to $100,000 depending upon the opening schedule.

OREGON STATE HIGHWAY DIVISION - BRIDGE SECTION
Preliminary ESTIMATE SHEET

Bridge Name Skipanon River County Clatsop Bridge No. 11226A
Section and Station _____ Highway Warrenton - Astoria
Estimate Made By JA & GT Date 6-15-76 Checked By _____ Date _____
Description Double Bascule SPAN
Estimate From No Plans (Sketch) Completed Plans Drawing No.
(Strike out the ones which do not apply)
Calculation Book No. _____ Loading HS 20-44

ITEMS	UNIT	QUANTITIES Substrct.	Superstrct.	Total	COST Rate	Amount
						96452
Mobilization	All					5500
Shoring, Cribbing, etc.	All					
Structural Excavation	Cu.Yd.	700		700	12.00	8400
Excavation Below Elev. Shown	Cu.Yd.					
Untreated Timber Piling (No.)	Lin.Ft.					
Treated Timber Piling (No. 22)	Lin.Ft.	880		880	5.00	4400
Steel Piling (No.)	Lin.Ft.					
Prestr. Conc. Piling (No. 98)	Lin.Ft.	3700		3700	10.00	37000
Furnish Pile Driving Equipment	All					15000
Drive Timber Piling	Lin.Ft.	880		880	5.00	4400
Drive Steel Piling	Lin.Ft.					
Drive Prestressed Conc. Piling	Lin.Ft.	3700		3700	4.00	14800
Structural Concrete Class 3200	Cu.Yd.	700	120	820	170/140	118,400
Seal Concrete	Cu Yd.	500		500	100	50,000
Timber Cribbing (Pier Protection)	MFBM	5		5	1000.00	5000
Metal Reinforcement	Lbs.	327,000	17500	344500	0.85	292825
			126,000	126,000	0.80	100800
Structural A36 Steel	Lbs.		59,000	59,000	1.10	64900
Steel Grid Flooring	lbs.					
Prestressing Steel	Lbs.					91584
Prestr. Conc. (18" Slabs 40-44')	Each		60	60		
Rail #	Lin.Ft.					
Slope Paving (incl. preparation)	Sq.Yd.					
Slope Paving Curb	Sq.Yd.			100	5.00	500
Drain Pipe	Lin.Ft.	100				
Berm Paving	Sq.Yd.			213	35.00	7455
R.C. End Panels	Sq.Yd.	213			30.00	2640
Expansion Jts.	Lin.Ft.		88	88		
Electric Conduit	Lin.Ft.		2000	2000	2.50	5000
Membrane Waterproofing	Sq.Yd.					330.00
Machinery & Controls	All					105.00
Locks, Gates, Signals, Lights & Open House	All			131	24.00	3144
A.C. Overlay	Ton					1900
Removal of old Bridge	All	-	-	-	-	11500
Maintenance of Traffic + Detour struct	All	-	-	-	-	13000
Subtotal						402...
Plus 30 Percent for Engineering & Contingencies						
TOTAL COST						$ 7...

8651

2

FORM E-30

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon

DATE June 9, 1976

TO MEMO TO THE FILE

FROM E. S. Hunter
Deputy State Highway Engineer

SUBJECT Skipanon River Bridge
Coast Guard Permit

Several months ago, we made application to the Seattle office of the Coast Guard for a permit to construct the Skipanon River Bridge. After considering the material submitted, and after conferring with Washington, D.C., they elected not to hold a public hearing and forwarded the application data to Washington recommending approval.

This morning, the Seattle office called Bob Ellison to advise that Washington, D.C. had returned the application data, with instructions for the Seattle office to hold a hearing. At this time, they have not decided on a date for the hearing; however, I would expect that it will be held within the next two months.

If the marine interests are successful in the hearing process, we can expect to redesign the structure to provide a lift span.

ESH:ja

cc F. B. Klaboe
H. S. Coulter
Walt Hart
L. W. Rulien
C. O. Fredrickson

OREGON STATE HIGHWAY DIVISION

OFFICE OF THE DISTRICT ENGINEER
P. O. BOX 686
ASTORIA, OREGON 97103

11 May 1976

793-H

Mr. Stewart E. Cameron
President,
Warrenton Chamber of Commerce
P. O. B. 248
Warrenton, Oregon 97146

Subject: Skipanon River Bridge

Dear Mr. Cameron:

Your April 30 letter to Mr. F. B. Klaboe requesting information as to the status of the Skipanon River Bridge project in Warrenton has been referred to me for reply.

This project has enjoyed the benefit of the public participation process as required by Federal regulations. There has been several public hearings and much public input. On the basis of the evidence presented, a project was developed which best serves the overall public good. It consists of a new high level fixed bridge having a vertical clearance of 24.8' above mean low or low water and a 54' horizontal clearance. The roadway is 44' wide and includes two 12' travel lanes and two 10' shoulders. The shoulder areas serve as a pedestrian bicycle facility.

On October 6, 1975, we applied to the U. S. Coast Guard for a bridge permit covering this project. The Coast Guard issued a public notice dated October 29, 1975 soliciting comments regarding this project. To date we have not received a permit from the Coast Guard; but, anticipate receiving it soon.

As far as we know, no additional public hearings are scheduled for this project.

Very truly yours,

Eldon L. Everton
District Engineer

ELE:lh
cc: Warrenton City Council
Commander, 13th C. G. Dist.

on buck slip -
bcc Hunter
Hunt
Potter

NOTED
R. L. SCHROEDER

RECEIVED
MAY 13 1976
Office of
Assistant State Highway Engineer

P. O. Box 248
Warrenton, Oregon 97146

April 30, 1976

Mr. Fred Klaboe
Director of Transportation
Oregon State Highway Department
State Highway Department Building
Salem, Oregon

Dear Mr. Klaboe:

The Warrenton Chamber of Commerce at its April 28, 1976 meeting, directed correspondence to the Highway Department requesting the current status of the Skipanon River Bridge Project in Warrenton.

The Chamber had at a meeting held June 25, 1975 unanimously adopted a position of supporting a high bascule span across the Skipanon, in lieu of the higher fixed span. This is still the Chamber's position.

We would appreciate receiving any information as to the status of this bridge project and notice of any public hearing scheduled, prior to our next Chamber meeting on May 12th, so that all members interested in the project, one way or the other, may be advised.

Your cooperation will be appreciated.

Very truly yours,

Stewart E. Cameron

Stewart E. Cameron, President
Warrenton Chamber of Commerce

cc: Warrenton City Council
U. S. Coast Guard, Washington, D. C.
Commander, 13th Coast Guard District, Seattle

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BRIDGE SECTION

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(b) *The regulations.* (1) The Commonwealth Captain of the Port may authorize use of this anchorage whenever he finds such use required in safeguarding the maritime or commercial interests.

(2) No vessel shall anchor within the area until assigned a berth by the Commonwealth Captain of the Port. Application for permission to occupy the anchorage must be submitted in advance by the master or authorized representative of the vessel.

(3) Vessels occupying the anchorage will at all times keep within the limits of the area, and shall move or shift their position promptly upon notification by the Commonwealth Captain of the Port.

(4) The anchorage is reserved for all types of small craft, including schooners, fishing vessels, yachts and pleasure craft.

(5) Floats for marking anchors in place will be allowed; stakes or mooring piles are prohibited.

SUBCHAPTER J—BRIDGES

PART 114—GENERAL

Sec.

114.01 Purpose.
114.05 Definitions.
114.10 General policies on issuance of permits.
114.20 Departure from permit plans.
114.25 Work constructed without prior authority.
114.30 Revocation and relinquishment of permits.
114.35 Final opinions and orders in adjudication of cases.
114.40 Violations of law.
114.50 Rules and regulations.
114.60 Publication; notice of proposed rule making.

AUTHORITY: The provisions of this Part 114 issued under sec. 5, 28 Stat. 362, as amended, sec. 11, 54 Stat. 501, as amended, sec. 12, 60 Stat. 244, as amended, sec. 6(g), 80 Stat. 941; 33 U.S.C. 499, 521, 5 U.S.C. 559, 49 U.S.C. 1655(g); Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(3).

SOURCE: The provisions of this Part 114 contained in CGFR 67–46, 32 F.R. 17769, Dec. 12, 1967, unless otherwise noted.

§ 114.01 Purpose.

(a) The purpose of the rules and regulations in this subchapter is to implement certain laws and set forth the requirements for:

(1) Locations and clearances of bridges and causeways over the navigable waters (33 U.S.C. 401, 491 to 507, and 525 to 534).

(2) Administration of the alteration of obstructive bridges (33 U.S.C. 511 to 524).

(3) Regulation of drawbridge operation (33 U.S.C. 499).

(b) The rules and regulations in this subchapter also describe the procedures and practices, including forms and instructions, which are applicable to the public subject to certain laws governing bridges and causeways over the navigable waters of the United States.

(c) Subsection 6(g) of the Department of Transportation Act (Sec. 6(g), 80 Stat. 937, 49 U.S.C. 1655(g)) transferred and vested in the Secretary of Transportation all functions, powers and duties of the Secretary of the Army and other officers and offices of the Department of the Army under specified laws. The Secretary of Transportation by 49 CFR 1.45(b) and 1.46(c) (5), (6), (8), (9), and (10) delegated to the Commandant, U.S. Coast Guard, with the authority to redelegate within the Coast Guard, the authority to exercise the functions, powers, and duties of the Secretary with respect to the following provisions of law:

(1) Section 5 of the Act of August 18, 1894, as amended (28 Stat. 362; 33 U.S.C. 499), regarding drawbridge operation regulations.

(2) The act of June 21, 1940, as amended (54 Stat. 497; 33 U.S.C. 511 et seq.), regarding obstructive bridges.

(3) Section 9 of the Act of March 3, 1899, as amended (30 Stat. 1151; 33 U.S.C. 401), regarding construction of bridges, causeways, etc., to the extent that it relates generally to the location and clearances of bridges and causeways in the navigable waters of the United States.

(4) The act of March 23, 1906, as amended (34 Stat. 84; 33 U.S.C. 491 et seq.), regarding general bridge authority to the extent that it relates generally to the location and clearances of bridges and causeways in the navigable waters of the United States.

(5) The General Bridge Act of 1946, as amended (60 Stat. 847; 33 U.S.C. 525 et seq.), to the extent that it relates generally to the location and clearances of

bridges and causeways in the navigable waters of the United States.

(d) The Commandant by 33 CFR 1.05–1(c)(4) delegated to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters the authority to issue rules and regulations pertaining to the operation of drawbridges. This authority shall not be further redelegated.

[CGFR 67–46, 32 F.R. 17769, Dec. 12, 1967, as amended by CGFR 70–115, 35 F.R. 15923, Oct. 9, 1970; CGFR 71–95, 36 F.R. 19160, Sept. 30, 1971]

§ 114.05 Definitions.

(a) *General.* Certain terms as used in this subchapter are defined in this section.

(b) *Approved.* The term "approved" means approved by the Commandant unless otherwise stated.

(c) *Bridges.* The term "bridge" means a structure erected across navigable waters of the United States, and includes causeways, approaches, fenders, and other appurtenances thereto.

(d) *Coast Guard District Commander or District Commander.* The term "Coast Guard District Commander" or "District Commander" means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within his district. (See Part 3 of this chapter for descriptions of Coast Guard Districts.)

(e) *Commandant.* The term "Commandant" means Commandant, U.S. Coast Guard, Department of Transportation, Washington, D.C. 20591.

(f) *District Office or Coast Guard District Office.* The term "District Office" or "Coast Guard District Office" means the Office of the Commander of a Coast Guard District.

(g) *Headquarters or Coast Guard Headquarters.* The term "Headquarters" or "Coast Guard Headquarters" means the Office of the Commandant, U.S. Coast Guard, Department of Transportation, Washington, D.C. 20591.

(h) *Permit.* The term "permit" means the document authorizing work and structures to be built or placed in or over navigable waters of the United States, which is issued pursuant to the rules and regulations in this subchapter.

(i) *Secretary.* The term "Secretary" means the Secretary of Transportation or any person to whom he has delegated his authority in the matter concerned.

3) Vessels occupying the anchorage
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the area, and shall move or shift their
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4) The anchorage is reserved for all
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-BRIDGES

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(d) The Commandant by 33 CFR 1.05–1(c)(4) delegated to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters the authority to issue rules and regulations pertaining to the operation of drawbridges. This authority shall not be further redelegated.

[CGFR 67–46, 32 F.R. 17769, Dec. 12, 1967, as amended by CGFR 70–115, 35 F.R. 15923, Oct. 9, 1970; CGFR 71–95, 36 F.R. 19160, Sept. 30, 1971]

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(g) *Headquarters or Coast Guard Headquarters.* The term "Headquarters" or "Coast Guard Headquarters" means the Office of the Commandant, U.S. Coast Guard, Department of Transportation, Washington, D.C. 20591.

(h) *Permit.* The term "permit" means the document authorizing work and structures to be built or placed in or over navigable waters of the United States, which is issued pursuant to the rules and regulations in this subchapter.

(i) *Secretary.* The term "Secretary" means the Secretary of Transportation or any person to whom he has delegated his authority in the matter concerned.

(j) *United States Coast Guard or Coast Guard.* The term "United States Coast Guard" or "Coast Guard" means the organization or agency established by the act of January 28, 1915, as amended (14 U.S.C. 1).

(k) *Chief, Office of Marine Environment and Systems.* The term "Chief, Office of Marine Environment and Systems" means the officer of the Coast Guard designated by the Commandant as his staff officer in charge of the Office of Marine Environment and Systems, U.S. Coast Guard Headquarters.

[CGFR 67–46, 32 F.R. 17769, Dec. 12, 1967, as amended by CGFR 71–95, 36 F.R. 19160, Sept. 30, 1971]

§ 114.10 General policies on issuance of permits.

(a) The decision as to whether a permit will be issued must rest primarily upon the effect of the proposed work on navigation. However, in cases where the structure is unobjectionable from the standpoint of navigation but when State or local authorities decline to give their consent to the work, it is not usual for the Coast Guard actually to issue a permit. This is for the reason that while the instrument merely expresses assent so far as concerns the public rights of navigation, it practically becomes of no value in the event of opposition by State or local authority and may be regarded by such authority as an act of discourtesy. In such cases the applicant is informed that the structure is unobjectionable from the standpoint of navigation and that permit would be issued were the consent of the local authority also forthcoming.

(b) In cases of conflicting property rights the Coast Guard cannot undertake to adjudicate rival claims.

(c) Where it is found that the work for which a permit is desired may interfere with a proposed flood control project, the applicant and the party or parties responsible for fulfillment of the requirements of local cooperation will be apprised in writing of the fact and of the possibility that a flood control project which may be constructed in the vicinity of the proposed work will necessitate its removal or reconstruction. It is pointed out to the applicant and to local interests that the Coast Guard's function in approving plans for bridges across navigable waters is only to insure that

structures meet the requirements of navigation and that the application for a permit will be considered on that basis; and that the United States will in no case be liable for any damage or injury to the structures which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claims or right to compensation will accrue from any such damage.

§ 114.20 Departure from permit plans.

(a) If the final inspection shows a minor departure from the authorized plans which does not materially affect navigation, the permittee will be required to furnish a tracing showing the work as actually constructed but no further action will be taken by the Coast Guard.

(b) It is not the practice of the Coast Guard to issue letters certifying that completed work conforms to that which was authorized. That question is a matter of fact to be determined in case of controversy by the usual rules of court procedure.

§ 114.25 Work constructed without prior authority.

The Commandant will approve plans and issue permits authorizing bridges across navigable waters, in cases where the application therefor is submitted after the commencement or completion of the bridges subject to the following rules: Approval will be limited to those cases where the necessary primary authority, State or Federal as the case may be, validly existed, when the work was innocently constructed, and where the work will not unreasonably interfere with navigation. Upon issuance of the permit, applicant will be informed that the law contemplates prior approval and that in the future plans must be submitted in ample time for their consideration by the Commandant before construction is begun.

§ 114.30 Revocation and relinquishment of permits.

(a) Permits may be revoked by the Commandant for failure on the part of the permittee to comply with any of the conditions therein, or where the structures or other work constitute an unreasonable obstruction to navigation or to operations of the United States in the interests of navigation or flood control.

(b) District Commanders may accept from the permittee a voluntary relinquishment of the permit, and will inform the Commandant of this fact.

§ 114.35 Final opinions and orders in adjudication of cases.

Final opinions and orders in the adjudication of cases will not be published. They will be served on the parties directly affected thereby and subject thereto. Copies of such opinions and orders will be made available to public inspection in the office of the District Commander in whose district the case arose and at Coast Guard Headquarters.

§ 114.40 Violations of law.

Although the Coast Guard has the authority and responsibility for enforcement of the applicable provisions of law for the protection and preservation of navigable waters, it has been the long standing policy to secure compliance with their provisions short of legal proceedings. Accordingly every effort is made to accomplish corrective measures prior to initiation of action leading to such proceedings. As a general rule, no action is taken when the violation is minor, unintentional, or accidental, and the party responsible makes good the damages suffered. It is the established policy of the Coast Guard not to recommend prosecution when the violation is trivial, apparently unpremeditated, and results in no material public injury. Prosecution is recommended in all cases of willful or intention violations and all cases in which the parties responsible refuse or neglect to remove the unlawful structure or to make good the damages suffered.

§ 114.50 Rules and regulations.

Publication of all rules is required by 5 U.S. Code 552 except to the extent that there is involved any function of the United States requiring secrecy in the public interest or any matter relating solely to the internal management of an agency, in which cases rules are not published. Except to the extent that there is involved any function of the United States requiring secrecy in the public interest, all rules, whether published or unpublished, will be made available to public inspection in all offices of District Commanders and at Coast Guard Headquarters.

§ 114.60 Publication; notice of proposed rule making.

(a) Publication of general notice of proposed rule making in the FEDERAL REGISTER (unless all persons subject thereto are named and either personally served or otherwise have actual notice thereof in accordance with law), is required by 5 U.S. Code 553, except to the extent that there is involved any military, naval, or foreign affairs function of the United States or any matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts. Except where notice or hearing is required by statute, this requirement does not apply to interpretative rules, general statements of policy, rules of agency organization, procedure, or practice, or in any situation in which the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.

(b) General notice of proposed rule making published in accordance with the above will include (1) a statement of the time, place, and nature of public rule making proceedings; (2) reference to the authority under which the rule is proposed; and (3) either the terms or substance of the proposed rule or a description of the subjects and issues involved.

PART 115—BRIDGE LOCATIONS AND CLEARANCES; ADMINISTRATIVE PROCEDURES

Sec.

115.01 Purpose.
115.05 Necessary primary authority.
115.10 Limiting date in permits.
115.15 Permit bonds.
115.20 Transfer of permits.
115.25 Assignment of bridge franchises.
115.30 Sufficiency of State authority for bridges.
115.40 Bridge repairs.
115.50 Bridges across waterways.
115.60 Procedures for handling applications for bridge construction authorization.
115.70 Advance approval of bridges.

AUTHORITY: The provisions of this Part 115 issued under sec. 5, 28 Stat. 362, as amended, sec. 11, 54 Stat. 501, as amended, sec. 12, 60 Stat. 244, as amended, sec. 6(g), 80 Stat. 941; 33 U.S.C. 499, 521, 5 U.S.C. 559,

(b) District Commanders may accept from the permittee a voluntary relinquishment of the permit, and will inform the Commandant of this fact.

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(b) General notice of proposed rule making published in accordance with the above will include (1) a statement of the time, place, and nature of public rule making proceedings; (2) reference to the authority under which the rule is proposed; and (3) either the terms or substance of the proposed rule or a description of the subjects and issues involved.

PART 115—BRIDGE LOCATIONS AND CLEARANCES; ADMINISTRATIVE PROCEDURES

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115.01 Purpose.
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AUTHORITY: The provisions of this Part 115 issued under sec. 5, 28 Stat. 362, as amended, sec. 11, 54 Stat. 501, as amended, sec. 12, 60 Stat. 244, as amended, sec. 6(g), 80 Stat. 941; 33 U.S.C. 499, 521, 5 U.S.C. 559, 49 U.S.C. 1655(g); Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(3).

SOURCE: The provisions of this Part 115 contained in CGFR 67-46, 32 F.R. 17771, Dec. 12, 1967, unless otherwise noted.

§ 115.01 Purpose.

This part states the general course and method by which certain functions, powers, and duties delegated to the Commandant, U.S. Coast Guard, are channeled and determined, including the nature and requirements of all procedures as well as forms and instructions. They are intended to show what the Coast Guard requires and how it acts in a given type of case.

§ 115.05 Necessary primary authority.

For bridges constructed by State or municipal agencies, the primary authority will be presumed without proof. If the law of the State requires a license for or approval of the bridge from a constituted State agency, a copy of such license or approval will be required and may be accepted as evidence of the primary authority. If there be no State regulation of bridges in navigable waters, the necessary primary authority may be that granted in the charter of a corporation, or the authority inherent in the ownership of the land on which the structure is placed. The applicant will in such cases be required to furnish an extract from the charter, or a statement of ownership. Especial care will be taken that Federal approval is not granted when there is doubt of the right of the builder to construct and utilize the bridge.

§ 115.10 Limiting date in permits.

Specific time limitations will be inserted in all permits, normally two years for start of construction and two additional years for completion. Extensions of time may be requested for good reason, and will normally be granted by the Commandant when so recommended by the District Commander. Work or operations of a temporary and obstructive character, however, should be limited to a period as short as is considered reasonable.

§ 115.15 Permit bonds.

When compensatory works or the removal of temporary structures should be required of the permittee, or in

other unusual cases when there is reason to anticipate that the permittee may fail to carry out parts of the work that are against his interest, an additional condition will be included in the permit requiring the permittee to furnish a bond insuring compliance with the permit requirements.

§ 115.20 Transfer of permits.

Permits express merely the assent of the Federal Government so far as concerns the public rights of navigation. Although issued to a specific party, the assent is not limited to execution of the work by that party and may be availed of by the assignees or purchasers of the property affected, provided the terms of the instrument are strictly complied with.

§ 115.25 Assignment of bridge franchises.

Authority granted by an act of Congress to construct a bridge is a franchise which cannot be assigned without the permission of Congress. The Coast Guard has no authority to approve the plans of a bridge on an application made by a party or corporation to which the franchise has been transferred without authority of Congress. When plans have been approved and the bridge has been built the franchise is regarded as passing with the title to the property, and in such case plans for the renewal, reconstruction, or repair of the bridge may be accepted from the person or corporation in actual possession or control of the property. A similar rule applies to bridges authorized by State laws.

§ 115.30 Sufficiency of State authority for bridges.

An opinion of the attorney general of the State as to the sufficiency of State authority for the construction of a bridge is acceptable to the Coast Guard in doubtful cases.

§ 115.40 Bridge repairs.

Repairs to a bridge which do not alter the clearances, type of structure, or any integral part of the substructure or superstructure or navigation conditions, but which consist only in the replacement of worn or obsolete parts, may, if the bridge is a legally approved structure, be made as routine maintenance without approval of the U.S. Coast Guard.

§ 115.50 Bridges across waterways.

(a) *Approval of plans.* To obtain approval of the Commandant, an application for authorization to construct a bridge across navigable waters of the United States must show the name and address of the applicant; the waterway and location of the bridge; citation to the act of Congress or the State legislature authorizing the bridge; be accompanied by a map of the location and plans of the bridge showing these features which affect navigation; papers to establish the identity of the applicant.

(b) *Prior authority necessary.* A bridge cannot lawfully be constructed across any navigable waterway of the United States until legislative authority has been obtained and the plans have been approved by the Commandant. (See section 9, River and Harbor Act of Mar. 3, 1899 (30 Stat. 1151; 33 U.S.C. 401), General Bridge Act of Mar. 23, 1906 (34 Stat. 84; 33 U.S.C. 491), and General Bridge Act of 1946 (60 Stat. 847; 33 U.S.C. 525 et seq.).)

(c) *Legislation required.* The legislative authority must be obtained from Congress if the bridge crosses an international waterway. If the navigable portions of the waterway are not within the limits of a single State, the General Bridge Act of 1946 grants authority of Congress and no special act is necessary. If the navigable portions of the waterway are within the limits of a single State, State authority is necessary.

(d) *Form.* The application for the approval of plans consists of a letter accompanied with maps and plans of the proposed structure.

(e) *Signature.* In case of signature by an agent or by an official of a corporation, a duly authenticated copy of the authority for the action must accompany the application.

(f) *Identification.* If the applicant is a corporation, it must furnish certified copies of the following papers, all properly authenticated: The charter or articles of incorporation; the minutes of organization; extract from minutes showing the names of the present officers of the corporation.

(1) Where State laws vest in State or county officers, such as boards of supervisors and county courts, the power to authorize the construction of bridges, they must furnish with their application certified extracts from their proceedings

showing their action authorizing the proposed structure.

(g) *Plans.* Four sets of plans must be submitted with the application, on which the location of the work and the essential features covered by the application will be outlined in red. Each drawing must have a simple title, date and number, preferably in the lower righthand corner.

(h) *Size of sheets.* The drawings will be on sheets 8 by 10½ inches in size. As few sheets will be used as necessary to show clearly what is proposed.

(i) *Special instructions.* (1) The scale will be shown graphically. The north and south line will be indicated by a meridian arrow. Soundings and elevations will be shown in feet and referred to the established Government datum plane at the locality.

(2) The direction of currents will be indicated by an arrow, and the strength of currents, both ebb and flow, or low water and high water, will be shown close to the proposed location of the bridge, and at both ends of the waterway shown on the map of location.

(3) The plans will show in figures the least clear height of the lowest part of the superstructure over navigation openings, with reference to the planes of mean high water and mean low water if the bridge is to cross tidal water. If the waters are nontidal, the least clear height will be shown with reference to the planes of extreme high water and mean low water. If records of river heights are available, the plane above which flood waters have not remained more than 2 percent of the time will be indicated. Reference will also be made to other datum planes if appropriate for the waterway in question.

(4) If harbor lines have been established at the site of the bridge, their position will be shown on the plans.

(j) *Structural details.* Only those should be shown which are needed to illustrate the effect of the proposed structure on navigation. If the bridge is to be equipped with a draw, the latter will be shown in two positions: closed and open.

(k) *To whom application should be presented.* The application and the papers and plans accompanying it should be submitted to the District Commander having jurisdiction over the area in which the bridge site is located.

§ 115.50 Bridges across waterways.

(a) *Approval of plans.* To obtain approval of the Commandant, an application for authorization to construct a bridge across navigable waters of the United States must show the name and address of the applicant; the waterway and location of the bridge; citation to the act of Congress or the State legislature authorizing the bridge; be accompanied by a map of the location and plans of the bridge showing these features which affect navigation; papers to establish the identity of the applicant.

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(1) Where State laws vest in State or county officers, such as boards of supervisors and county courts, the power to authorize the construction of bridges, they must furnish with their application certified extracts from their proceedings showing their action authorizing the proposed structure.

(g) *Plans.* Four sets of plans must be submitted with the application, on which the location of the work and the essential features covered by the application will be outlined in red. Each drawing must have a simple title, date and number, preferably in the lower righthand corner.

(h) *Size of sheets.* The drawings will be on sheets 8 by 10½ inches in size. As few sheets will be used as necessary to show clearly what is proposed.

(i) *Special instructions.* (1) The scale will be shown graphically. The north and south line will be indicated by a meridian arrow. Soundings and elevations will be shown in feet and referred to the established Government datum plane at the locality.

(2) The direction of currents will be indicated by an arrow, and the strength of currents, both ebb and flow, or low water and high water, will be shown close to the proposed location of the bridge, and at both ends of the waterway shown on the map of location.

(3) The plans will show in figures the least clear height of the lowest part of the superstructure over navigation openings, with reference to the planes of mean high water and mean low water if the bridge is to cross tidal water. If the waters are nontidal, the least clear height will be shown with reference to the planes of extreme high water and mean low water. If records of river heights are available, the plane above which flood waters have not remained more than 2 percent of the time will be indicated. Reference will also be made to other datum planes if appropriate for the waterway in question.

(4) If harbor lines have been established at the site of the bridge, their position will be shown on the plans.

(j) *Structural details.* Only those should be shown which are needed to illustrate the effect of the proposed structure on navigation. If the bridge is to be equipped with a draw, the latter will be shown in two positions: closed and open.

(k) *To whom application should be presented.* The application and the papers and plans accompanying it should be submitted to the District Commander having jurisdiction over the area in which the bridge site is located.

(l) *Action on application.* When an application is received for approval of plans for a bridge, the District Commander will verify the authority for construction of the bridge, review the application and plans as to sufficiency, ascertain the views of local authorities and other interested parties, and submit a report with the application to the Commandant.

§ 115.60 Procedures for handling applications for bridge construction authorization.

The following procedures will be observed in the handling of applications involving proposed bridges or modification or replacement of existing bridges over navigable waters.

(a) *Verification of construction authorization.* District Commanders will require applicants to establish their identity to insure that the applicant represents the individual, agency or corporation to whom Congress or the State has granted the authority for bridge construction. If the applicant is a corporation, it must state its acceptance of the provisions of the act of Congress, if applicable.

(b) *Preliminary review of application and plans.* If upon preliminary examination of the application the District Commander feels that it must inevitably be denied (as might be the case, for example, if a bridge with too little clearance were proposed to be built), he will notify the applicant that the desired permit cannot be granted and states his reasons. If, however, the applicant desires that his application receive the further consideration of the Commandant, and in all other cases in which the application is not defective on its face, the District Commander is required to give public notice that the application has been filed and proceed with the case.

(c) *Notice and hearing.* (1) Public hearings will be held on those cases which are of special importance or where significant differences of opinion have not been resolved. The Chief, Office of Marine Environment and Systems, issues the notice of public hearing described in subparagraph (2) of this paragraph.

(2) The notice is a brief formal statement identifying the application, to which the hearing relates, indicates the place and time of hearing, customarily 30 days after notice, and indicates the

particular issues to which the hearing will pertain. Notice is communicated to the applicant by letter and mailed to State, county, and municipal authorities and all other known interested parties. It is also posted at the post office nearest the site and public places in the vicinity.

(3) Hearings are public and conducted in an informal manner. The District Commander, or another officer attached to his staff, presides. At the opening of the hearing the presiding officer announces (i) the purpose of the hearing, (ii) that the Coast Guard desires all interested parties to make full and frank statements of their views, (iii) that the Coast Guard will consider all evidence and arguments presented, and (iv) that later ex parte evidence and arguments are not desired unless the matter is new, material, and could not be presented at the hearing. The statutes bearing on the subject matter of the hearing and any other pertinent documents are read aloud and the discussion is then opened. The submission of written statements is invited and encouraged. Anyone desiring to do so may speak. Statements, written or oral, are not under oath, and cross-examination is not usually permitted. No fixed order has been established for the presentation of evidence or argument although proponents are generally heard first, followed by opponents with full opportunity afforded for rebuttals.

(d) *District Commander's report.* When the study has been completed and the minutes of the hearing (if held) has been transcribed, the District Commander prepares his report. It is a detailed statement of his findings, conclusions, and recommendations based on information obtained at the hearing (if held) and knowledge derived from his experience and office data. His report must include:

(1) Comparison of proposed bridge with existing bridges over the waterway; attitude of local authorities; summary of objections offered at public hearing (if held), with his comments thereon; probable effect on navigation, present and prospective, with reasons, on harbor lines and on flood heights and drift; his remarks and recommendations; and a list of the parties notified, the record of hearing (if held), and all other pertinent papers to complete the record.

(2) Description of the navigation on the waterway past the site of the proposed bridge, the number and type of vessels, the number of vessel trips, and the principal method of handling traffic, whether in single vessels or in tows. If tows are used, the manner in which they are made up shall be stated, whether in fleets or in single vessels arranged tandem. The probable maximum length and breadth of tows during the lifetime of the bridge shall be given and the manner in which they are likely to pass the navigation opening, whether directly ahead on a line approximately parallel to the channel axis, or by flanking movement. If flanking movement is likely, the report shall also give the width of waterway required for the passage of the maximum-sized tow in the most oblique position it will probably have with respect to the channel axis.

(3) Specifically whether he recommends approval of the plans. If he finds them objectionable, a detailed statement of his objections must be submitted. If the clearances which he recommends are smaller than the corresponding clearances on that portion of the waterway bearing the larger or more important traffic between the proposed location and principal connecting waterways, he must state the names and locations of the bridges in which the larger clearances are found and give in detail the reasons for his recommendations. If he considers the plans do not afford reasonable passage of floodwaters in and outside of the natural stream bed, the applicant will be so advised. If the applicant declines to submit plans with adequate water passages, the case is referred to the Commandant with full information and appropriate recommendation.

(4) If approval is recommended, all conditions to which the permit should be subject will be stated.

(e) *Final action.* The file is received in the office of the Commandant (OAN) where it is again subjected to analysis and review. When the Commandant disagrees with the District Commander on a substantive matter, he may return the case for reconsideration, or, when he disagrees as to a matter of procedure, he may return the case with instructions to correct the procedural defect (such as the failure to give notice, or to hold a public hearing). When favorable action is taken on an application, the permit is signed by the Commandant and transmitted directly to the applicant. When unfavorable action is taken, the Commandant will inform the applicant of the reasons for rejection and the modi-

fications of plans which would just reconsideration.

[CGFR 67-46, 32 F.R. 17771, Dec. 12, 19 as amended by CGFR 71-95, 36 F.R. 19 Sept. 30, 1971]

§ 115.70 Advance approval of brida

(a) The General Bridge Act of 1 requires the approval of the locat and plans of bridges prior to start construction (33 U.S.C. 525). The Co mandant has given his advance appro to the location and plans of bridges be constructed across reaches of wat ways navigable in law, but not actua navigated other than by logs, log ra rowboats, canoes and small motorboa In such cases the clearances provided high water stages will be conside adequate to meet the reasonable ne of navigation.

(b) Before any waterway is des nated as having such advance appro the District Commander shall issue public notice to give interested par full opportunity to be heard. Follow designation of the waterways to wh the advance approval procedure will applied, a second public notice shall issued advising interested parties of action taken.

(c) The term "small motorboats" sh be interpreted in the light of the thi and conditions with which it is asso ated. The term means rowboats, noes and other similar craft with o board motors. It does not include sail or cabin cruiser craft. The term is u to distinguish such craft from the defi tion of "motorboat" in the Motorb Act of June 25, 1940 (46 U.S.C. 52 which includes craft up to 65 feet length.

(d) In general, the advance appro procedure is intended to apply only routine and obvious circumstances. A case of reasonable doubt will be resolv by the usual practice of notice or hear prior to specific approval of location a plans based upon findings made at t time and under the conditions th existing.

PART 116—ALTERATION OF OBSTRUCTIVE BRIDGES

Sec.

116.01 Purpose.
116.05 Alteration of bridges other than r road or publicly owned highw bridges.
116.10 Alteration of railroad or publi owned highway bridges.

principal method of handling traffic, whether in single vessels or in tows. If tows are used, the manner in which they are made up shall be stated, whether in fleets or in single vessels arranged tandem. The probable maximum length and breadth of tows during the lifetime of the bridge shall be given and the manner in which they are likely to pass the navigation opening, whether directly ahead on a line approximately parallel to the channel axis, or by flanking movement. If flanking movement is likely, the report shall also give the width of waterway required for the passage of the maximum-sized tow in the most oblique position it will probably have with respect to the channel axis.

(3) Specifically whether he recommends approval of the plans. If he finds them objectionable, a detailed statement of his objections must be submitted. If the clearances which he recommends are smaller than the corresponding clearances on that portion of the waterway bearing the larger or more important traffic between the proposed location and principal connecting waterways, he must state the names and locations of the bridges in which the larger clearances are found and give in detail the reasons for his recommendations. If he considers the plans do not afford reasonable passage of floodwaters in and outside of the natural stream bed, the applicant will be so advised. If the applicant declines to submit plans with adequate water passages, the case is referred to the Commandant with full information and appropriate recommendation.

(4) If approval is recommended, all conditions to which the permit should be subject will be stated.

(e) *Final action.* The file is received in the office of the Commandant (OAN) where it is again subjected to analysis and review. When the Commandant disagrees with the District Commander on a substantive matter, he may return the case for reconsideration, or, when he disagrees as to a matter of procedure, he may return the case with instructions to correct the procedural defect (such as failure to give notice, or to hold a public hearing). When favorable action is taken on an application, the permit is signed by the Commandant and transmitted directly to the applicant. When favorable action is taken, the Commandant will inform the applicant of the reasons for rejection and the modifications of plans which would justify reconsideration.

[CGFR 67-46, 32 F.R. 17771, Dec. 12, 1967, as amended by CGFR 71-95, 36 F.R. 19160, Sept. 30, 1971]

§ 115.70 Advance approval of bridges.

(a) The General Bridge Act of 1946 requires the approval of the location and plans of bridges prior to start of construction (33 U.S.C. 525). The Commandant has given his advance approval to the location and plans of bridges to be constructed across reaches of waterways navigable in law, but not actually navigated other than by logs, log rafts, rowboats, canoes and small motorboats. In such cases the clearances provided for high water stages will be considered adequate to meet the reasonable needs of navigation.

(b) Before any waterway is designated as having such advance approval, the District Commander shall issue a public notice to give interested parties full opportunity to be heard. Following designation of the waterways to which the advance approval procedure will be applied, a second public notice shall be issued advising interested parties of the action taken.

(c) The term "small motorboats" shall be interpreted in the light of the things and conditions with which it is associated. The term means rowboats, canoes and other similar craft with outboard motors. It does not include sailing or cabin cruiser craft. The term is used to distinguish such craft from the definition of "motorboat" in the Motorboat Act of June 25, 1940 (46 U.S.C. 526), which includes craft up to 65 feet in length.

(d) In general, the advance approval procedure is intended to apply only to routine and obvious circumstances. Any case of reasonable doubt will be resolved by the usual practice of notice or hearing prior to specific approval of location and plans based upon findings made at the time and under the conditions then existing.

PART 116—ALTERATION OF OBSTRUCTIVE BRIDGES

Sec.

116.01 Purpose.
116.05 Alteration of bridges other than railroad or publicly owned highway bridges.
116.10 Alteration of railroad or publicly owned highway bridges.
116.15 Investigation of complaints of obstructive bridges.
116.20 Hearings to be held on obstructive bridges.
116.25 Order to alter obstructive bridges.
116.30 Approval of award and guaranty of cost under Truman-Hobbs Act.

AUTHORITY: The provisions of this Part 116 issued under sec. 5, 28 Stat. 362, as amended, sec. 11, 54 Stat. 501, as amended, sec. 12, 60 Stat. 244, as amended, sec. 6(g), 80 Stat. 941; 33 U.S.C. 499, 521, 5 U.S.C. 559, 49 U.S.C. 1655(g); Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(8).

SOURCE: The provisions of this Part 116 contained in CGFR 67-46, 32 F.R. 17773, Dec. 12, 1967, unless otherwise noted.

§ 116.01 Purpose.

This part states the general course and method by which certain functions, powers, and duties regarding alteration of obstructive bridges delegated to the Commandant, U.S. Coast Guard, are channeled and determined, including the nature and requirements of all procedures as well as forms and instructions. They are intended to show what the Coast Guard requires and how it acts in a given situation.

§ 116.05 Alteration of bridges other than railroad or publicly owned highway bridges.

Whenever the Commandant has good reason to believe that a bridge across any of the navigable waters of the United States, other than a railroad or publicly owned highway bridge, is an unreasonable obstruction to navigation, it shall be his duty, after giving the parties interested reasonable opportunity to be heard, to notify the persons or corporation owning or controlling such bridge to alter it so as to render navigation through or under it reasonably free, easy, and unobstructed. He shall specify the changes that are required to be made and shall prescribe a reasonable time in which to accomplish them. Failure to comply with such notice will subject the owner or controller of the bridge to the penalties prescribed by law (33 U.S.C. 494; 33 U.S.C. 502).

§ 116.10 Alteration of railroad or publicly owned highway bridges.

(a) Whenever the Commandant has good reason to believe that a railroad or publicly owned highway bridge across any of the navigable waters of the United States is an unreasonable obstruction to

navigation, it shall be his duty, after giving notice to interested parties, to hold a public hearing at which the bridge owner, those interested in water navigation, railway and/or highway traffic, and any other parties in interest shall have full opportunity to offer evidence and be heard as to whether alterations to the bridge are necessary and, if so, to what extent. Due regard shall be given to the necessities of free and unobstructed water navigation and of rail and/or highway traffic. If the Commandant thereafter determines that alteration of the bridge is necessary, he shall issue to the bridge owner an order to alter, under the provisions of the Truman-Hobbs Act (act of June 21, 1940, as amended; 54 Stat. 497; 33 U.S.C. 511 et seq.), specifying such changes as he finds necessary for the purpose of navigation.

(b) The Truman-Hobbs Act further provides for the approval by the Commandant of general plans and specifications and contracts for the project and apportionment of the total cost thereof between the United States and the bridge owner.

(c) Penalties for noncompliance with lawful orders issued pursuant to the Truman-Hobbs Act are prescribed by law.

§ 116.15 Investigation of complaints of obstructive bridges.

(a) Upon receipt of a complaint that a bridge over a navigable waterway of the United States is an obstruction to navigation, the District Commander will investigate to determine if, in his opinion, the complaint is justified. If the District Commander does not consider the bridge unreasonably obstructive to navigation he will so notify the complainant. If the District Commander finds that the bridge is unreasonably obstructive or is unable to satisfy the complainant that the bridge is not obstructive, he will submit a report to the Chief, Office of Marine Environment and Systems, specifying the character of obstruction, the changes necessary to render navigation through or under the bridge resonably free, easy, and unobstructed, and his estimate of a reasonable period of time in which to make the required changes. In cases under the Truman-Hobbs Act, the estimate of time required need not be included but the best available preliminary estimate of total cost of the required changes and probable portion of cost to be borne by the United States will be stated.

(b) The Chief, Office of Marine Environment and Systems will notify the District Commander of the action desired after consideration of the report on the complaint.

[CGFR 67-46, 32 F.R. 17773, Dec. 12, 1967, as amended by CGFR 71-95, 36 F.R. 19160, Sept. 30, 1971]

§ 116.20 Hearings to be held on obstructive bridges.

(a) Upon receipt of authority from the Chief, Office of Marine Environment and Systems, the District Commander will arrange for a hearing at which the owners and controllers of the bridge, the complainants, and all other known interested parties will be given reasonable opportunity to be heard.

(b) The notice of the hearing will include statements of the changes required and, except in cases under the Truman-Hobbs Act, the estimate of time considered reasonable for accomplishment of the changes.

(c) Upon conclusion of hearings, the District Commander will submit to the Chief, Office of Marine Environment and Systems a full report on the subject, including statements on:

(1) Whether the bridge unreasonably obstructs navigation.

(2) Whether rafts, selfpropelled vessels, or other watercraft have difficulty in passing the draw opening or drawspan.

(3) The changes necessary to render navigation through or under the bridge reasonably free, easy, and unobstructed.

(4) The reasonable time in which such changes should be made, except in the case of railroad or publicly owned highway bridges.

(5) The character and the approximate amount of commerce affected by the obstructive features of the bridge.

(6) Whether, in the judgment of the District Commander, the commerce affected is sufficient to justify the proposed changes in the bridge.

(7) An estimate of cost of alterations and proportionate share to be borne by the United States in actions relating to railroad or publicly owned highway bridges.

(8) A sketch on letter size paper showing the principal features of the bridge, the particular features against which complaint is made, and any other natural or artificial feature pertinent to consideration of the complaint.

(9) A transcript of the proceedings of the hearing.

[CGFR 67-46, 32 F.R. 17773, Dec. 12, 1967, as amended by CGFR 71-95, 36 F.R. 19160, Sept. 30, 1971]

116.25 Order to alter obstructive bridges.

(a) Should the Commandant decide, after review of the report of the District Commander, that a bridge is an unreasonable obstruction to navigation, he will issue an "Order to Alter." Such order will be promptly served on the proper parties. A copy of the order as served, together with a statement thereon executed by the person serving the order showing on whom, when and where the service was made will be returned to the Commandant.

(b) The owner of a bridge to be altered under the provisions of the Truman-Hobbs Act, as amended (54 Stat. 497; 33 U.S.C. 511 et seq.), will be advised by the District Commander of the requirements for submission of general plans and specifications. These general plans and specifications will be submitted to the District Commander, who will forward them to the Commandant for approval, together with his comments and recommendations on the proposed navigational clearances. The Commandant will then determine:

(1) Whether the plans and specifications provide for the minimum structure meeting the requirements of the "Order to Alter."

(2) Whether the plans and specifications include items of features not necessary to meet the "Order to Alter" but desired by the bridge owner.

(3) Whether the plans and specifications provide for materials or workmanship of a higher grade than that of comparable items of features of the existing bridge, or where no counterpart, of higher grade than provided in recommended practice of the Association of American Railroads.

(4) Necessary revisions, if any, of the preliminary estimate of cost and apportionment.

(c) The Commandant will notify the bridge owner of the approval of the plans and specifications and will inform him of the requirements of sections 4 and 6 of the Truman-Hobbs Act, as amended (54 Stat. 498, 499; 33 U.S.C. 515, 516), with respect to submission of bids and guaranty of cost.

robable portion of cost to be borne by he United States will be stated.

(b) The Chief, Office of Marine Environment and Systems will notify the District Commander of the action desired after consideration of the report on the complaint.

[CGFR 67-46, 32 F.R. 17773, Dec. 12, 1967, as amended by CGFR 71-95, 36 F.R. 19160 Sept. 30, 1971]

116.20 Hearings to be held on obstructive bridges.

(a) Upon receipt of authority from the Chief, Office of Marine Environment and Systems, the District Commander will arrange for a hearing at which the owners and controllers of the bridge, the complainants, and all other known interested parties will be given reasonable opportunity to be heard.

(b) The notice of the hearing will include statements of the changes required and, except in cases under the Truman-Hobbs Act, the estimate of time considered reasonable for accomplishment of the changes.

(c) Upon conclusion of hearings, the District Commander will submit to the Chief, Office of Marine Environment and Systems a full report on the subject, including statements on:

(1) Whether the bridge unreasonably obstructs navigation.

(2) Whether rafts, selfpropelled vessels, or other watercraft have difficulty in passing the draw opening or drawspan.

(3) The changes necessary to render navigation through or under the bridge reasonably free, easy, and unobstructed.

(4) The reasonable time in which such changes should be made, except in the case of railroad or publicly owned highway bridges.

(5) The character and the approximate amount of commerce affected by the obstructive features of the bridge.

(6) Whether, in the judgment of the District Commander, the commerce affected is sufficient to justify the proposed changes in the bridge.

(7) An estimate of cost of alterations and proportionate share to be borne by the United States in actions relating to railroad or publicly owned highway bridges.

(8) A sketch on letter size paper showing the principal features of the bridge, the particular features against which complaint is made, and any other natural or artificial feature pertinent to consideration of the complaint.

(9) A transcript of the proceedings of the hearing.

[CGFR 67-46, 32 F.R. 17773, Dec. 12, 1967, as amended by CGFR 71-95, 36 F.R. 19160 Sept. 30, 1971]

116.25 Order to alter obstructive bridges.

(a) Should the Commandant decide, after review of the report of the District Commander, that a bridge is an unreasonable obstruction to navigation, he will issue an "Order to Alter." Such order will be promptly served on the proper parties. A copy of the order as served, together with a statement thereon executed by the person serving the order showing on whom, when and where the service was made will be returned to the Commandant.

(b) The owner of a bridge to be altered under the provisions of the Truman-Hobbs Act, as amended (54 Stat. 497; 33 U.S.C. 511 et seq.), will be advised by the District Commander of the requirements for submission of general plans and specifications. These general plans and specifications will be submitted to the District Commander, who will forward them to the Commandant for approval, together with his comments and recommendations on the proposed navigational clearances. The Commandant will then determine:

(1) Whether the plans and specifications provide for the minimum structure meeting the requirements of the "Order to Alter."

(2) Whether the plans and specifications include items of features not necessary to meet the "Order to Alter" but desired by the bridge owner.

(3) Whether the plans and specifications provide for materials or workmanship of a higher grade than that of comparable items of features of the existing bridge, or where no counterpart, of a higher grade than provided in recommended practice of the Association of American Railroads.

(4) Necessary revisions, if any, of the preliminary estimate of cost and apportionment.

(c) The Commandant will notify the bridge owner of the approval of the plans and specifications and will inform him of the requirements of sections 5 and 6 of the Truman-Hobbs Act, as amended (54 Stat. 498, 499; 33 U.S.C. 515, 516), with respect to submission of bids and guaranty of cost.

§ 116.30 Approval of award and guaranty of cost under Truman–Hobbs Act.

(a) Bids obtained by the bridge owner will be submitted to the Commandant. The Commandant will notify the bridge owner when award is approved and will request him to furnish the guaranty of cost and a statement of the proportionate shares of cost to be borne by the United States and the owner in the following form:

Cost of alteration		$------
Cost attributable to bridge owner, viz:		
Direct and special benefits	$------	
Expectable savings in repair or maintenance costs	------	
Costs attributable to the requirements of railroad traffic	------	
Expenditure for increased carrying capacity	------	
Expired service life of old bridge	------	
Cost		$------
Cost to be borne by the United States		$------

(b) Direct and special benefits will ordinarily include such items as improved signal and fender system, prorata share of dismantling costs, and improvements included but not required in the interests of navigation. The foregoing statements will include or be accompanied by breakdown of the statements of total cost and proportionate shares and sufficient details of the features of construction to show how the apportionment was determined and to permit review and auditing of the statements.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Sec.

117.1 General.
117.1a Temporary departures from regulations in this part.
117.2 Machias River, Maine; East Machias Highway bridge between Machiasport and East Machias, Maine.
117.2a Narraguagus River, Maine; Maine State Highway Commission bridge across Narraguagus River, Milbridge, Maine.
117.3 Taunton River, Maine; Maine State Highway Commission highway bridge between Hancock and Sullivan.

Sec.
117.750b Drawbridges across navigable waters in Oregon where constant attendance is not required.
117.760 Columbia and Snake Rivers in vicinity of Pasco, Wash.; bridges.
117.765 Cowlitz and Lewis Rivers, Wash.; bridges.
117.770 Willapa Harbor and navigable tributaries, Washington; bridges.
117.775 Grays Harbor and tributaries, Washington; bridges.
117.784 Hood Canal, Wash.; Washington State Department of Highways bridge near Port Gamble.
117.785 Tacoma Harbor, Tacoma, Wash.; bridges.
117.790 Duwamish Waterway at Seattle, Wash.; bridges.
117.795 Lake Washington Ship Canal, Wash.; bridge.
117.800 Lake Washington, Wash.; pontoon bridge between Seattle and Mercer Island, Wash.
117.801 Lake Washington, Wash.; pontoon bridge between Foster Island and Evergreen Point, Wash.
117.805 Snohomish River, Steamboat Slough, and Ebey Slough, Wash.; bridges.
117.810 Navigable waters in the State of Washington; bridges where constant attendance of draw tenders is not required.
117.815 Pend Oreille Lake, Idaho; bridge of Northern Pacific Railway Co. near Sandpoint.
117.900 Honolulu Harbor, Hawaii; Kalihi Channel Bridge.

AUTHORITY: The provisions of this Part 117 issued under sec. 5, 28 Stat. 362, as amended, sec. 6(g), 80 Stat. 941; 33 U.S.C. 499, 49 U.S.C. 1655(g); Department of Transportation Order 1100.1, March 31, 1967; 49 CFR 1.4(a)(3)(v); unless otherwise noted.

SOURCE: The provisions of this Part 117 contained in CGFR 67–46, 32 F.R. 17774, Dec. 12, 1967, unless otherwise noted.

§ 117.1 General.

(a) The operation of drawbridges, in the absence of specific regulations in this part, shall be as required by section 5 of the act of August 18, 1894, as amended (28 Stat. 362; 33 U.S.C. 499). It shall be the duty of persons owning, operating, and tending drawbridges built across navigable waters of the United States, to open, or cause to be opened, the draws of such bridges under such rules and regulations as in the opinion of the Commandant the public interests require. Insofar as criminal liability on the part of the bridge owner is concerned, the Commandant is of the opinion that, in the absence of Federal regulations, there is no Federal authority requiring the opening of any drawbridge to which the Gen... Bridge Act of March 23, 1906, does ... apply. With reference to the civil li... ity of the bridge owner, however, ... has been held that the duty to ... proper care of a bridge includes the d... to make proper provision for the pa... of vessels through the draw. In e... structing a bridge with a draw, and ... undertaking to open and manage t... draw so as to allow vessels to pass, t... owner has recognized the right of ves... to pass through without any appeal t... the national authority to protect that right. Having thus recognized the right of commerce, and undertaken to provide accommodations for the passage of vessels, the owner is bound that the custodians of the bridge shall use ordinary diligence to avoid accidents to vessels going through the draw at customary hours and in the customary manner, as one of the incidents of the care, management and control of the bridge itself. The owner is responsible, therefor, for the want of ordinary care and diligence in his servants, and for the consequent damage.

(b) The Attorney General has held (Jan. 28, 1899; 22 Opin. 314) that the first part of section 5 of the 1894 act is merely declaratory of the legal duty of the owners or operators which attaches to the maintenance and operation of a drawbridge across navigable waters. "It is the duty of all persons operating such drawbridges to open or cause them to be opened in a reasonable manner and at a reasonable time, consistent with the uses for which drawbridges are constructed, for the passage of vessels. The repair of such draws and of the bridges with which they are connected is also necessary for their maintenance. It is reasonable that a sufficient time should be allowed for such repairs and if they cannot be prosecuted without closing the bridge for a number of successive days, such closing cannot be considered an unreasonable interference with navigation." "It is entirely competent for the Secretary of the Army to make rules and regulations governing this subject, but in the absence of such rules and regulations the law is as I have above stated it." (The Commandant prescribes these rules and regulations.)

(c) Notwithstanding any general or special regulation heretofore or hereafter prescribed, drawbridges across navigable waters of the United States will not be opened to navigation for certain periods determined by the proper civil

...se authorities to be in the interest ... public safety during a major disaster ... defense emergency indicated by ... defense condition of "Air Raid ...ing" (attack by enemy aircraft ...ble, imminent, or taking place).

As used in this part, the term "long ..." means a distinct blast of a whistle, ... siren, or other efficient sound pro... device, of approximately three ...conds' duration. The term "blast" ..."hort blast" means a distinct blast ...ne (1) second's duration, or where ...fied, a distinct stroke of a bell.

The Commandant may require ... owner or operator to install and ...rate a radiotelephone station or sta... of appropriate characteristics on ... drawbridge when he finds that for ...igation or safety it is essential that ...addition to the use of sound or visual ...nals prescribed a supplemental means ... available by which vessels may com...unicate to confirm requests for opening ... the draw as well as exchange infor...tion with the drawtender concerning ... condition of the draw or governing ... operation.

(1) The Commandant's determination ... based on such factors as location and ...rational clearance of the particular ...ge, character and volume of marine ...ffic, configuration of the navigational ...annel, restrictions in channel ap...aches, currents in the approaches to ... through the drawbridge, obstructions ...d conditions limiting visibility, and ...milar conditions affecting navigation ... safety through or in the vicinity of the ...awbridge.

(2) Each station shall be subject to ... rules and regulations of the Federal ...mmunications Commission or the ...irector of Telecommunications Man...ment as applicable governing the ...signment of operating frequencies, ...censing, and operation of radiotele... ...ne stations.

(3) When the Commandant proposes ...at a radiotelephone station, or sta...ns, be installed and operated on a ...ecific drawbridge, he gives written ...ice of the proposed requirement to ... bridge owner (or operator as appro...riate) who shall have 30 days in which ... submit comments or objections to the ...roposal. If the Commandant determines ...at such installation is necessary the ...d e owner (or operator) shall have ... reasonable time, but normally not more ...an 6 months, in which to effect installation and commence operation.

drawbridge to which the General ge Act of March 23, 1906, does not y. With reference to the civil liabil- of the bridge owner, however, it been held that the duty to take er care of a bridge includes the duty ake proper provision for the passage essels through the draw. In con- cting a bridge with a draw, and in ertaking to open and manage the so as to allow vessels to pass, the er has recognized the right of vessels ass through without any appeal to national authority to protect that t. Having thus recognized the rights ommerce, and undertaken to provide mmodations for the passage of ves- the owner is bound that the cus- ans of the bridge shall use ordinary gence to avoid accidents to vessels go- through the draw at customary hours, in the customary manner, as one of incidents of the care, management, control of the bridge itself. The own- responsible, therefor, for the want of inary care and diligence in his serv- s, and for the consequent damage.

b) The Attorney General has held n. 28, 1899; 22 Opin. 314) that the t part of section 5 of the 1894 act merely declaratory of the legal duty he owners or operators which attaches the maintenance and operation of a wbridge across navigable waters. is the duty of all persons operating h drawbridges to open or cause them e opened in a reasonable manner and a reasonable time, consistent with the s for which drawbridges are con- ucted, for the passage of vessels. The air of such draws and of the bridges h which they are connected is also essary for their maintenance. It is sonable that a sufficient time should allowed for such repairs and if they not be prosecuted without closing bridge for a number of successive s, such closing cannot be considered unreasonable interference with navi- tion." "It is entirely competent for Secretary of the Army to make rules d regulations governing this subject, in the absence of such rules and regu- ions the law is as I have above stated (The Commandant prescribes these es and regulations.)

(c) Notwithstanding any general or ecial regulation heretofore or here- er prescribed, drawbridges across nav- able waters of the United States will t be opened to navigation for certain riods determined by the proper civil

defense authorities to be in the interest of public safety during a major disaster or civil defense emergency indicated by a civil defense condition of "Air Raid Warning" (attack by enemy aircraft probable, imminent, or taking place).

(d) As used in this part, the term "long blast" means a distinct blast of a whistle, horn, siren, or other efficient sound producing device, of approximately three (3) seconds' duration. The term "blast" or "short blast" means a distinct blast of one (1) second's duration, or where specified, a distinct stroke of a bell.

(e) The Commandant may require the owner or operator to install and operate a radiotelephone station or stations of appropriate characteristics on a drawbridge when he finds that for navigation or safety it is essential that in addition to the use of sound or visual signals prescribed a supplemental means be available by which vessels may communicate to confirm requests for opening of the draw as well as exchange information with the drawtender concerning the condition of the draw or governing its operation.

(1) The Commandant's determination is based on such factors as location and navigational clearance of the particular bridge, character and volume of marine traffic, configuration of the navigational channel, restrictions in channel approaches, currents in the approaches to or through the drawbridge, obstructions and conditions limiting visibility, and similar conditions affecting navigation or safety through or in the vicinity of the drawbridge.

(2) Each station shall be subject to the rules and regulations of the Federal Communications Commission or the Director of Telecommunications Management as applicable governing the assignment of operating frequencies, licensing, and operation of radiotelephone stations.

(3) When the Commandant proposes that a radiotelephone station, or stations, be installed and operated on a specific drawbridge, he gives written notice of the proposed requirement to the bridge owner (or operator as appropriate) who shall have 30 days in which to submit comments or objections to the proposal. If the Commandant determines that such installation is necessary the bridge owner (or operator) shall have a reasonable time, but normally not more than 6 months, in which to effect installation and commence operation.

(4) Radiotelephone communications pursuant to this section supplement the sound and visual signals prescribed elsewhere in this part for the operation of drawbridges in general or for specific bridges and do not alter any obligation with respect to their use. The provisions of this section are not intended to restrict the voluntary installation and operation of radiotelephone stations on drawbridges.

(Sec. 4, 34 Stat. 85, as amended, sec. 85, 63 Stat. 501, sec. 633, 63 Stat. 545, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 494, 14 U.S.C. 85, 633) [CGFR 67-46, 32 F.R. 17774, Dec. 12, 1967, as amended by CGFR 70-49, 35 F.R. 13734, Aug. 28, 1970]

§ 117.1a Temporary departures from regulations in this part.

(a) *Temporary closures of drawbridges.* Notwithstanding any general or special regulation in this part, heretofore or hereafter prescribed, a specific drawbridge across navigable waters of the United States need not be open to navigation for specified periods of time when such a bridge may be undergoing repairs or maintenance work or when the public interest, health, or safety so requires.

(b) *Delegation to District Commanders.* The Commandant further delegates pursuant to 49 CFR 1.4(g) to District Commanders authority to place in effect the provisions of paragraph (a) of this section with respect to drawbridges in their respective Coast Guard Districts for periods of time determined to be necessary but in no event to exceed 15 calendar days. For a specific drawbridge the District Commander having jurisdiction may suspend any drawbridge operation regulations applicable thereto and if necessary establish other operational requirements without prior notice and public procedures thereon for such actions. Where practicable, notice of the District Commander's actions taken pursuant to this section shall be disseminated in Notices to Mariners, or otherwise, for the information of all concerned.

(c) *Closure for repairs or maintenance.* (1) When a draw must be closed for scheduled repairs or maintenance work, approval of the District Commander should be obtained at least 10 days prior to the date of the intended closure by the owners of or the agency controlling the drawbridge. The request for approval of the proposed closure shall include a brief description of the nature

[Docket No. R–74–109]

SUBCHAPTER C—FEDERAL CRIME INSURANCE PROGRAM

PART 1931—PURCHASE OF INSURANCE AND ADJUSTMENT OF CLAIMS

Sale of Insurance in Florida

On the basis of the Administrator's continuing review of the crime insurance availability in the various States, and on the basis of the findings and recommendations by the Commissioner of Insurance of the State of Florida, the Administrator has determined that a critical unavailability situation exists in that State, and Florida will be made eligible for the sale of crime insurance on the effective date of this regulation.

In view of the critical unavailability situation in Florida which makes it essential that the benefits of the crime insurance program be made available to the citizens of Florida at the earliest possible date and because of the time required to initiate the establishment of servicing facilities in that State, it is impracticable to provide for notice and public procedure, and good cause exists for making this amendment effective on February 1, 1974. Accordingly, Subchapter C of Chapter X of Title 24 is amended as follows:

2. Paragraph (b) of § 1931.1 is revised to read as follows:

§ 1931.1 States eligible for the sale of crime insurance.

* * * * *

(b) On the basis of the information available to date, the Administrator has concluded that the following States have an unresolved critical market availability situation which necessitates the implementation of the Federal crime insurance program within such States:

Connecticut	Missouri
District of Columbia	New Jersey
Florida	New York
Illinois	Ohio
Kansas	Pennsylvania
Maryland	Rhode Island
Massachusetts	Tennessee

* * * * *

Effective date. This amendment shall be effective February 1, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74–1662 Filed 1–18–74;8:45 am]

[Docket No. R–74–109]

PART 1933—COVERAGES, RATES, AND PRESCRIBED POLICY FORMS

Reduction of Commercial Deductible

The Federal Insurance Administrator has determined that in order to make the Federal Crime Insurance Program more responsive to the needs of policyholders, the deductibles to be applied against claims submitted under Federal crime insurance policies should be uniform and related to the type of coverage provided. Under the authority contained in section 306(g), 82 Stat. 540; 12 U.S.C. 1721, an amendment is now being published to make the annual gross receipts brackets for deductibles and premiums uniform and to thereby reduce the amount of deductibles for all insureds whose annual gross receipts are between $25,000 and $500,000. Similarly, an amendment is also being published which would reduce the amount of the deductible for non-profit or public risks and for residential risks.

Because these amendments enable the Federal Crime Insurance Program to better meet the needs of its policyholders, and because it is desirable to enable the public to receive the benefit of these changes as soon as possible, comment and public procedure are impracticable and contrary to the public interest. Inasmuch as this amendment provides a benefit to Federal crime insurance policyholders, this amendment is also being made effective January 21, 1974.

Accordingly, 24 CFR Part 1933, is amended as follows:

1. Section 1933.3 is amended to read:

§ 1933.3 Amount of residential policy deductible.

The residential crime insurance policy shall be subject to a deductible in the amount of $50 for each loss occurrence, or 5 percent of the gross amount of the loss, whichever is greater. The face amount of coverage specified in the policy is not reduced by the application of this deductible. Thus, if an insured having a $5,000 policy incurs a $5,000 covered loss, he would receive $4,750. If the loss were $6,000, he would receive the full $5,000.

2. Section 1933.23 is amended to read:

§ 1933.23 Amount of commercial policy deductible.

(a) The commercial crime insurance policy for industrial and commercial risks shall be subject to a deductible in the following amounts for each loss occurrence or 5 percent of the gross amount of the loss, whichever is greater, in accordance with the following categories of annual gross receipts (or operating budget if applicable) :

Less than $100,000	$50
100,000 to 299,999	100
300,000 to 499,999	150
500,000 and above	200

The face amount of coverage specified in the policy is not reduced by the application of this deductible. Thus, if an insured having a $15,000 policy incurs a $15,000 covered loss, he would receive $14,250. If the loss were $16,000, he would receive the full $15,000.

(b) The commercial crime insurance policy for non-profit or public property risks shall be subject to a deductible in the amount of $50 for each loss occurrence or 5 percent of the amount of loss, whichever is greater.

Effective date. This amendment shall be effective January 21, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74–1661 Filed 1–18–74;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 73–268R]

PART 115—BRIDGE LOCATIONS AND CLEARANCES; ADMINISTRATIVE PROCEDURES

Procedures for Handling Applications for Bridge Construction Authorization

This amendment revises the procedures for handling applications for bridge construction authorization. The amendment provides that the Bridge Division in the Office of Marine Environment and Systems reviews each application for bridge construction authorization after it has been forwarded by the District Commander for final action prior to issuing or denying a permit. The review of these applications previously was accomplished by the Aids to Navigation Division, which was located in the Office of Operations. However, the responsibility for this review was transferred to the Bridge Division when 33 CFR 115.60(c) was revised to provide that the Chief, Office of Marine Environment and Systems issues notices of public hearings regarding bridges. Notice of this revision to 33 CFR 115.60(c) was given in the FEDERAL REGISTER of September 30, 1971, at page 19160 (36 FR 19160).

Since this amendment is a matter relating to agency organization, procedure, and practice it is exempt from the notice of proposed rulemaking requirements in (5 U.S.C. 553(b)). It is effective in less than 30 days from the date of publication because it pertains to procedures that the related amendments in 36 FR 19160 have already implemented.

Accordingly, Part 115 of Chapter I of Title 33 of the Code of Federal Regulations is amended by revising the first sentence in § 115.60(e). As amended, § 115.60 reads as follows:

§ 115.60 Procedures for handling applications for bridge construction authorization.

* * * * *

(e) *Final action.* The file is received in the Bridge Division of the Office of Marine Environment and Systems where it is again subjected to analysis and review. When the Commandant disagrees with the District Commander on a substantive matter, he may return the case for reconsideration, or when he disagrees as to a matter of procedure, he may return the case with instructions to correct the procedural defect (such as the failure to give notice, or to hold a public hearing). When favorable action is taken on an application, the permit is signed by the Commandant and transmitted directly to the applicant. When unfavorable action is taken, the Commandant will inform the applicant of the reasons for rejection and the modifications of plans which would justify reconsideration.

865!

April 7, 1976

Mr. Glen L. Green
Division Administrator
Federal Highway Administration
Box 300
Salem, OR 97308

Dear Mr. Green:

Skipanon River Bridge at Warrenton
Astoria-Warrenton Highway
Additional Navigation Considerations

Your March 9 letter requested that we review the design of the subject structure with regard to commercial navigation and suggested two alternates which would make provision for all local commercial floating construction equipment to pass through the structure.

The first suggestion was for the inclusion of a 40-foot roll-out span which can be opened by a maintenance truck. The second involved provisions for installation of a future movable span. These alternates involve increased initial cost of the structure and indicate future maintenance and installation costs.

In view of the information gathered during the public involvement phases of the project planning stage and the local desires expressed by the Warrenton City comprehensive land use plan, it does not appear such revisions are warranted.

This project has had maximum exposure to the public participation process. The input received from the public and local governmental agencies during the process was very carefully considered. Such consideration resulted in a project which appears to provide for the overall public good.

Most pleasure boats and other small craft could easily pass under the fixed span as proposed. Some dredges, pile drivers, and other work boats with fixed derricks, leads, et cetera, would be prevented from passing under the structure. Moorage for these boats is available below the proposed structure. Pile-driving and dock-building activities necessary

for any development above the bridge could be accomplished with land-based equipment, or with mobile equipment mounted on barges.

Warrenton's comprehensive land use plan zones the property upstream from the proposed structure as residential. This would preclude the establishment of commercial business in the area and eliminate the need of attendant commercial vessels to operate above the bridge. In accord with the zoning ordinance, boats could legally land at only three private properties in this area. All other parts of the river bank are blocked off by dikes constructed by the City, and landing on these structures is prohibited by City ordinance. Accordingly, the increase in boat traffic on the upper reach of the river will be minimal, and be limited to pleasure and other small craft. The need for larger commercial or construction vessels will be very minimal. The work for which they would be required can be accomplished by land-based or barge-mounted equipment.

The proposed structure will allow upstream development consistent with the local comprehensive land use plan. It fills the needs of vehicular traffic and the majority of the river traffic while being consistent with the land use plan. The fixed span is the best solution for the tax dollar expended. It provides the best overall facility in the best interest of the great majority of the taxpayers.

The application to the Coast Guard for a bridge permit should stand as it is without revision. If the Coast Guard has reason to believe that the public involvement process has not given due consideration to all phases of the project, they are empowered by their regulations to hold a public hearing for the purpose of reviewing our determination.

Very truly yours,

E. S. Hunter
Deputy State Highway Engineer

bc F. B. Klaboe
R. L. Schroeder
H. S. Coulter
Gary Potter
Walt Hart

RWE:ag/ESH:ja

Form FHWA 121 (Rev. 5-72)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: March 9, 1976

In reply refer to: 1041BR

SUBJECT: Oregon Project RS-599(1)
Skipanon River Bridge
Additional Structural Information

FROM : G. L. Green, Division Administrator

TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer
ATTN: Mr. E. S. Hunter

On March 8 we met with Commander Walton and Mr. Christensen to discuss the navigation requirements on the Skipanon River Bridge. The Coast Guard is concerned that some navigation interests are not being considered. With your proposed high level structure no allowance is made for construction and dredging equipment upstream from the structure in the area where possible moorages might be utilized for small craft. The question is whether these following alternatives are viable if restrictions are placed on the number of openings per year:

1. A rolling lift span at your proposed high level with a 40' ± opening similar to a railroad crossing downstream. It is expected that such a span may be rolled open by a maintenance truck.

2. A fixed, high level span with the capability of being revised to a movable span at a future date. It would appear under this alternate that some consideration should be given to altering Mr. Palmberg's equipment if it will not fit under the proposed structure.

Another question is whether construction equipment necessary for maintaining the channel and driving moorage piling can navigate under your preferred alternate. Please study these proposals and let us know the results and we will schedule another meeting with the Coast Guard to discuss your findings.

G. L. Green

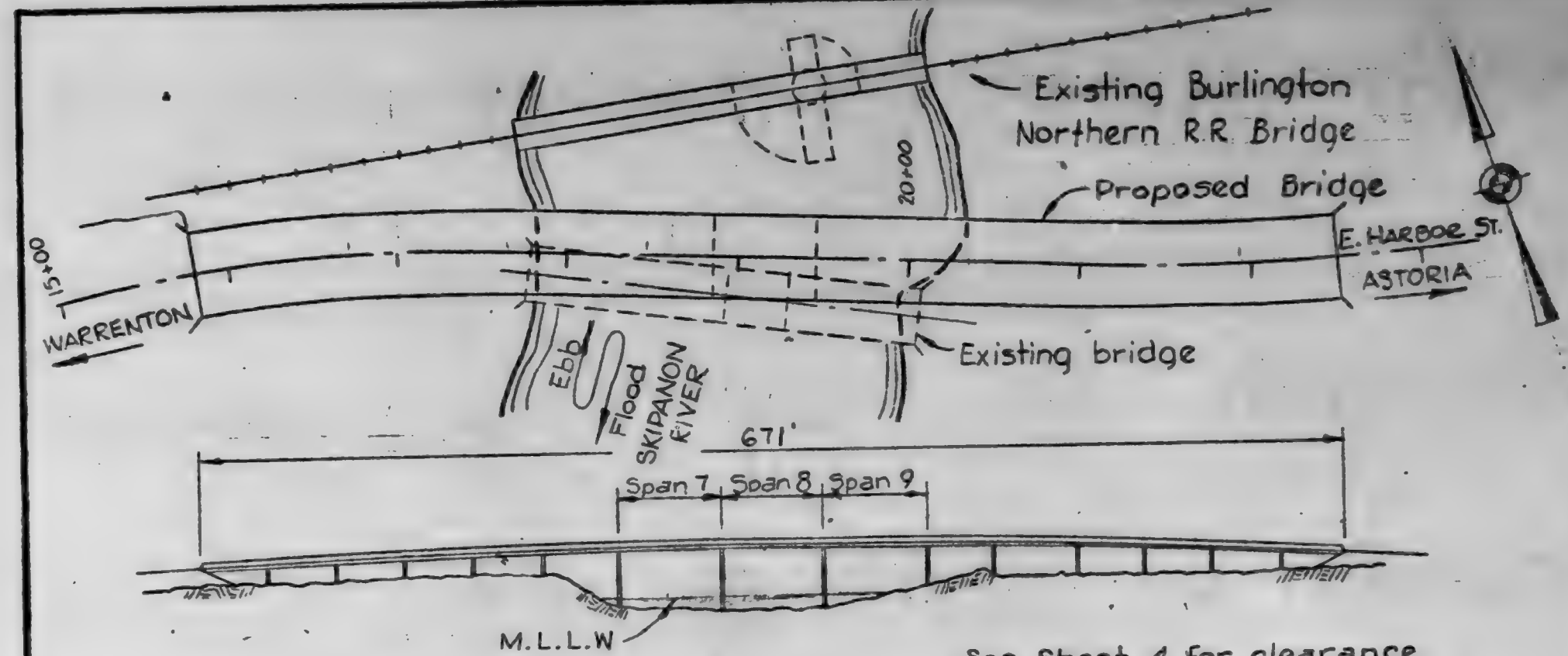
NOTED
R. W. ELLISON

NOTED
W. J. HART

RECEIVED
STATE HWY ENGR
MAR 11 '76
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

RECEIVED
MAR 12 1976
BRIDGE SECTION

cc
OSHD (W. Hart)



See Sheet 4 for clearance information.

PLAN AND ELEVATION

SCALE IN FEET

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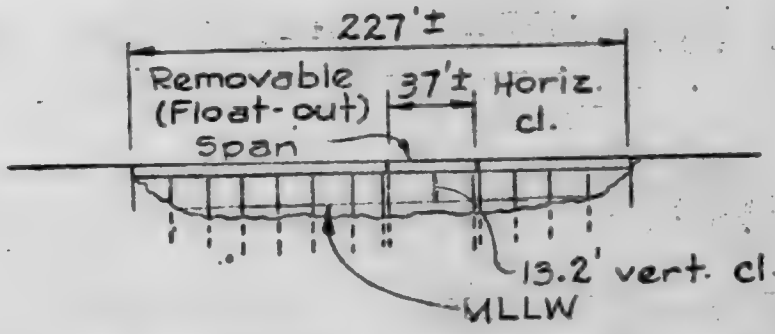
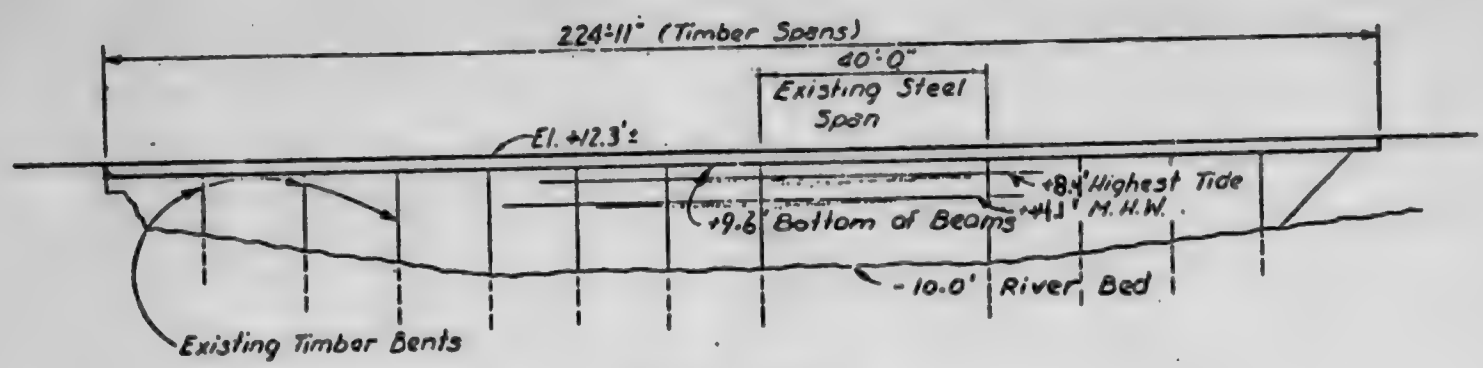


ELEVATION - EXISTING BRIDGE

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 3 OF 6

Figure No. 3

EXISTING SKIPANON RIVER BRIDGE, WARRENTON, OREGON



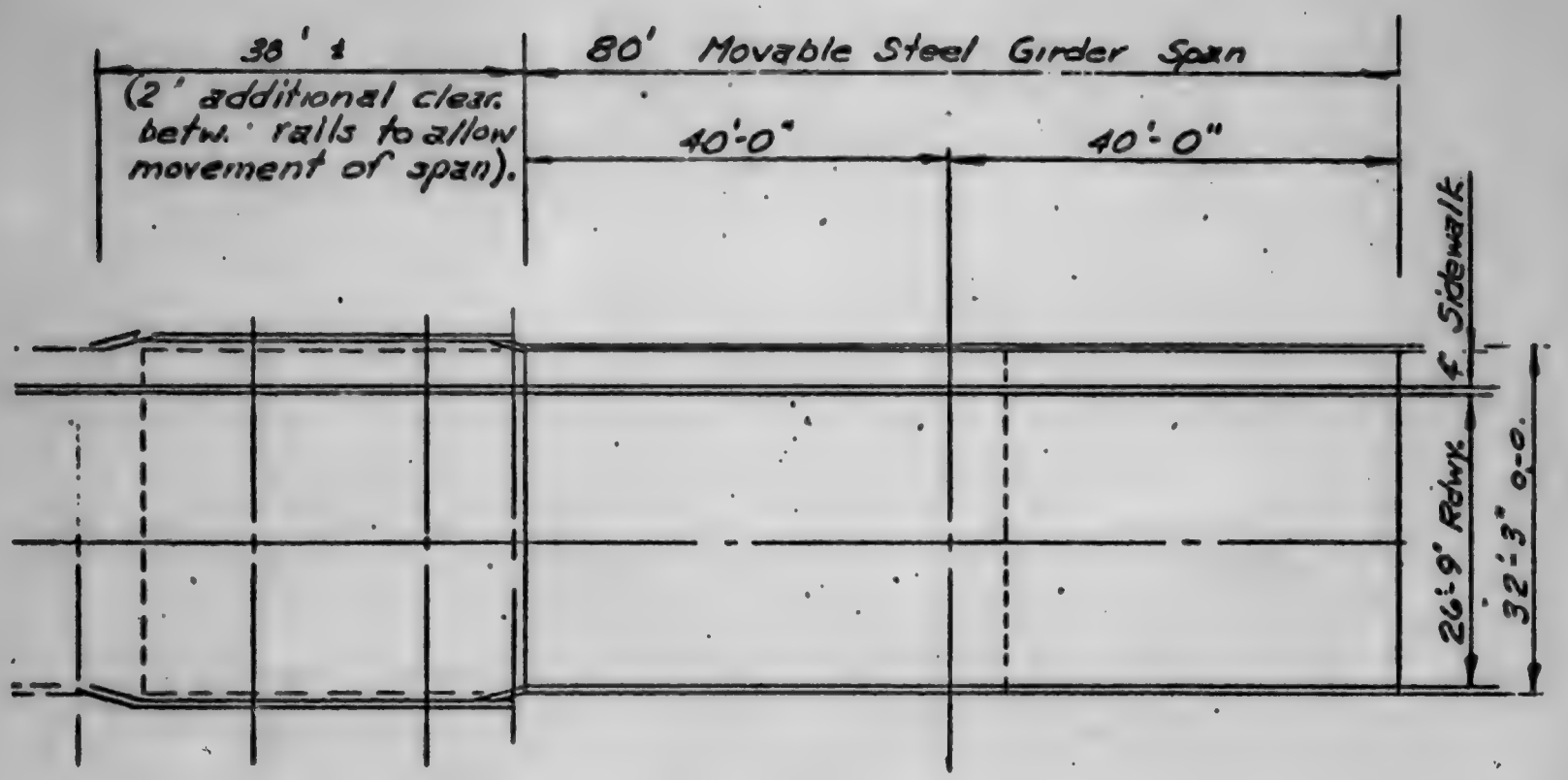
SIDE VIEW

Figure No. 13

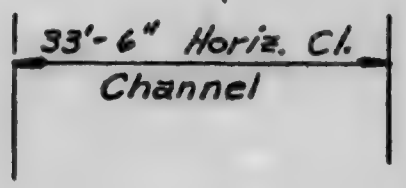
DESIGN ALTERNATE 1-E

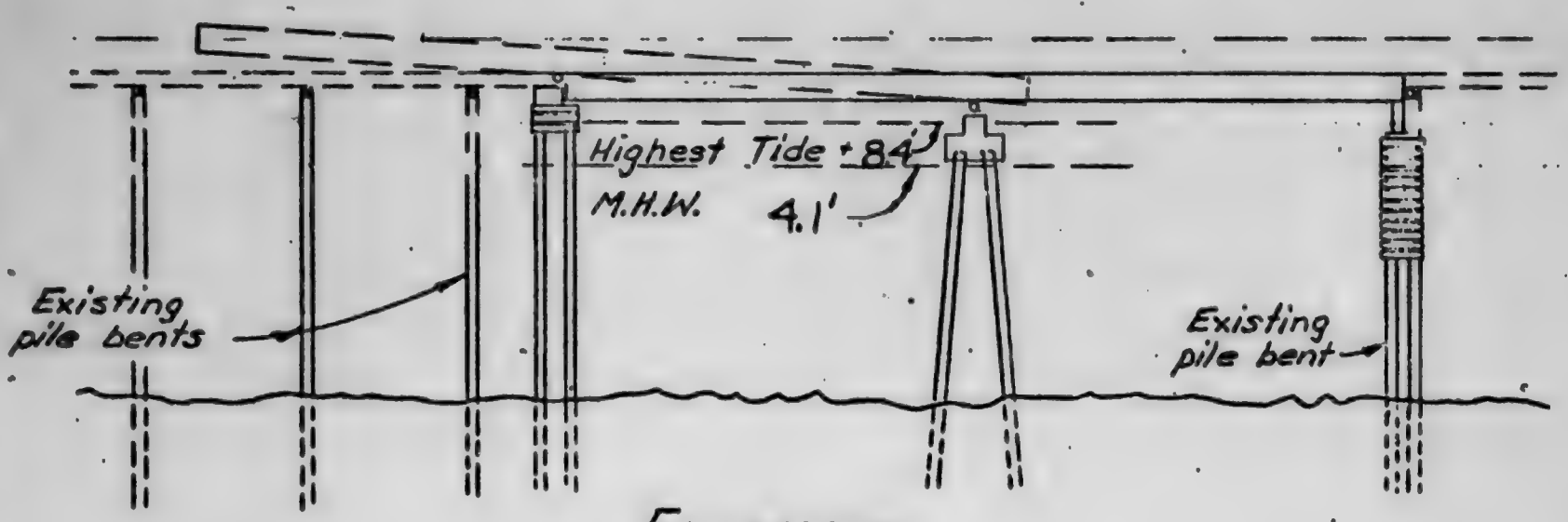
(Remodel Bridge Design)

ROLLING LIFT SPAN



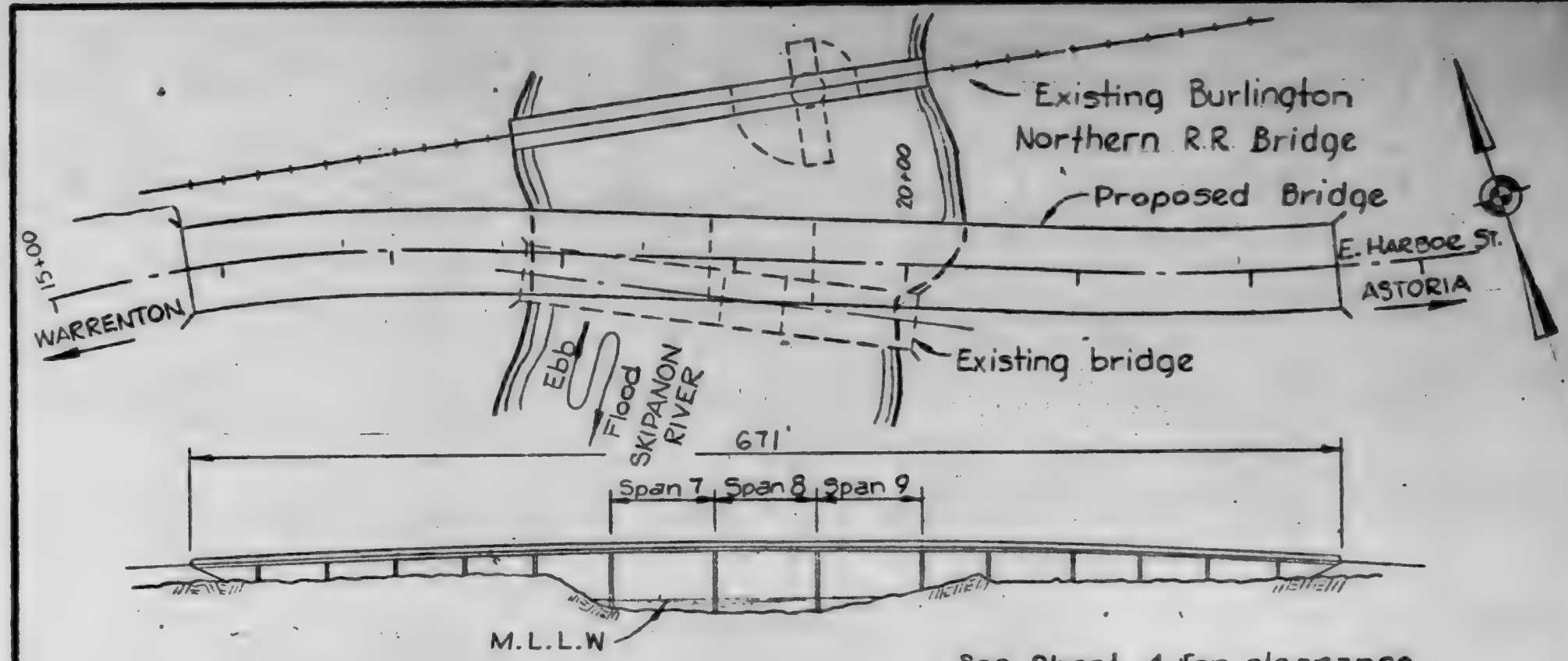
PLAN





ELEVATION

Scale: 1" = 20'



See Sheet 4 for clearance information.

PLAN AND ELEVATION

SCALE IN FEET

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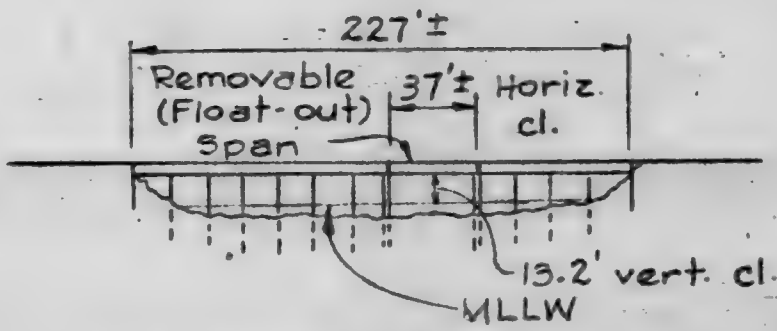
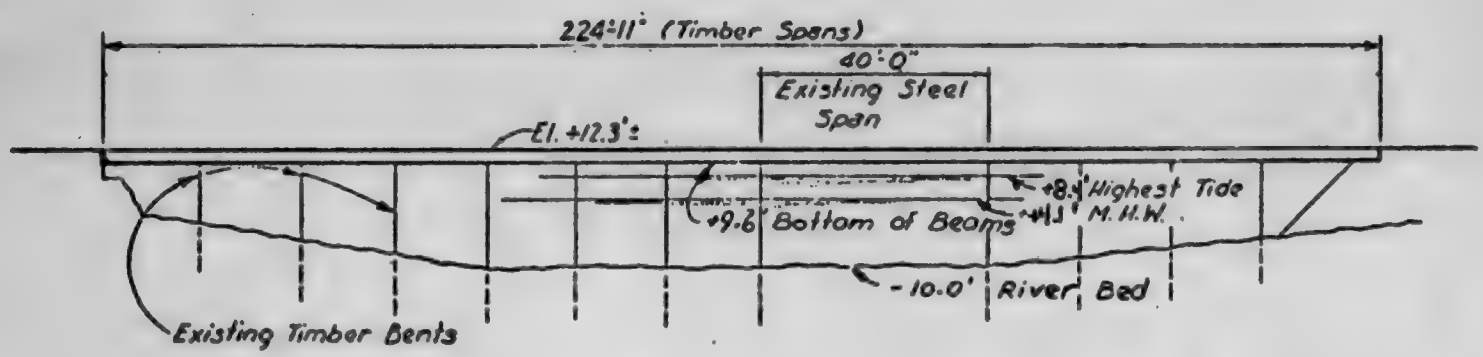


ELEVATION - EXISTING BRIDGE

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975

Figure No. 3

EXISTING SKIPANON RIVER BRIDGE, WARRENTON, OREGON



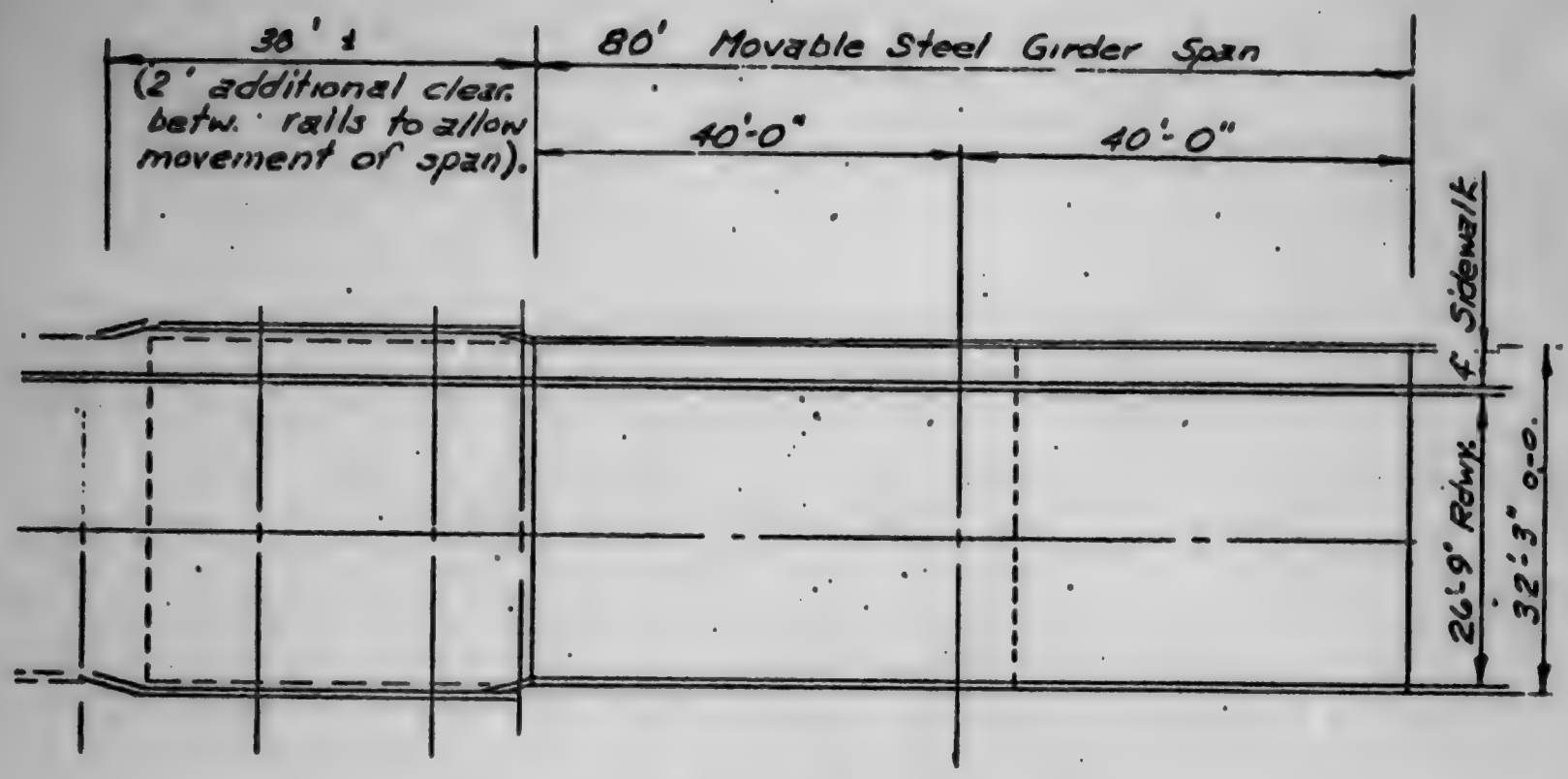
SIDE VIEW

Figure No. 13

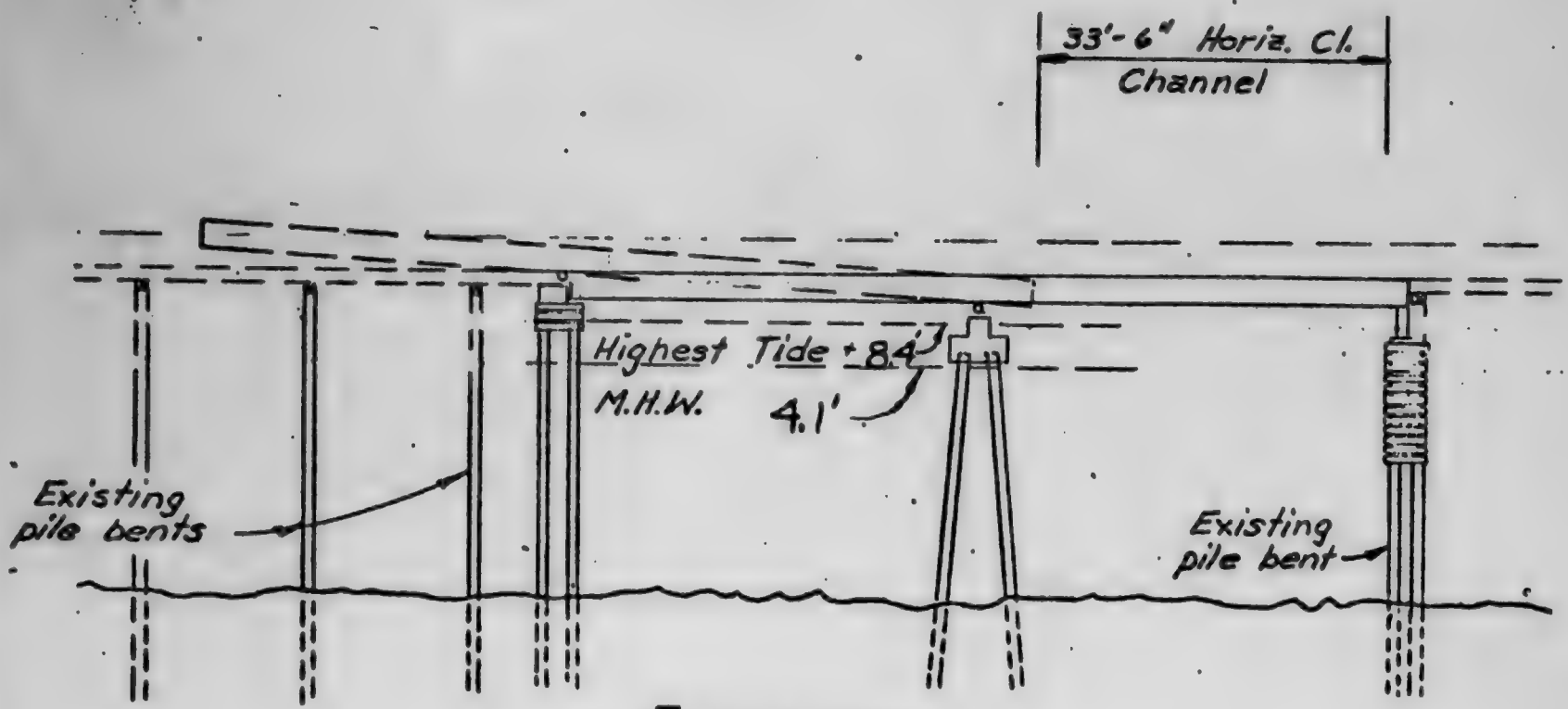
DESIGN ALTERNATE 1-E

(Remodel Bridge Design)

ROLLING LIFT SPAN



PLAN



ELEVATION

Scale: 1" = 20'

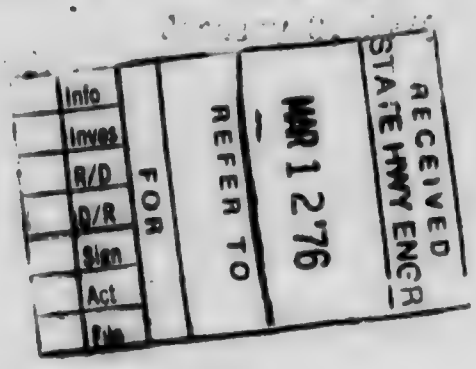
8651

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, $300

NPPRE-MD-1

11 March 1976



City of Warrenton
Warrenton, Oregon 97146

NOTED
E. S. HUNTER

Gentlemen:

Reference is made to our Department of the Army Section 10 permit, dated 14 February 1975, issued in response to Application No. 071-OYA-1-001580 to lay a 10-inch waterline under the Skipanon River in Warrenton, Oregon.

Reference is now made to the Oregon State Highway Division's letter, your authorized agent, dated 8 January 1976, copy attached.

If the proposed pipeline construction is decided in favor of a submerged pipeline as described in 071-OYA-1-001580, your activity will cross a perpetual easement held by the United States of America. This easement was acquired from the State of Oregon for dredging and maintenance of the Skipanon River Channel.

If the decision is made to hang the pipeline on the bridge, no further real estate interest would be necessary from this office as the U.S. Government has no known interest to cover the activity.

If applicable and when advised of your decision, we will grant the necessary real estate interest to cover the activity.

May we hear from you following your decision.

Sincerely yours,

1 Incl
as stated

cy - Dupin
Hart
Rubien
Barnie
Drebinjian
Everton
3-12-76

D. H. NELLEN
Chief, Real Estate Division

OREGON STATE HIGHWAY DIVISION

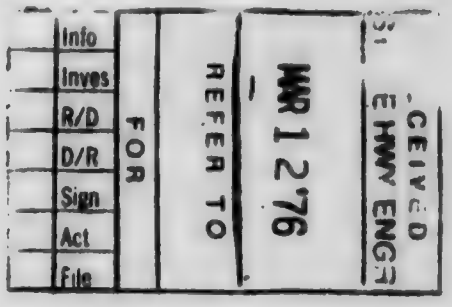
HIGHWAY BUILDING • SALEM, OREGON • 97310

January 8, 1976

ROBERT W. STRAUB
GOVERNOR

F. S. KLABOE
Administrator of Highways

Mr. F. R. Brockschink
Chief, Regulatory Functions Branch
Portland District
U.S. Corps of Engineers
P. O. Box 2946
Portland, OR 97208



Dear Sir:

On September 6, 1974 the Oregon State Highway Division, acting as agent for the City of Warrenton, Oregon, applied for a submerged waterline crossing of the Skipanon River at Warrenton. Subsequently, a Department of the Army Permit was issued for this work under Application Number 071-OYA-1-001580. Provision "0" of the permit states that if work is not started by February 28, 1976, the permit shall automatically expire.

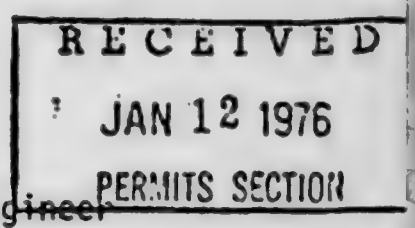
Because of legal procedures, public participation, and Coast Guard requirements, the project cannot be started by the specified date. There is now some question as to the need for a submerged pipeline. If a fixed-span bridge is built instead of the movable-span type previously anticipated, the pipe can be hung on the bridge instead of being submerged. That matter is still in question.

In order the existing pipeline permit will not expire and will remain in effect in case construction of a submarine pipeline is required, it is hereby requested that the specified date for commencement of activities be extended two years to February 28, 1978.

Very truly yours,

E. S. Hunter

E. S. Hunter
Deputy State Highway Engineer



cc Mr. Gilbert Gramson
Auditor and Police Judge
City of Warrenton
Warrenton, OR 97146

ACTION COPY

8651

2

February 20, 1976

Commander (OAN)
U. S. Coast Guard
13th Coast Guard District
915 Second Avenue
Seattle, WA 98174

Dear Sir:

Skipanon River Bridge
at Warrenton, Oregon
Astoria-Warrenton Highway
Public Notice No. 75-N-26

Your February 11 letter suggests a joint meeting between the Coast Guard, the Federal Highway Administration and the Oregon State Highway Division regarding the proposed Skipanon River Bridge at Warrenton, Oregon. The stated purpose of the meeting is to give proper and full consideration to the requirements of navigation.

It is our feeling that such consideration has been achieved through the public participation process and the public input received from the several public hearings which were held relative to this project.

The circulation of the draft and final EIS also provided opportunity for input relative to all areas of concern for the project. This input included that which the Coast Guard deemed necessary and proper.

Careful consideration of all input received resulted in a project which appears to provide for the overall public good. Your formal approval of the project has been requested via our application for a bridge permit.

If a meeting with your organization will facilitate permit approval, we will certainly be in attendance. We have

contacted the FHWA and find that they are available also. Please advise as to a time and place for the meeting. Our preference would be the first week in March at Portland or Vancouver.

Very truly yours,

E. S. Hunter
Deputy State Highway Engineer

cc: H. A. Schell
Federal Highway Administration

bc: F. B. Klaboe
Walter J. Hart
J. H. Versteeg
Frank Terpin

RWE:ag dpy

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE (206) 442-5864

3271
Serial 87
11 February 1976

Oregon State Highway Division
Attention: Mr. R. W. Ellison
Bridge Administration Engineer
Highway Building
Salem, Oregon 97310

Gentlemen:

By Coast Guard Public Notice No. 75-N-26, dated 29 October 1975, your proposal to replace the existing 2-lane highway bridge across the Skipanon River was circulated. Numerous comments have been received in response to the notice.

In addition to those parties commenting on the proposal as a highway facility, there have also been many comments received concerning the provisions for navigation. The bridge, as proposed, is limiting to vessels with a vertical height of 17 feet at M.H.W. This limiting vertical clearance makes no provision for those vessels which may require an occasional transit of the waterway to perform construction and/or maintenance activities upstream from the proposed bridge. In order that the requirements for navigation be given proper and full consideration, it is requested a joint meeting be held, with FHWA participation, to discuss resolution of the navigation concerns. Your suggestions will be appreciated.

Sincerely,

R. C. Walton

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Copy to:
FHWA, Salem, OR
Attn: Mr. Herb Schell, Bridge Engineer

RECEIVED
FEB 13 1976
BRIDGE SECTION

NOTED
W. J. HART

51

8

DEPARTMENT OF TRANSPORTATION

HIGHWAY BUILDING • • SALEM, OREGON • • 97310

ROBERT W. STRAUB
GOVERNOR

GEORGE M. BALDWIN
Director of Transportation

[redacted]
Deputy Director

February 20, 1976

578-H

Mr. H. G. Palmberg
Palmberg Construction Company
PO Box 448
Warrenton, OR 97146

Dear Mr. Palmberg:

Your position regarding Skipanon River Bridge as expressed in your letters is appreciated. However, other navigation interests are equally opposed to an opening span and their interests must also be considered. As I indicated previously, this project has had the benefit of several public hearings and much public input. The public participation process has been in action and on the basis of the evidence presented, the project has been developed. I realize it may not meet with your approval but as a whole the overall public good appears to be best represented by the proposed solution.

The positions of the Port, County and City are a matter of public record. Their positions, your position and the positions of many others were taken into consideration in arriving at the best overall solution for the Skipanon River crossing.

Again, I understand your concerns over this project, and I understand the concerns of others also. I am confident that the public participation process has resulted in a project proposal which provides for the overall public good.

Sincerely,

NOTED
F. B. KLABOE

George M. Baldwin
Director of Transportation

RECEIVED
STATE HWY ENGR
FEB 20 '76
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

RWE/ag jv

bc: F. B. Klaboe
E. S. Hunter
W. J. Hart
C. O. Fredrickson

PALMBERG CONSTRUCTION CO

P. O. BOX 448 WARRENTON, OREGON 97146

PHONE 503-861-1842

RECEIVED
STATE HWY ENGR
FEB 3 '76
REFER TO
FOR
Info Inves R/D D/R Sign Act File

Feb. 2, 1976

George M. Baldwin
Director of Transportation
Highway Building
Salem, Oregon 97310

Dear Mr. Baldwin,

Your letter of Jan. 28, 1976, re the Skipanon River Bridge issue is appreciated as another restatement of the State's position but is disappointing in its inferred refusal to delve into economics of the project and the reason for the City's reversal of its stand from an opening to a fixed span. We would like, however, to comment on certain statements made in your letter, as follows:

1. Third par.- Your difficulty in accepting our suggestion that decisions of the City of Warrenton, the Port and the County are not based on the merits of the issue would most assuredly be overcome if an objective interview could be held with the undersigned and other interested local parties and navigation interests. As one example, the Port and the County (and not by unanimous vote) admit to a vote, not on the merits of the issue, but only to support the dubious stand of the City of Warrenton. The City's stand was originally for an opening span, but later changed to a fixed span on the basis of the advisory election of 123 to 110 votes for fixed and opening spans, respectively. Surely such a vote of the public, with its preponderance of vehicular over navigational interests, is neither a legal nor a logical reason for a fixed span.

2. Sixth par.- The detour is a suggestion that would effect construction savings to the State while providing a permanent road that would open up a large undeveloped area in the heart of Warrenton and provide access to parking for the extensive potential moorage areas on the east bank of the Skipanon River above the bridge. This road would also provide an alternate route to South Warrenton and to Ft. Stevens State Park while alleviating traffic congestion at Warrenton's main intersection and on a dangerous single lane dike road which presently provides the only access to the undeveloped area. With all the impact statements, hearings and study of this issue, there has not yet been any presentation, contrary to the statement in your fifth par., of the economics of the project considering the overall public good. This includes estimates of cost of the high fixed span with underpass, longer adverse grade approaches and on-site stage construction detours versus a lower opening span and benefits of a permanent off-site road as the detour.

3. Seventh par.- The projected 60 openings for the next two years are considered reasonable in view of the low clearance of the existing bridge. As to recent frequency, the river above the bridge was completely blocked by logs until 1975. With increasing necessity for use of the river above the bridge, the projection of openings could be an underestimate. Of course, with the authorized channel above the bridge restored to project depth, an opening span bridge as desired would have openings infrequent enough to probably require advance notice for openings in lieu of full-time tenders. An opening bridge

ESH

is deemed necessary to accommodate dredges for both Government and private dredging, for piledrivers to construct and repair moorages, for passage of boathouses, for trollers and trawlers primarily for winter storage, and for occasional sailboats and the larger recreational and commercial vessels that would require openings. Elimination of upstream navigation for these vessels would certainly discourage development and adversely affect our tax base.

Navigation and other local interests will pursue with the appropriate agency, the U. S. Coast Guard, their efforts for an opening span as necessary to future development of the Skipanon River and of the area in general. We again sincerely request an unbiased look at this project with an economic analysis and an investigation of local politics.

Very truly yours,

Palmberg Construction Co.

by H G Palmberg
H. G. Palmberg

RECEIVED
FEB 3 1976
OFFICE
DIRECTOR of TRANSPORTATION

8651

9

JAN 29 '76
REFER TO
FOR
Info. Inve. R/D D/A S.&R. Act. File

DEPARTMENT OF TRANSPORTATION

HIGHWAY BUILDING • • SALEM, OREGON • • 97310

ROBERT W. STRAUB
GOVERNOR

GEORGE M. BALDWIN
Director of Transportation

~~SAM B. HANBY~~
~~Deputy Director~~

January 28, 1976

Mr. H. G. Palmberg
Palmberg Construction Company
Post Office Box 448
Warrenton, Oregon 97146

Dear Mr. Palmberg:

The "legal notice" enclosed with your January 12 letter relative to the Skipanon River Bridge at Warrenton is part of the procedure required by the Federal Highway Administration in processing any highway project using federal funding. The notice indicates that formal approval of the project is being considered by the Oregon State Highway Division. In this instance, the project is replacement of the existing bridge with the fixed span bridge alternate as presented in the public hearing at Warrenton High School on June 5, 1975. It is proper procedure for you to express your concern in response to the notice.

We have made application to the Coast Guard for a permit to build this same bridge. The Coast Guard public notice to which you refer is a result of that application. To date, we have received no word from the Coast Guard indicating that they will be holding a public hearing.

I agree that local input is necessary in determining the scope of a highway project. In the case of the Skipanon River Bridge, this input has been considerable. Several public meetings have been held and many written comments have been received. The comments have been both pro and con from navigation interests as well as other interests. The City of Warrenton even held an advisory election in order to broaden the base of public input. As you indicate, the City of Warrenton, the Port and the County have become involved. However, I have difficulty accepting your suggestion that their decisions are not based on the merits of the issue.

Considerable study and investigation went into the making of the environmental impact statement for this project. This statement is a rather comprehensive assessment of the socio-economic environmental impacts of the various alternates for the project on the community and surrounding area.

Based on public input, the EIS, local zoning and land use planning, and economics of the project, it was determined that the fixed span alternate presented at the June 5, 1975 hearing was the best solution when considering the overall public good.

The analysis attached to your letter seems to include a detour road as part of the project. The current plan is to use stage construction and eliminate any type of detour. Half of the new structure will be constructed while traffic is using the existing structure. Traffic will then be routed over the completed portion of the new structure while the remaining half is constructed.

It is also interesting that your analysis projects 60 openings of the existing structure during the next two years while our past experience shows only 29 openings for the period 1947-1974 and 13 openings in 1975. Your analysis seems to indicate that a bascule type span will increase the growth rate of condominiums, apartments and residences in the area as compared with the effect of a fixed span. This is a little difficult to understand since both types will provide a modern facility for access to any such development.

It appears this project has certainly had benefit of the public participation process. The type structure which has been selected on the basis of this participation and other considerations appears to represent the best solution for all concerned when considering the overall public good.

Sincerely,

George M. Baldwin
Director of Transportation

bc F. B. Klaboe
E. S. Hunter
Walt Hart
C. O. Fredrickson

RWE:ag fn

PALMBERG CONSTRUCTION CO.

P. O. BOX 448 WARRENTON, OREGON 97146
PHONE 503-861-1542

Jan. 12, 1976

George Baldwin
Department of Transportation
State Highway Building
Salem Oregon

Dear Mr. Baldwin,

Enclosed is a copy of a "legal notice" in an Astoria paper. I would like to know its purpose and to whom the "notice of request" is directed. If to the public as presumed, I must express objection because the proposed is for a "fixed span bridge" whereas the type of bridge to be constructed has not yet been determined by the U. S. Coast Guard. Many navigation interests have objected to the fixed span bridge proposed by the Oregon State Highway Division in the U. S. Coast Guard Public Notice 75-N-26, and a Public Hearing will most likely be held before a decision is made by the U. S. Coast Guard as to clearances and whether the bridge will be fixed or have an opening span.

This bridge issue has unfortunately become a subject of personal prejudices rather than being resolved for the overall economic betterment of the public. Highway department studies often overlook local knowledge, which on being brought to attention, results in desirable construction changes. Personal experience can verify this on changes made in connection with past construction of the Columbia River Astoria - Megler Bridge, the U. S. 101 Youngs Bay Bridge at Astoria and the 4 - lane construction of U. S. 30 between Linnton and Holbrook in Multnomah County.

Further, some incumbent members of the Warrenton City Commission are admittedly letting personalities influence decisions. Port and County resolutions supporting the City's stand have been made at the City's request for such action rather than the Port and County acting on their own on the merits of the issue. Incidentally, previous Port and County Commissions took actions opposite those of incumbent bodies.

The result is that the City of Warrenton and the Oregon State Highway Division have made a joint decision as to their desire of bridge type without an economic study of overall benefits and without consultation with navigation interests to determine without bias the best solution for all concerned. A brief analysis of some economics involved is enclosed. A study of the data is invited and consent to a discussion with navigation interests could be helpful.

To best resolve vehicular and navigation traffic, and for overall economy and community betterment, parties representing navigation interests and concerned citizens appeal to you for an unbiased review of the Skipanon River Bridge issue.

Very truly yours,

Palmberg Construction Co

by H. G. Palmberg

H. G. Palmberg

enc.

Look Hard Ahead

RECEIVED
STATE HWY ENGR
JAN 14 '76
REFER TO ESH
FOR
Info | Inves | R/D ✓ | D/R | Sign | Act | File
for GMB

RECEIVED
JAN 14 1976
OFFICE
DIRECTOR of TRANSPORTATION

RECEIVED
JAN 15 1976
BRIDGE SECTION

PALMBERG CONSTRUCTION CO.

P. O. BOX 448 WARRENTON, OREGON 97146

PHONE 503-861-1542

Dec. 1, 1975

ANALYSIS OF SKIPANON RIVER BRIDGE ISSUE

Preventive Construction Period(1976-77) Losses and Post Construction(1978-87) Comparative Benefits

I. 1976-77 Losses due to present non-cooperation of City of Warrenton and State Highway Division with Navigation Interests pending completion of new bridge:

a. Value of a permanent alternate detour route via 8th St. Dam and Huron Ave. to East Harbor St.	$117,000	(1)
b. Bridge construction cost savings with detour road	83,200	(2)+
c. Savings possible by eliminating openings of existing bridge:		
1. Bridge opening costs	177,000	(3)≠
2. Traffic detour costs	89,250	(4)
d. Savings to B-N in span openings	24,000	(5)
Total 1976-77 losses	$490,450	

II. Comparative estimated benefits possible for opening span and fixed, with and without permanent detour, based on current forecasts for 10-yr. period(1978-87):

	Traffic(6)	Taxes(7)	Profits(8)	Totals
a. Detour-opening span	$182,500	$500,000	$320,000	$1,002,500
b. Detour-fixed span	182,500	250,000	160,000	592,500
c. No detour-opening span	0	250,000	160,000	410,000
d. No detour-fixed span	0	125,000	80,000	205,000

III. In addition to the above, the permanent detour would relieve the present objectionable traffic congestion at Main and Harbor in the City. Also, an opening span would offer by far the greatest potential benefits after 1987.

(1) Contractors' initial estimate of $90,000, plus 30%, or $117,000.

≠(3) Estimated number of bridge openings during 2-year period 1976-77 is 60 @ $3,000 per opening($180,000), estimated cost for bridge span removal and replacement; less cost of providing temporary vessel tie-up below bridge for 2-year period, 6 berths @ $250/yr.($3,000), or a total of $177,000.

+(2) Difference between State's initial construction site detour bridge cost of $154,000 and Contractors' initial detour road cost of $90,000, or $64,000 plus 30% for $83,200.

(4) Traffic detour savings for 60 openings based on 1.7 miles extra travel during each 2-hour opening @ minimum of 25¢ per mile(including time loss of driver and occupants) for 350 vehicles(2 hours of 4,200 vehicles per day), or $89,250.

(5) B-N span openings, 60 @ $400, or $24,000.

(6) With detour - estimate 400 of 4,200 vehicles per day to use permanent detour with saving of 0.5 mile @ 25¢ per mile for 10 years totals $182,500.

(7) Taxes on developments:

a. With detour and opening span - condominiums, apartments, residences and misc. - value $2,000,000 @ 25 mils for 10 years, or $500,000.

b. With detour and fixed span - ½ of (7)a., or $250,000.

c. Without detour, with opening span, same as (7)b., or $250,000.

d. Without detour, with fixed span - ½ of (7)c., or $125,000.

P. O. BOX 448 WARRENTON, OREGON 97146
PHONE 503-861-1542

Dec. 1, 1975

ANALYSIS OF SKIPANON RIVER BRIDGE ISSUE

Preventive Construction Period(1976-77) Losses and Post Construction(1978-87) Comparative Benefits

I. 1976-77 Losses due to present non-cooperation of City of Warrenton and State Highway Division with Navigation Interests pending completion of new bridge:

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Total 1976-77 losses	$490,450	

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	Traffic(6)	Taxes(7)	Profits(8)	Totals
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c. No detour-opening span	0	250,000	160,000	410,000
d. No detour-fixed span	0	125,000	80,000	205,000

III. In addition to the above, the permanent detour would relieve the present objectionable traffic congestion at Main and Harbor in the City. Also, an opening span would offer by far the greatest potential benefits after 1987.

(1) Contractors' initial estimate of $90,000, plus 30%, or $117,000.

≠(3) Estimated number of bridge openings during 2-year period 1976-77 is 60 @ $3,000 per opening($180,000), estimated cost for bridge span removal and replacement; less cost of providing temporary vessel tie-up below bridge for 2-year period, 6 berths @ $250/yr.($3,000), or a total of $177,000.

+(2) Difference between State's initial construction site detour bridge cost of $154,000 and Contractors' initial detour road cost of $90,000, or $64,000 plus 30% for $83,200.

(4) Traffic detour savings for 60 openings based on 1.7 miles extra travel during each 2-hour opening @ minimum of 25¢ per mile(including time loss of driver and occupants) for 350 vehicles(2 hours of 4,200 vehicles per day), or $89,250.

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(7) Taxes on developments:
a. With detour and opening span - condominiums, apartments, residences and misc. - value $2,000,000 @ 25 mils for 10 years, or $500,000.
b. With detour and fixed span - ½ of (7)a., or $250,000.
c. Without detour, with opening span, same as (7)b., or $250,000.
d. Without detour, with fixed span - ½ of (7)c., or $125,000.

(8) Community business profit increases; estimate at $400/yr./family
a. With (7)a. - 80 families @ $400/yr., 10 yrs., or $320,000.
b. With (7)b. - 40 families @ $400/yr., 10 yrs., or $160,000.
c. With (7)c. - 40 families @ $400/yr., 10 yrs., or $160,000.
d. With (7)d. - 20 families @ $400/yr., 10 yrs., or $80,000.

RECEIVED
JAN 15 1976
BRIDGE SECTION

8651

8

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

3271
Serial 18
15 January 1976

-463-H

Oregon State Highway Division
Attention: Mr. E. S. Hunter
Deputy State Highway Engineer
Highway Building
Salem, Oregon 97310

Dear Mr. Hunter:

Your letter of 6 January 1976, which enclosed information on the location of a proposed new Highway 101 crossing of the Skipanon River, has been received. The location is upstream from the existing 101 highway bridge.

The Coast Guard considers the Skipanon River navigable to Mile 4.0 which has been determined to be at the present Highway 101 crossing, therefore, no bridge permit is required from the Coast Guard.

Your early request is appreciated.

Sincerely,

NOTED
E. S. HUNTER

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

cy Glen Greene
Schroeder
Coulter
Potter
Hoobe
Hank
Ingebretsen
1-19-76

RECEIVED
STATE HWY ENGR
JAN 19 '76
REFER TO
FOR
Info | Inves | R/W | D/R | Sign | Act | File

January 6, 1976

Commander (OAN)
Thirteenth Coast Guard District
U.S. Coast Guard
915 Second Avenue
Seattle, Washington 98174

bc F. B. Klaboe
R. L. Schroeder (enc.)
H. S. Coulter "
Gary Potter "
Victor D. Wolfe "
Walt Hart
C. O. Fredrickson "

Dear Sir:

Skipanon River Bridge Location
S. Unit, Astoria-Camp Rilea Section
Relocated Oregon Coast Highway

In response to your letter of December 22, 1975, I enclose additional information concerning the location of the proposed Skipanon River Bridge on relocated Oregon Coast Highway 101.

463-H

In my December 16 letter, I indicated the bridge site to be at River Mile 3.9. At that time it was assumed River Mile 0.00 was opposite the Skipanon waterway light. Since then, it has come to our attention that River Mile 0.00 is at the center of the navigation channel in the Columbia River (see attached U.S. Army Corps of Engineers Chart "Skipanon Channel, Oregon").

Use of the Corps of Engineers zero point for the Skipanon channel changes the location of our proposed bridge to River Mile 4.5. The actual location is indicated on the attached U.S. Geological Survey Quadrangle.

The coordinates for the proposed bridge site (using Oregon Grid Coordinates, North Zone) are: North - 919,685.87, and East - 1,132,392.58.

I hope the above will allow you to locate our bridge with reference to the upper geographical navigability limit for the Skipanon River. Please do not hesitate to request additional information which you may need to determine the location of this structure.

Very truly yours,

RWE:ag ja

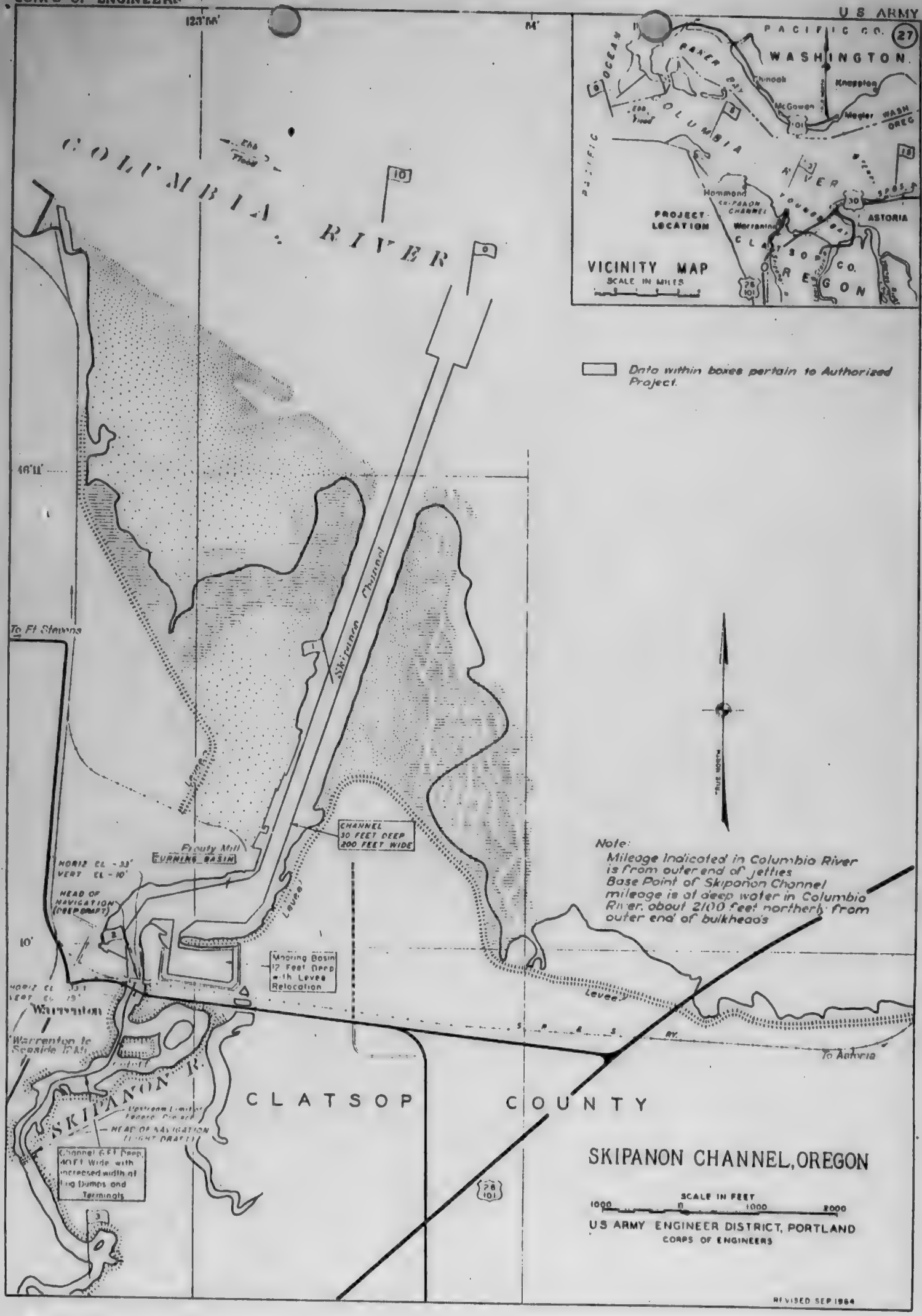
Enc.

E. S. Hunter
Deputy State Highway Engineer

cc Mr. Glen L. Green
Division Administrator
Federal Highway Administration

CORPS OF ENGINEERS

U S ARMY


123°W
46°N
COLUMBIA RIVER
To Ft Stevens
Skipanon Channel
CHANNEL 30 FEET DEEP 200 FEET WIDE
Plywood Mill TURNING BASIN
HORIZ EL -33'
VERT EL -10'
HEAD OF NAVIGATION (DEEP DRAFT)
Levee
Mooring Basin 12 Feet Deep with Levee Relocation
Levee
To Astoria
CLATSOP COUNTY
SKIPANON R.
Upstream Limit of Federal Project
HEAD OF NAVIGATION (LIGHT DRAFT)
Channel 6FT Deep, 40FT Wide with increased width at Log Dumps and Terminals
Warrenton
Warrenton to Seaside RR
SR 26 101
Note:
Mileage indicated in Columbia River is from outer end of jetties
Base Point of Skipanon Channel mileage is at deep water in Columbia River, about 2100 feet northerly from outer end of bulkheads
TRUE NORTH

Data within boxes pertain to Authorized Project.

SKIPANON CHANNEL, OREGON

SCALE IN FEET
1000 0 1000 2000

US ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS

REVISED SEP 1964

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

3271
Serial 692
22 December 1975

Oregon State Highway Division
Attention: Mr. E. S. Hunter
Deputy State Highway Engineer
Highway Building
Salem, Oregon 97310

Dear Mr. Hunter:

Your letter of 16 December 1975 concerning a proposed new alignment of U.S. 101 including bridging of Skipanon River is at hand. The Coast Guard considers the Skipanon River navigable to Mile 4.0. It is requested that you furnish a geographical location of the proposed bridge. It is 0.1 miles below our navigability limit by river mile or within 1/40 of the distance from mouth to bridge site. There could be more difference in method of measuring miles along the river than the 0.1 mile indicates.

We will compare your bridge site with the upper geographical limit to see if it is up river from that point. Otherwise, a bridge permit appears to be required.

Sincerely,

R. C. Walton

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Copy to:
Mr. Glen L. Green
Division Administrator
Federal Highway Administration

RECEIVED
DEC 29 1975
BRIDGE SECTION

RECEIVED
STATE HWY ENGR
DEC 26 '75
REFER TO
Hunt
FOR
Info | Inves | R/D | D/R | Sig | Act | File

NOTED
R. W. ELLISON

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. Box 2946
PORTLAND, OREGON 97208

NPPND-RF-1 12 January 1976

NOTED
E. S. HUNTER

City of Warrenton
Warrenton, OR 97146

RE: Permit No. 001580
(Skipanon River-Subpipe)

Gentlemen:

In accordance with the written request of 8 January 1976 from your authorized agent, Oregon State Highway Division, the authorization granted by the Secretary of the Army in permit dated 14 February 1975 from the District Engineer at Portland, Oregon, the time for commencement of the work is hereby specifically extended to 28 February 1978 and the time for completion is hereby extended to 28 February 1980.

The conditions to which the authorization is made subject, excepting the time limits for commencement and completion, remain in full force and effect.

If the structure or work authorized is not commenced and completed on or before the dates herein specified, the authorization, if not previously revoked or specifically further extended, will cease and become null and void.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

CLARENCE D. GILKEY
Colonel, Corps of Engineers
District Engineer

cc:

E. S. Hunter
Oregon State Highway Division
Highway Building
Salem, OR 97310

F. R. BROCKSCHINK for
A. J. HEINEMAN
Chief, Navigation Division

RECEIVED
STATE HWY ENGR
JAN 14 '76
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

Oregon State Highway Division

8151

9

Dant & Russell, Inc.

Pacific Coast Forest Products

CABLE "DANTRUS" PORTLAND
TELEX 36-0523
ALL CODES

1221 S. W. Yamhill Street
Portland, Oregon 97205

TELEPHONE
503-221-1644

January 5, 1976

President's Council on Environmental Quality
722 Jackson Place, N.W.
Washington, D. C. 20006

Reference: Final Environmental Impact Statement - Skipanon River Bridge - Warrenton, Oregon

Gentlemen:

Again Dant & Russell, Inc. wishes to express its opposition to any new bridge whatsoever at Warrenton. We can see in the Final Environmental Impact Statement no enhancement of long term productivity by this new project. Rather, what is evident in the Final Environmental Impact Statement is the role of one federal agency, the United States Coast Guard, in carrying out its narrow mandate under pressure from only one local private interest at the expense of most other interests, public and private, in the community.

If a new bridge must be built, then alternative I-G selected by the Oregon Highway Division is clearly the superior design. Its economic and environmental impacts are less severe than the other alternatives. The height of the fixed span appears to us more than adequate to fulfill reasonable recreational and other navigation interests in the area. At the same time, truck traffic across the completed bridge will not be impeded.

Yours very truly,

DANT & RUSSELL, INC.

J. S. Heigel

J. S. Heigel
President

Copy To Julien
Dietter
Hart
1-6-76

JSH:mew

cc: R.L. Schroeder
Assistant State Highway Engineer

RECEIVED
JAN 6 1976
Office of
Assistant State Highway Engineer

8651 Skipanon River (Warrenton) 1977
Br. Sec. of Warrenton-Astoria Hwy.
(Grade, pave, struc, sign & illum) #5

8651

Form FHWA 121 (Rev. 8-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

SUBJECT: Oregon Project RS-599(1)
Skipanon River Bridge
Final EIS Distribution

DATE: December 18, 1975

In reply refer to: 1041EC.3

FROM : G. L. Green, Division Administrator

TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer

This will acknowledge receipt of the distribution of the subject Final EIS December 10, 1975. This project can be advanced in the normal manner effective January 12, 1976.

/s/ G. L. Green

cc:
OSHD (Potter)
OSHD (Laux)

RECEIVED
STATE HWY ENGR
DEC 19 '75
REFER TO
Gordon
FOR
Info | Invest | R/D | D/R | Sign | Act ✓ | File

RECEIVED
DEC 19 1975
Office of
Assistant State Highway Engineer

cy Lakewood

8651

December 16, 1975

Commander (oan)
U.S. Coast Guard
Federal Building
915 Second Avenue
Seattle, Washington 98174

bc F. B. Klaboe
R. L. Schroeder
H. S. Coulter
Gary Potter
Victor D. Wolfe
Walt Hart
C. O. Fredrickson

Dear Sir:

U.S. Highway 101 Bridge
Over Skipanon River at
River Mile 3.9
Clatsop County
Navigability

Our future plans include realignment of a section of Highway 101 south of Astoria, Oregon, extending from near Warrenton to Camp Rilea. This work will include construction of a new bridge across the Skipanon River at River Mile 3.9. This is about 1.4 miles above the existing Highway 101 Bridge, which is at River Mile 2.5.

Information received from the Corps of Engineers indicates that the Skipanon River is considered navigable to River Mile 2.6. In view of this, it is our belief that the location of our proposed bridge is not over navigable waters and does not require a permit from the Coast Guard.

Would you please confirm that there is no need for a Coast Guard permit.

Very truly yours,

E. S. Hunter
Deputy State Highway Engineer

cc Mr. Glen L. Green
Division Administrator
Federal Highway Administration

RWE:ag/ESH:ja

8651

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

Intergovernmental Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Leslie Lehmann, Coordinator Phone: 378-3732

PROJECT ACKNOWLEDGEMENT

APPLICANT: State Highway Div.

PROJECT TITLE: Skipanon River Bridge

DATE RECEIVED: December 15, 1975

PNRS #: 7512 4 570

Your project has been assigned the file title and number that appear above. Use this reference in all future correspondence regarding this project.

☐ Initial 30-day State Clearinghouse review of your Notice of Intent began on the above date.

☐ The 30-day State Clearinghouse review of your final application began on the above date.

☐ Initial 30-day State Clearinghouse review of this HUD Housing project began on the above date.

☐ Initial 30-day State Clearinghouse review of your Direct Federal Development project began on the above date.

☑ The 30-day State Clearinghouse review of your final Environmental Impact Statement began on the above date.

☐ Initial 45-day State Clearinghouse review of your draft Environmental Impact Statement began on the above date.

☐ The 45-day State Clearinghouse review of your State Plan/ Amendment began on the above date.

If you have questions or need assistance, contact the State Clearinghouse at the above address and telephone number.

...TED
...SCHROEDER

ORIGINAL TO
Ralien
Copy - Potter
12-17-75

RECEIVED
DEC 17 1975
Office of
Assistant State Highway Engineer

8651

D

8

OREGON STATE HIGHWAY DIVISION

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator and
State Highway Engineer

December 10, 1975

TO WHOM IT MAY CONCERN:

The enclosed copy of the Final Environmental Impact Statement for Skipanon River Bridge in Clatsop County, Oregon has been adopted by the Federal Highway Administration and is being submitted for your review and comment. This document is being distributed on behalf of the Federal Highway Administration in accordance with 23 CFR 771.

If it is your desire to further explore the impact of this project on the community, please address your comments to the President's Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C. 20006, no later than January 15, 1976. This office would appreciate a copy of your comments.

Sincerely,

R. L. Schroeder
Assistant State Highway Engineer

As requested by George Grisel (221-1644)
12-12-75
Copies of EIS
mailed to Ted Zellinghoom
&
Marlin Hyatt
PO Box 160
Warrenton - 97146

NOTED
R. L. SCHROEDER

SKIPANON RIVER BRIDGE FEIS, sent to the following, along with R. L. Schroeder's December 10, 1975 letter.

Ernest E. Sligh, Director (5)
Environmental Impact Division
Office of Environmental Programs
New Post Office Building
12th & Pennsylvania Avenues NW
Washington, D.C. 20461

U.S. Department of the Interior (9)
Mr. Bruce Blanchard
Director, Office of Environmental
Project Review
18th and "C" Streets, NW
Washington, D.C. 20242

Warrenton Chamber of Commerce
City of Warrenton
Warrenton, OR 97146

Department of Environmental Quality
1234 SW Morrison Street
Portland, OR 97205

Oregon Environmental Council
2637 SW Water Avenue
Portland, OR 97201

Clatsop-Tillamook Intergovernmental
Council
P.O. Box 488
Cannon Beach, OR 97110

Clatsop County Board of Commissioners
Courthouse
Astoria, OR 97103

City of Astoria
City Hall
Astoria, OR 97103

Port of Astoria
Astoria, OR 97103

City of Warrenton
City Hall
Warrenton, OR 97146

Palmberg Construction Co.
P.O. Box 488
Warrenton, OR 97146

Mr. Steve Schell
% Black, Helterline, Beck
and Rappleyea
1200 Bank of California Tower
707 SW Washington Street
Portland, OR 97205

Ted Bellingham
% Warrenton Lumber Co.
Warrenton, OR 97146

Mr. Steve Bagwell
DAILY ASTORIAN
Astoria, OR 97103

Clatsop Environmental Council
P.O. Box 504
Astoria, OR 97103

Burlington Northern Railroad Co.
Portland Region
1101 NW Hoyt Street
P.O. Box 571
Portland, OR 97207

Oregon Ocean Services
P.O. Box 435
Warrenton, OR 97146

Professor Richard E. Ross
Department of Anthropology
Oregon State University
Corvallis, OR 97331

U.S. Department of Agriculture
Office of the Secretary
Washington, D.C. 20250
Attn: Coordinator, Environmental
Quality Activities

U.S. Department of Health, Education
and Welfare
Office of Environmental Affairs
Office of the Assistant Secretary for
Administration and Management
Washington, D.C. 20202

U.S. Department of Housing & Urban Development
Director
Office of Community and Environmental
Standards
Room 7206
Washington, D.C. 20410

U.S. Department of Transportation
Federal Aviation Adminsitration
Office of Environmental Quality
800 Independence Avenue SW
Washington, D.C. 20591

U.S. Department of Commerce
National Oceanic & Atmospheric
Administration
National Marine Fisheries Service
Columbia Fisheries Program Office
Post Office Box 4332
Portland, OR 97208

U.S. Department of the Interior
Burueau of Outdoor Recreation
Pacific Northwest Region
1000 Second Avenue
Seattle, WA 98104

U.S. Department of the Interior
National Park Service
920 NE 7th
Portland, OR 97232

U.S. Department of Agriculture
Soil Conservation Service
1218 SW Washington Street
Portland, OR 97205

U.S. Department of Transportation
Commander (OAN)
13th Coast Guard District
915 - 2nd Avenue
Seattle, WA 98174

U.S. Department of the Army
Corps of Engineers
Portland District
2850 SE 82nd
Portland, OR 97206

U.S. Department of Commerce
Deputy Assistant Secretary for
Environmental Affairs
Main Commerce Building
Washington, D.C. 20230

U.S. Fish and Wildlife Service
Division of River Basin Studies
Portland Area Office
919 NE 19th Avenue
Portland, OR 97232

Environmental Protection Agency
Regional Office
Room 401 Pittock Building
Portland, OR 97205

Oregon Water Resources Board
1158 Chemeketa Street NE
Salem, OR 97310

Dant & Russell, Inc.
1221 S.W. Yamhill Street
Portland, OR 97205

Oregon State University
Library
Corvallis, OR 97331

Oregon Executive Department
Intergovernmental Relations Division
240 Cottage Street SE
Salem, OR 97310

Oregon Department of Fish and Wildlife
307 State Office Building
Portland, OR 97201
Attn: Norm Behrens
Environmental Management Section

In-House Distribution:

R. L. Schroeder	1
Victor D. Wolfe	3
J. H. Versteeg	4
Bruce Boyd	2
C. T. Keasey	2
W. J. Hart	2
Gary Sund	2
R. E. Royer	2
Oregon State Library	2
Mary Dietz--Legal Section	2
Region Engineer	5
Regional Environmentalist	5

8657

8

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

BR 11226A

RECEIVED
STATE HWY ENGR
DEC 5 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

December 4, 1975

bc E. S. Hunter
Gary Potter /w/ attach.
C. O. Fredrickson
P. M. Oakley

Mr. David L. Cole
Curator of Anthropology
University of Oregon
Eugene, OR 97403

Dear Mr. Cole:

E. S. H

Skipanon River Bridge at Warrenton
Bridge 11226A, Clatsop County
Coast Guard Permit Application,
Archaeological Survey

Your letter to the Coast Guard in response to their Public Notice concerning a permit for the subject bridge has been referred to this office for reply.

Consideration of archaeological sites in the project area is discussed on page 51 of the environmental impact statement for the project (copy attached) which states that a reconnaissance review of the area will be conducted prior to construction.

If important archaeological sites are found, detailed site exploration and salvage will be conducted and the results released to the public and appropriate agencies. The reconnaissance review will soon be assigned to the University of Oregon as work to be done under our continuing agreement for archaeological survey and salvage work.

Very truly yours,

Walter J. Hart
Bridge Engineer

R. W. Ellison
Bridge Administration Engineer

RWE:dh
Attachment
cc Commander R. C. Walton, USCG /w/ attach.

8651

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

Box 300
Salem OR 97308

DATE: December 4, 1975

In reply refer to: 1041EC.3

SUBJECT: Oregon Project RS-599(1)
FHWA-OR-EIS-75-03-F
Skipanon River Bridge
Final Environmental Impact Statement

FROM : G. L. Green, Division Administrator

TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer
Salem, Oregon

The final EIS was accepted by our Regional Administrator on December 1, 1975 and forwarded to CEQ on the same date.

Please make copies of this final statement available as required by FHPM 7-7-2 and forward this office such notice of availability so that eligibility date of project advancement can be established.

The original signed copy of the Title Sheet has been forwarded direct to your Environmental Section for immediate processing.

for G. L. Green

cc:
OSHD (Potter)
OSHD (Laux)

NOTED
R. L. SCHROEDER

RECEIVED
STATE HWY ENGR
DEC 5 '75
REFER TO
FOR
Info | Inves | R/D | O/R | Sec | Att | Ve

RECEIVED
DEC 5 1975
Office of
Assistant State Highway Engineer

8657
FHWA-OR-EIS-75-03-F

12-1-75

SKIPANON RIVER BRIDGE
STATE SECONDARY HIGHWAY 105
WARRENTON, CLATSOP COUNTY, OREGON

ADMINISTRATIVE ACTION

FINAL
ENVIRONMENTAL IMPACT STATEMENT

U.S. DEPARTMENT OF TRANSPORTATION

Federal Highway Administration
and
Oregon State Highway Division

Submitted pursuant to 42 U.S.C. 4332(2)(C)
and 23 U.S.C. 128(a).

10/15/75
Date

R. A. Schroeder
Assistant State Highway Engineer

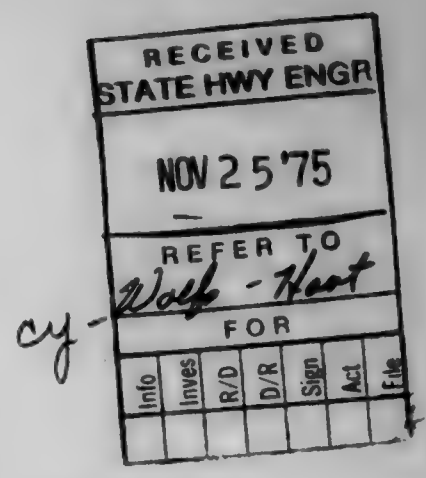
12/1/75
Date

Richard O. Louden
Regional Federal Highway Administrator

R. T. CARRUTHERS
KONOPE POINT
WARRENTON, OREGON

NOTED
E. S. HUNTER

24 November 1975



cy -

R. T. Walton, Commander
U. S. Coast Guard
Thirteenth Coast Guard District
915 Second Avenue
Seattle, Washington 98174

Dear Commander Walton:

I am a boat owner and potential user of the Skipanon river above the highway bridge.

Whatever span is finally decided upon, I strongly urge that you see that it will accomodate all of the potential river traffic - trollers with poles up, sailboats, tuna boats and piledrivers, as well as recreational boats. A very high fixed span would do this, but I think it would disrupt downtown Warrenton traffic too much. But, if Warrenton wants a fixed span, as I understand they do, it must be high enough to let normal river traffic through at all, but the highest river stages. A much better solution would be a lower opening span - a span that would permit recreational boats to use the waterway without opening the bridge at all stages. Opening hours should be put on the span so that it would only be opened on call at restricted, low highway traffic hours. Waterway use has been wisely portected by the United States Coast Guard. As water use again increases, altho now recreational rather than commercial, it is important to continue to allow for the widest possible utilization.

The future is not clear, but it is obvious that water use will vastly increase over the next decade. It is no time to block any potential waterway.

Cordially yours,

R. T. Carruthers

8651

November 18, 1975

The Honorable Robert W. Straub
Governor of Oregon
207 State Capitol
Salem, Oregon 97310

Dear Governor Straub:

Re: Proposed Bridge Across Skipanon River at Mile 2.0
Warrenton, Oregon, Coast Guard Public Notice
No. 75-N-26

Due to the concern of certain local navigation interests, the Coast Guard has ordered the Highway Division to reconstruct the Skipanon River Bridge at Warrenton, Oregon, to conform with the permit issued in 1916 or propose an alternate. The bascule span shown on the permit was changed to a float-out span many years ago and became a point of contention.

A hearing held in Warrenton indicated that replacement of the bascule was not acceptable to the citizenry and other alternates were subsequently studied. Additional hearings indicated a high-level fixed span to be the public preference.

Recently the Highway Division made application to the Coast Guard for a Bridge Permit to construct a high-level fixed span. The attached Public Notice regarding the project solicits comments. Attached for your consideration is a suggested reply supporting our application.

Sincerely,

F. B. Klaboe, Administrator
and State Highway Engineer

Attachments

bc: E. S. Hunter
W. J. Hart
V. D. Wolfe

RWE:ag srb

ROBERT W. STRAUB
GOVERNOR

RECEIVED
STATE HWY ENGR
NOV 24 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

November 19, 1975

Commander (oan)
13th Coast Guard District
Federal Building
915 Second Avenue
Seattle, Washington 98174

Dear Sir:

Re: Proposed Bridge
Skipanon River at Mile 2.0
Warrenton, Oregon
Public Notice No. 75-11-26

The proposed bridge across the Skipanon River at Warrenton, Oregon will replace an old structure which has been a point of concern with certain local navigation interests. The new structure will provide the best facility for the public in general, will allow local development in accord with the City's comprehensive land use plan, and will comply with the State's policy of preserving existing estuaries.

The project has the approval of this office.

Sincerely,

Governor

RWS:eb

cc: Federal Highway Administration
Oregon State Highway Division

NOTED
MARIE STEPHENS

COPY

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE
SEATTLE, WASH. 98174
PHONE (206) 442-5864

3271
Serial 567
29 October 1975

In reply refer to
Proposed bridge across
Skipanon River at Mile 2.0
at Warrenton, Oregon

cy Wolfe
Hans
11.4.75

PUBLIC NOTICE NO. 75-N-26

BRIDGES

All interested parties are notified that an application has been received from Oregon State Highway Division, Highway Building, Salem, Oregon 97310, by the Commander, Thirteenth Coast Guard District for approval of location and plans for construction of a highway bridge over navigable waters as follows:

WATERWAY AND LOCATION

Skipanon River at Mile 2.0 at Warrenton, Oregon

CHARACTER OF WORK

The applicant proposes to replace an existing 2-lane highway bridge with a modern structure. The proposed bridge will be constructed on a slightly different alignment as shown on the attached drawings.

The existing bridge was constructed as a hand-operated bascule structure in accordance with plans approved 15 September 1916. The bridge has been converted to a float-out span without benefit of permit. The Coast Guard ordered the bridge owner to either restore the bridge to the original permit requirements or submit an application for a replacement bridge. This application is for a fixed replacement bridge which will provide navigation clearances as follows:

Horizontal	54 feet
Vertical	24.8 feet at M.L.L.W. Elev. 0.0 feet 17.1 feet at M.H.W. Elev. 7.7 feet

RECEIVED
NOV 05 1975
BRIDGE SECTION

NOTED
R. W. ELLISON

P/N No. 75-N-26
Bridges

Navigation clearances of the existing bridge are as follows:

Horizontal	37 feet
Vertical	13.2 feet at M.L.L.W. Elev. 0.0 feet 5.5 feet at M.H.W. Elev. 7.7 feet

BASIS FOR DECISION

The decision as to whether or not approval of the location and plans for the proposed bridge will be granted must rest upon the impact of the bridge on navigation and the quality of the human environment. Factors such as wildlife and waterfowl refuges, public parks and historic sites will be made part of the record and will be considered in determining whether or not it would be in the best public interest to grant approval.

SOLICITATION OF COMMENTS

Interested parties are requested to express their views, in writing, on the suitability of the location, the effect on the environment and the adequacy of the navigation clearances, giving sufficient detail to establish a clear understanding of the reasons for support or opposition. Protests or comments will be received for the record at the Office of the Commander, Thirteenth Coast Guard District (oan), 915 Second Avenue, Seattle, Washington 98174 through 1 December 1975.

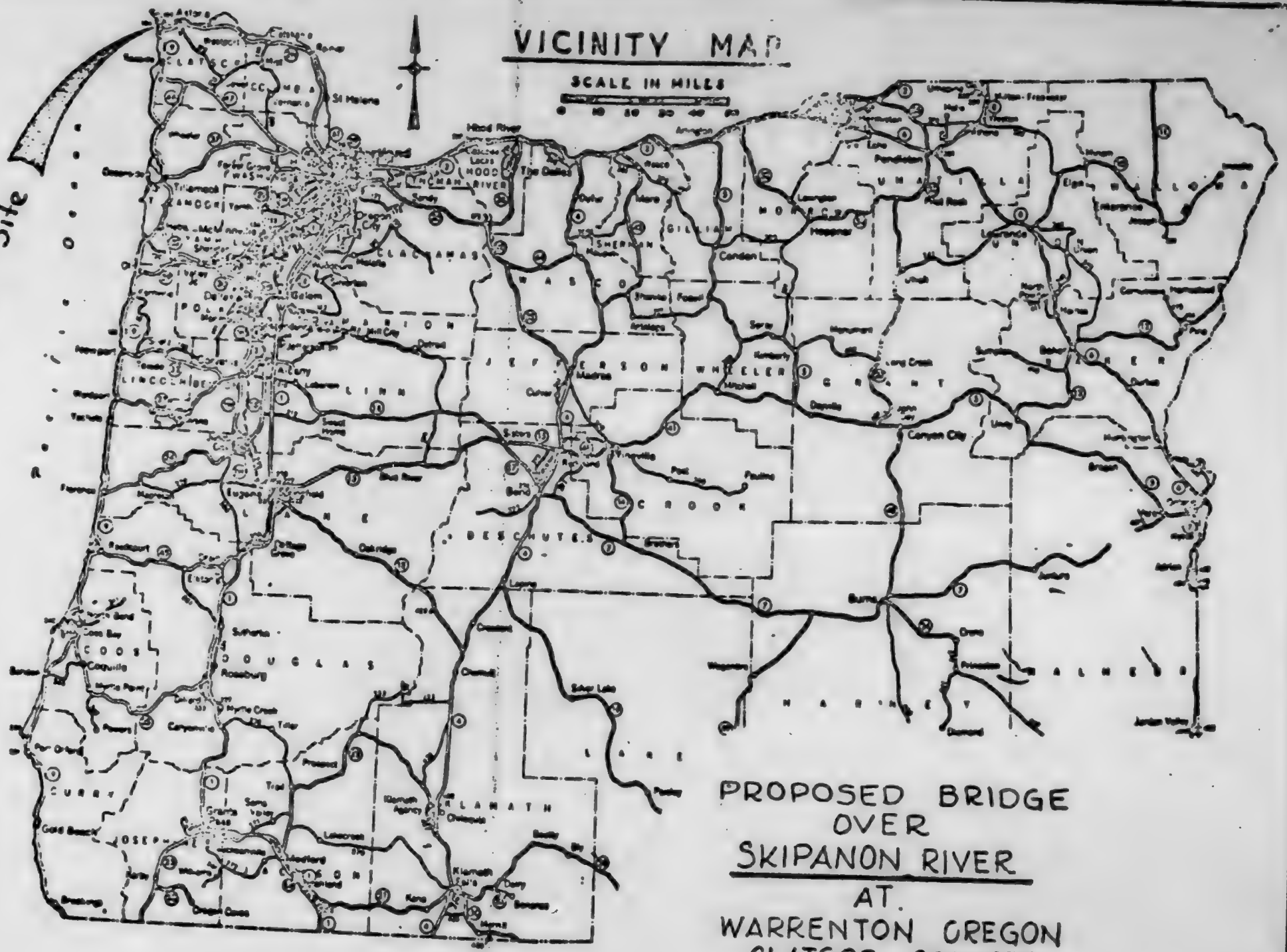
ENVIRONMENTAL CONSIDERATIONS

The applicant has prepared an Environmental Impact Statement for the project. Copies of the statement will be available for review at the offices of the applicant and in the office of Commander, Thirteenth Coast Guard District (oan), 915 Second Avenue, Seattle, Washington 98174. The Coast Guard will make an independent examination of the environmental effects of the bridge and review all comments received in regard to this application.

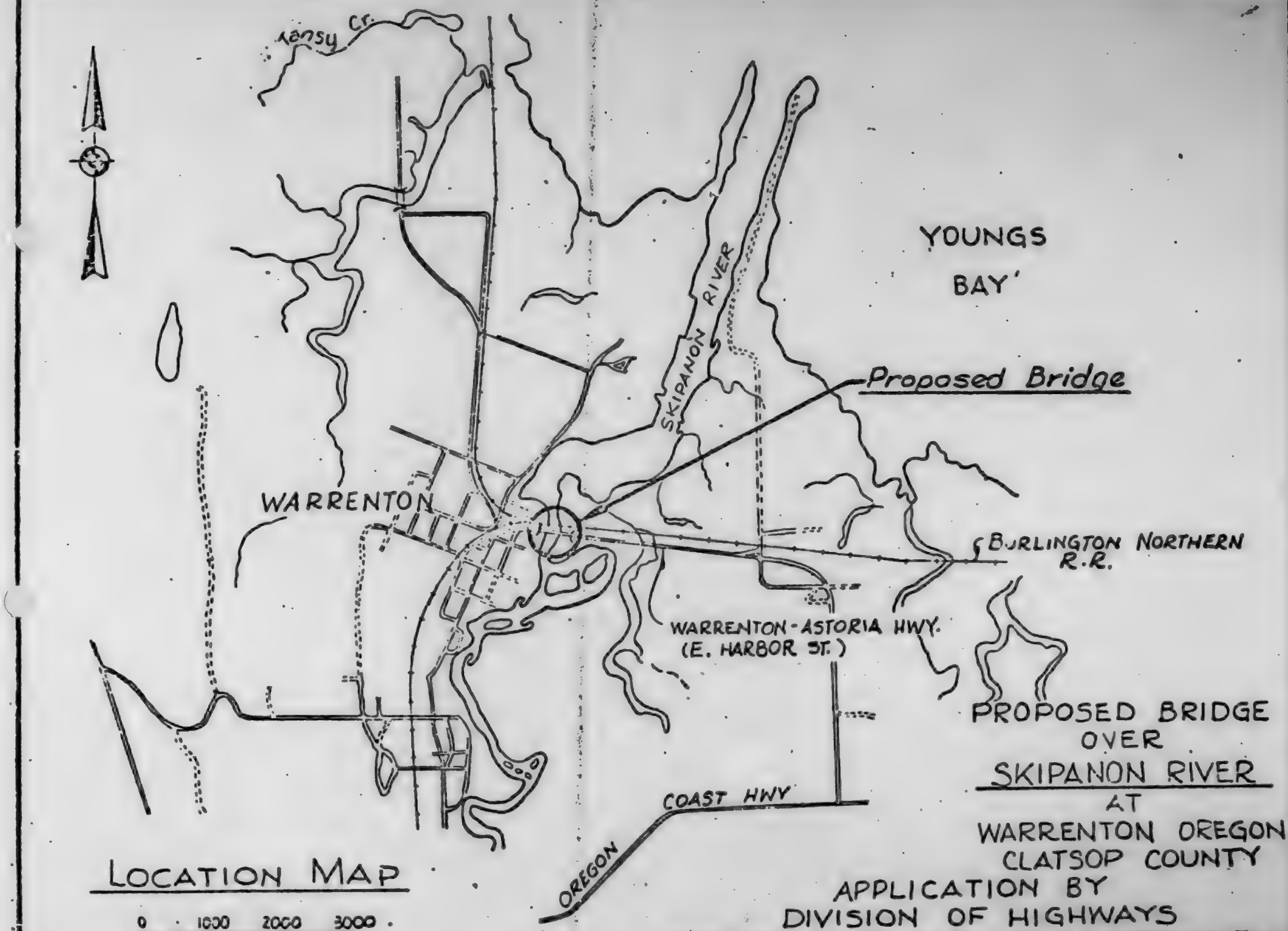
This Notice consists of two sheets of Notice, six sheets of drawings and one sheet Public Notice by Oregon DEQ)

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Encl: (1) Drawings (6)
(2) P/N Ore DEQ

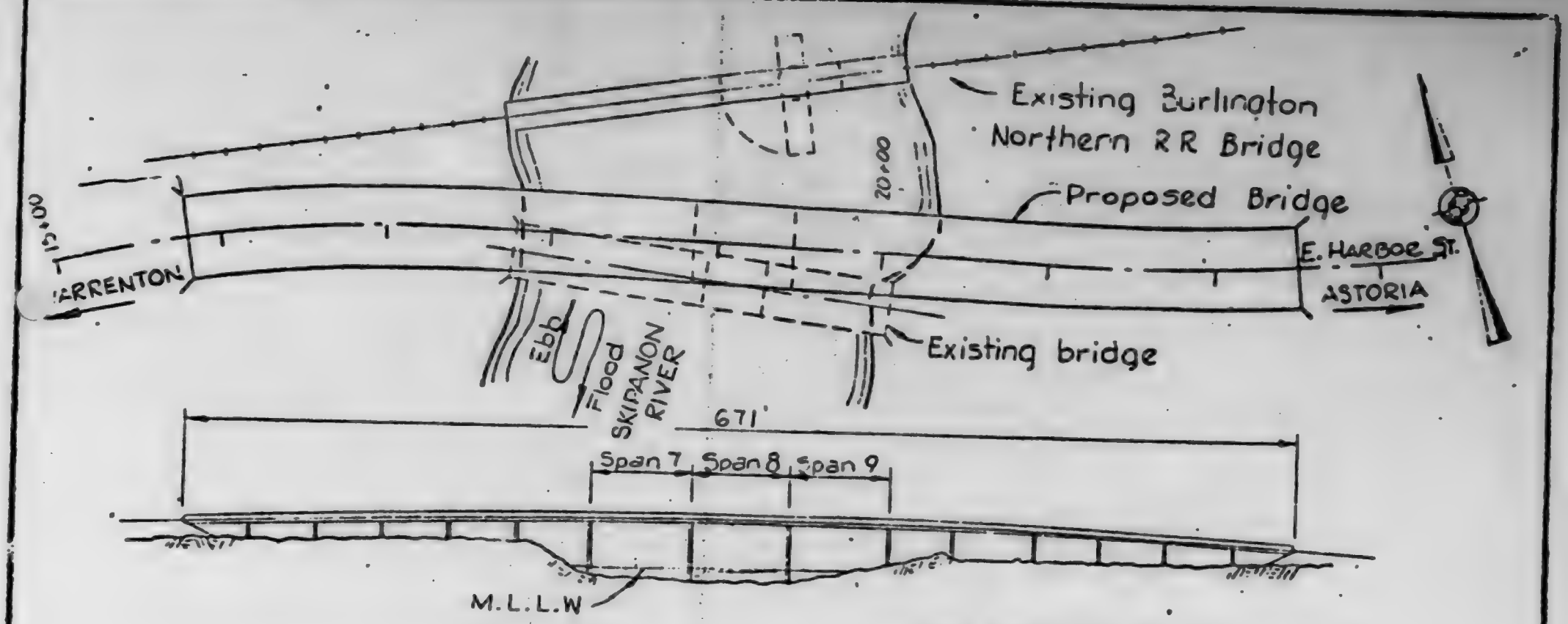


PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 1 OF 6



PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 2 OF 6

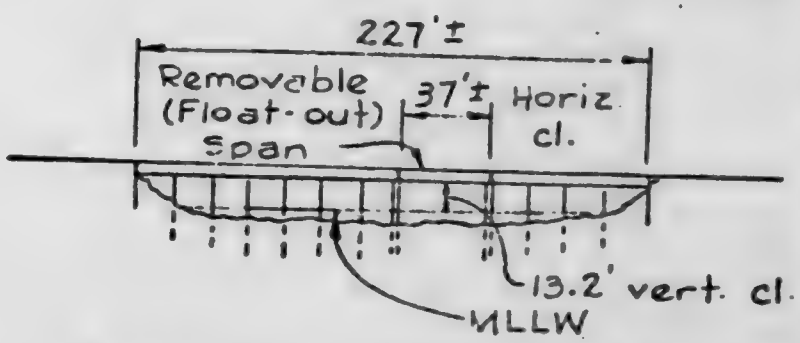


See Sheet 4 for clearance information.

PLAN AND ELEVATION

SCALE IN FEET

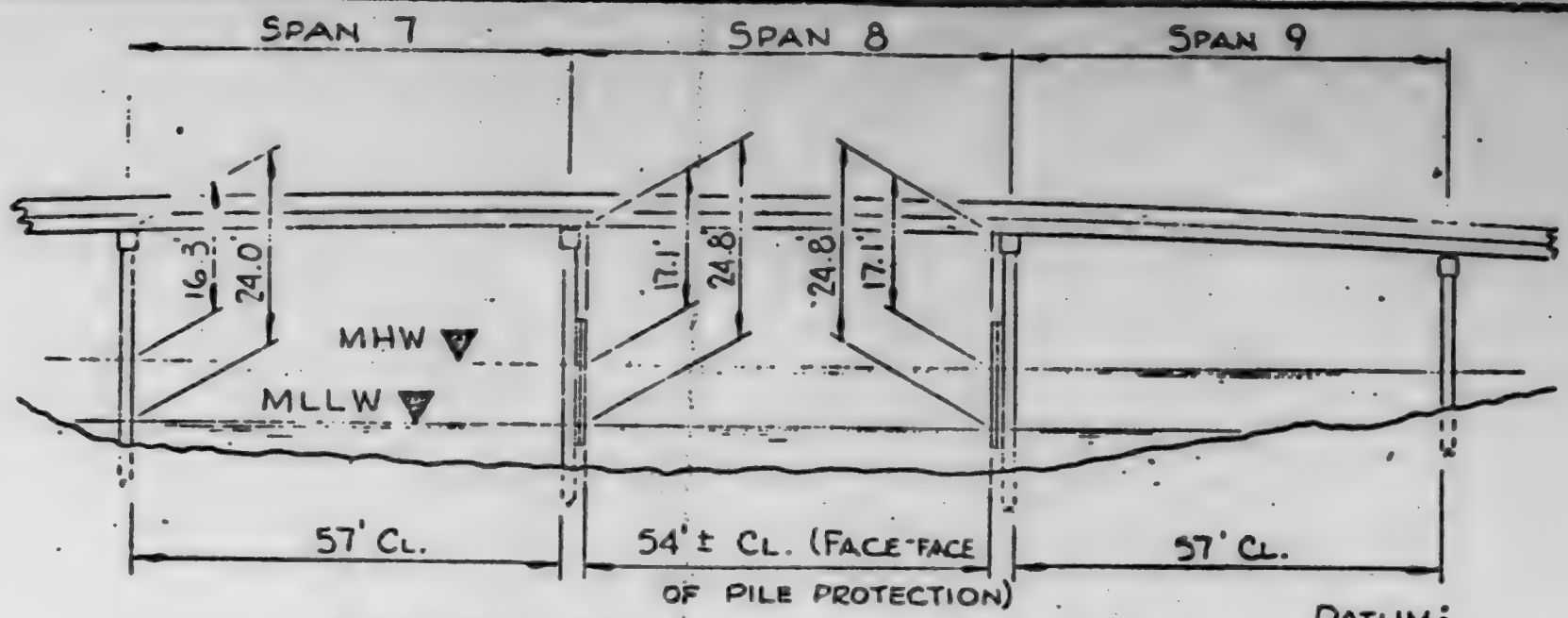
0 100 200 300



ELEVATION - EXISTING BRIDGE

DATUM: M.L.L.W. = Zero Tide

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975

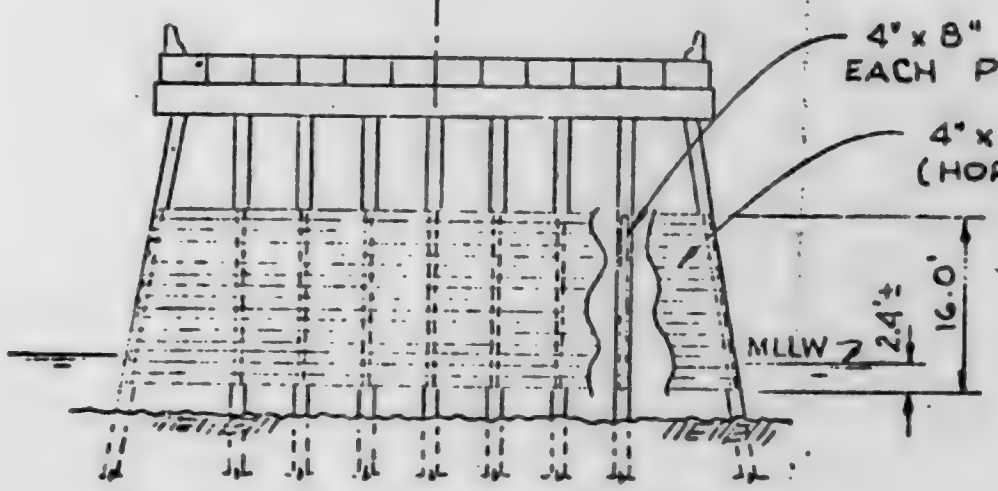


CLEARANCE AT MAIN SPANS

SCALE IN FEET

0 30 60 90

DATUM:
M.L.L.W = ZERO TIDE.

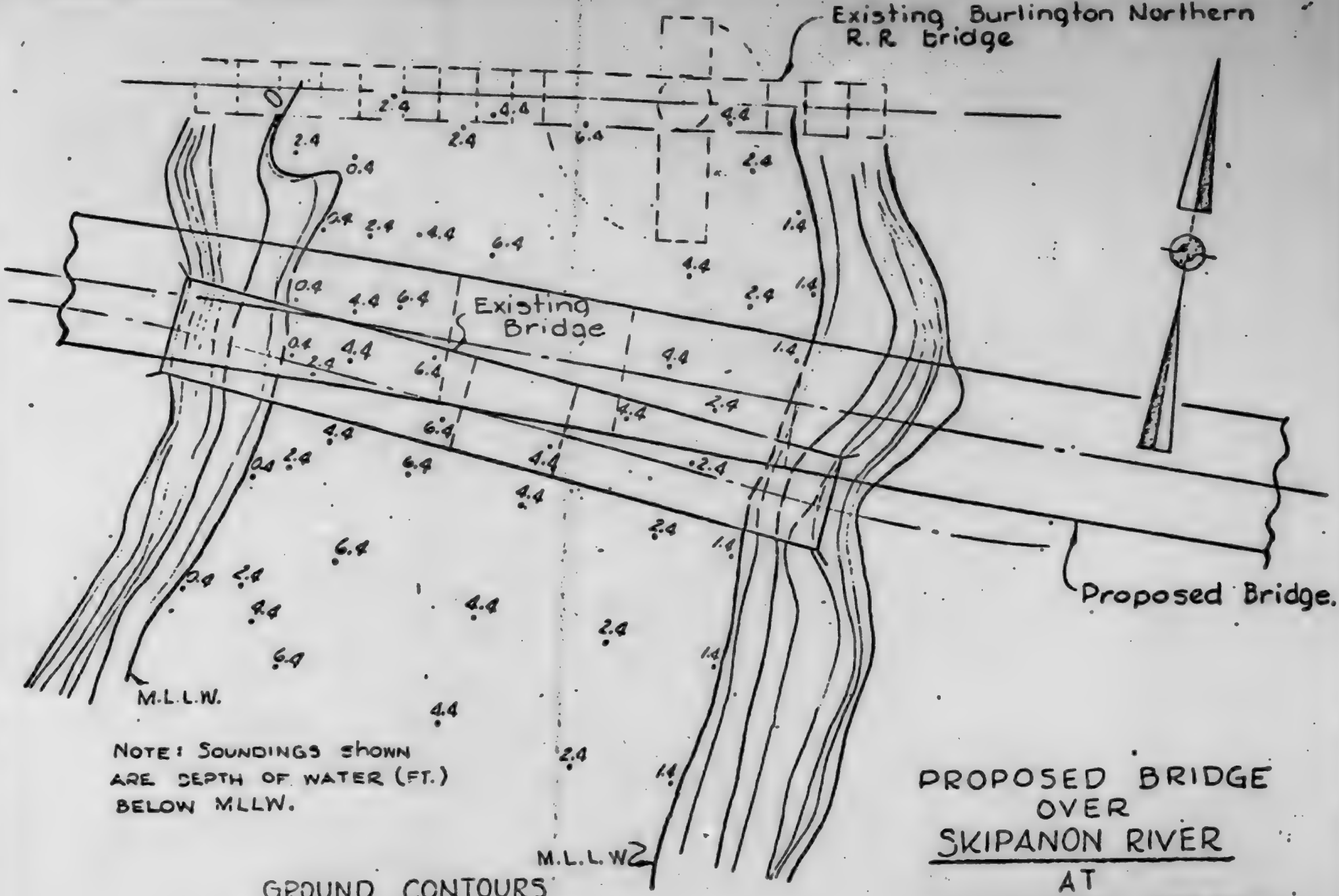


PILE PROTECTION DETAIL

SCALE IN FEET.

0 10 20 30

PROPOSED BRIDGE.
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 4 OF 6.



NOTE: SOUNDINGS shown ARE DEPTH OF WATER (FT.) BELOW M.L.L.W.

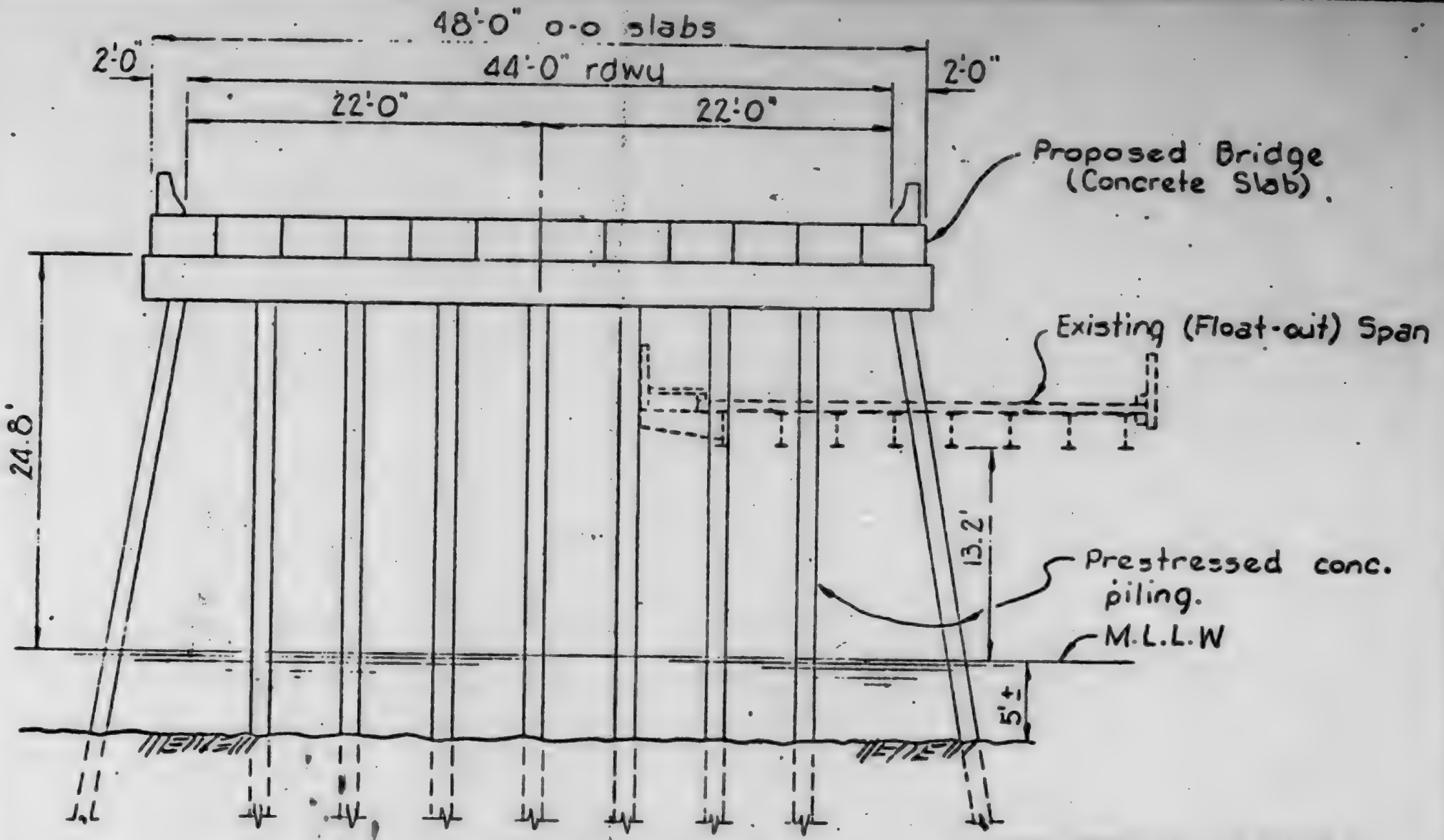
GROUND CONTOURS
AT EXISTING BRIDGE

SCALE IN FEET

0 50 100 150

PROPOSED BRIDGE OVER SKIPANON RIVER AT WARRENTON OREGON CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 5 OF 6



TYPICAL SECTION AT CHANNEL

SCALE IN FEET

0 10 20 30

NOTE: PILE PROTECTION NOT SHOWN.
SEE SHEET 4.

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 6 OF 6

8651

2

NOTED
H. S. COULTER

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

3271
Serial 584
6 November 1975

Oregon State Highway Division
Attention: Mr. E. S. Hunter
State Highway Building
Salem, Oregon 97310

Re: Skipanon Bridge

Gentlemen:

Your drawings for a proposed replacement bridge across Skipanon River at Warrenton, Oregon has been received and Public Notice No. 75-N-26 was issued. A copy is enclosed.

The Office of Commandant of the Coast Guard in Washington, D.C. has also issued operating regulations for the existing bridge specifying when and on what notice the bridge shall open for navigation. The enclosed notice indicates this regulation was agreed to by the State of Oregon. It was signed 24 October 1975. The date of publication in Federal Register is not presently available. It is effective on 8 November 1975. These documents: i.e., Public Notice and Bridge Regulations, are forwarded for information and records.

Sincerely,

R. C. Walton

R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Encl:
(1) Public Notice No. 75-N-26
(2) Drawbridge Regulations

Copy to:
Comdt (G-WBR/73) - (w/o enclosures)
U. S. Attorney, Portland, Oregon

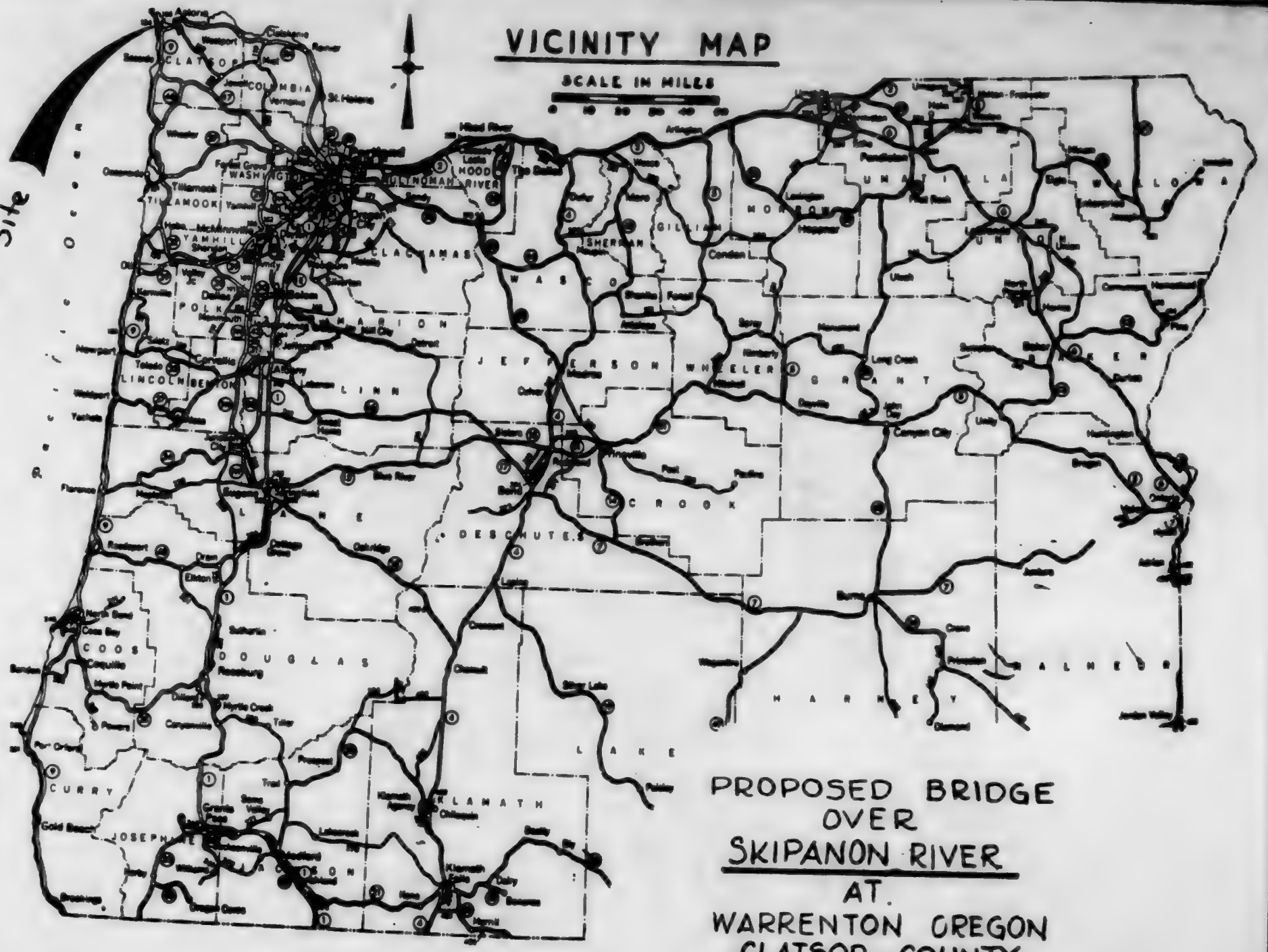
RECEIVED
NOV 10 1975
Office of
Assistant State Highway Engineer

NOTED
E. S. HUNTER
Hunt
Cutler
Wolfe
11-7-75

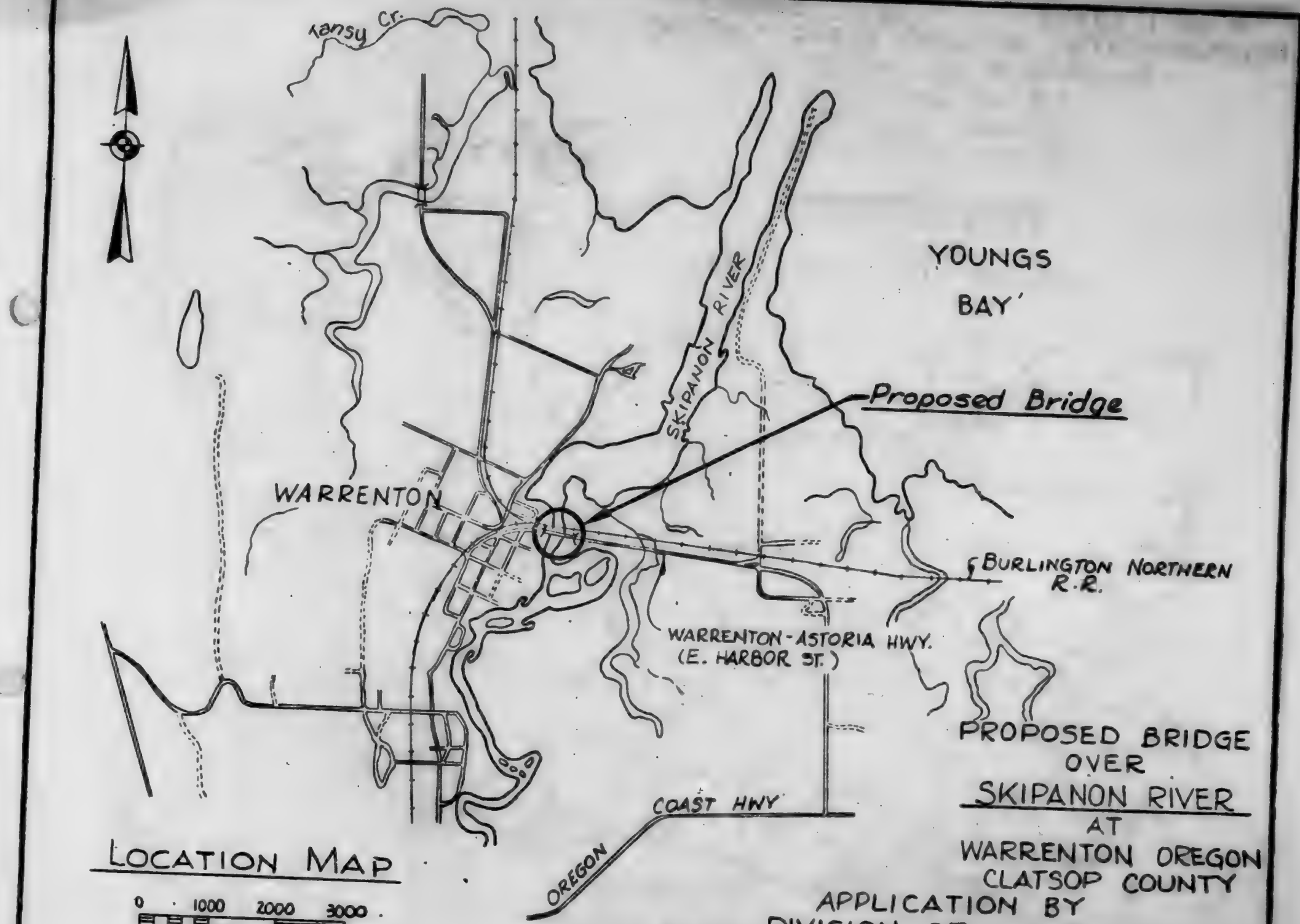
RECEIVED
STATE HWY ENGR
NOV 7 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

VICINITY MAP

SCALE IN MILES

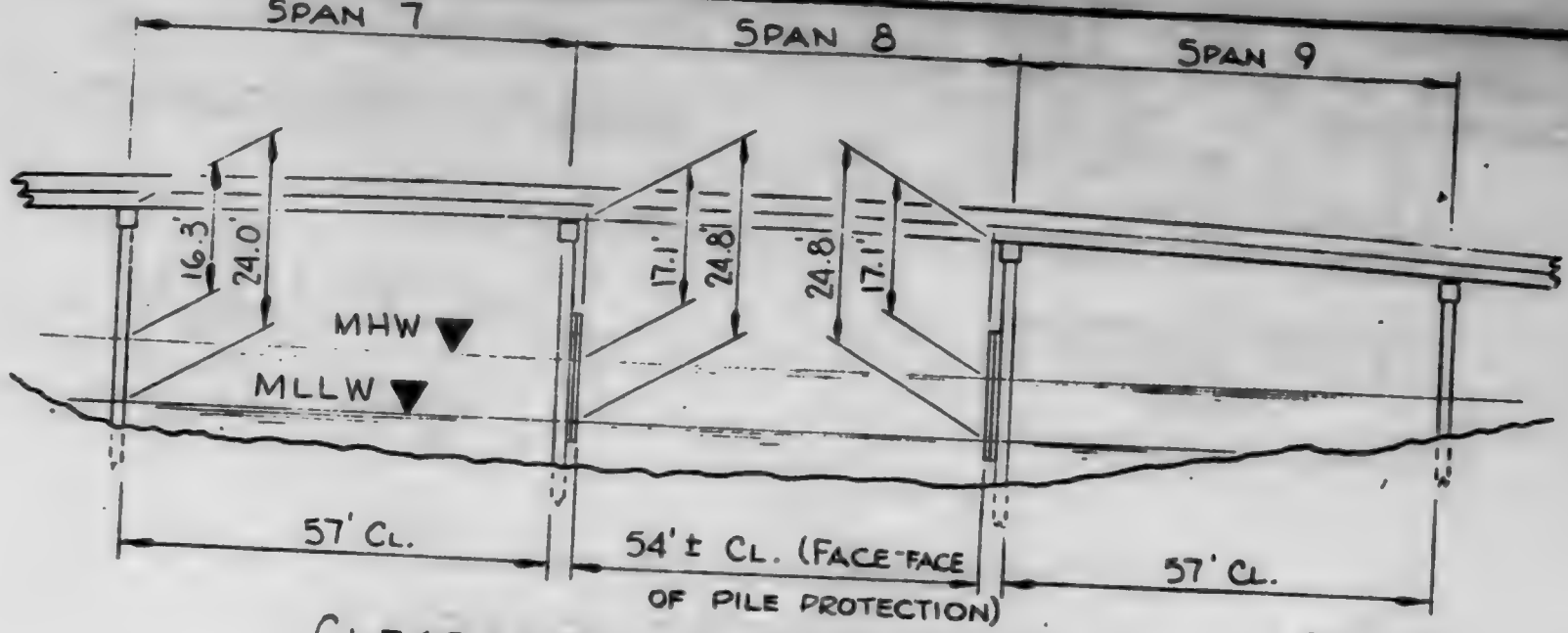


PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975



PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 2 OF 6

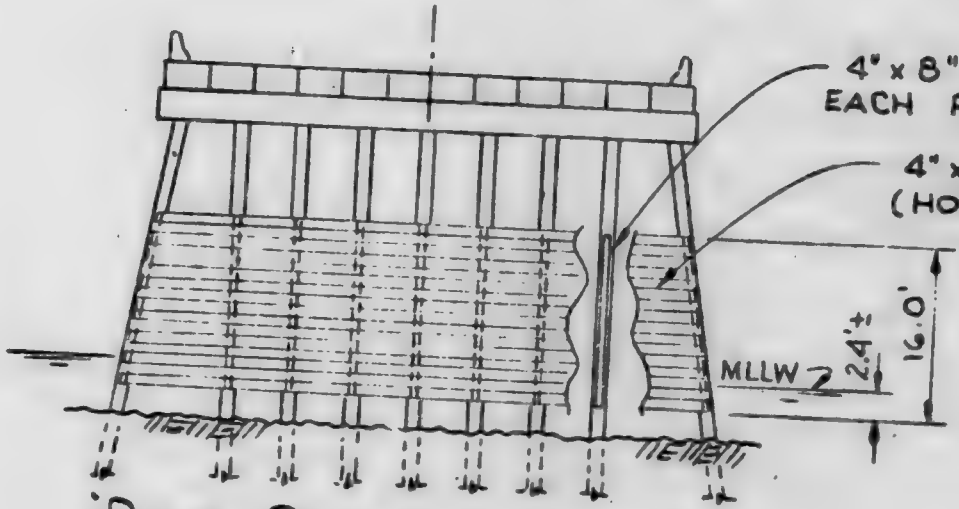


CLEARANCE AT MAIN SPANS

SCALE IN FEET

0 30 60 90

DATUM:
M.L.L.W = ZERO TIDE.

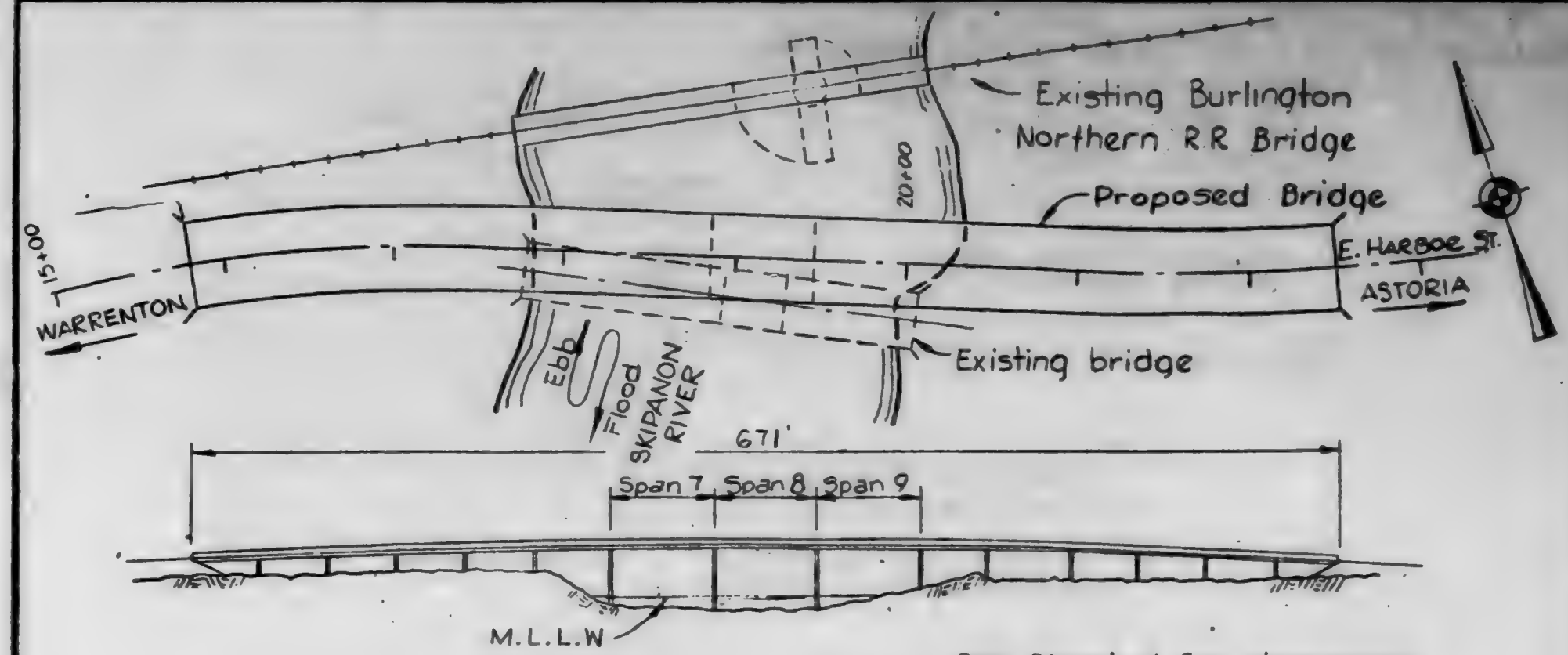


PILE PROTECTION DETAIL

SCALE IN FEET.

0 10 20 30

PROPOSED BRIDGE.
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975

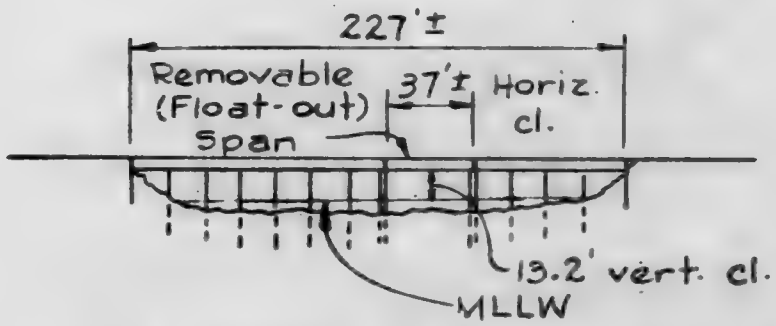


See Sheet 4 for clearance information.

PLAN AND ELEVATION

SCALE IN FEET

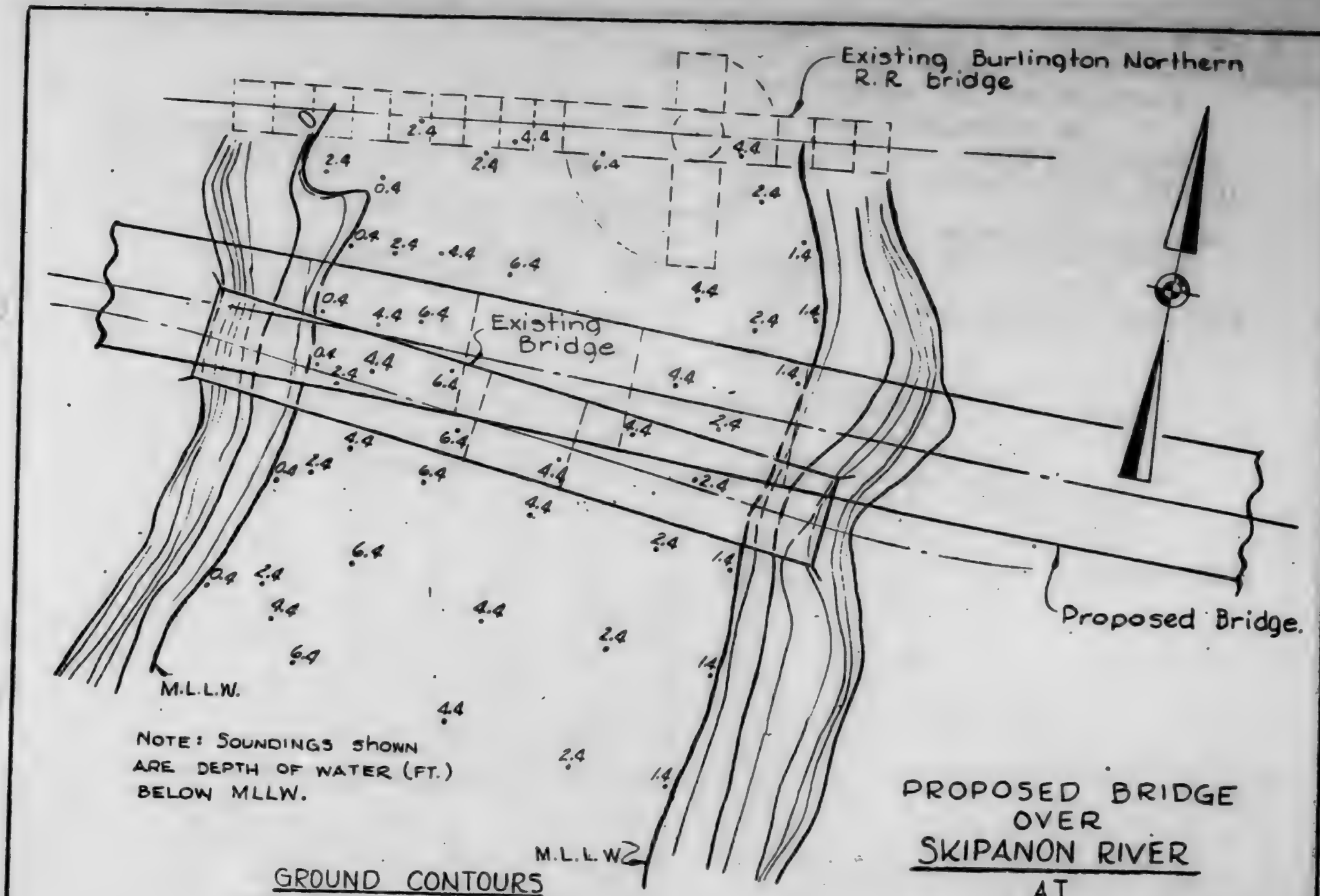
0 100 200 300



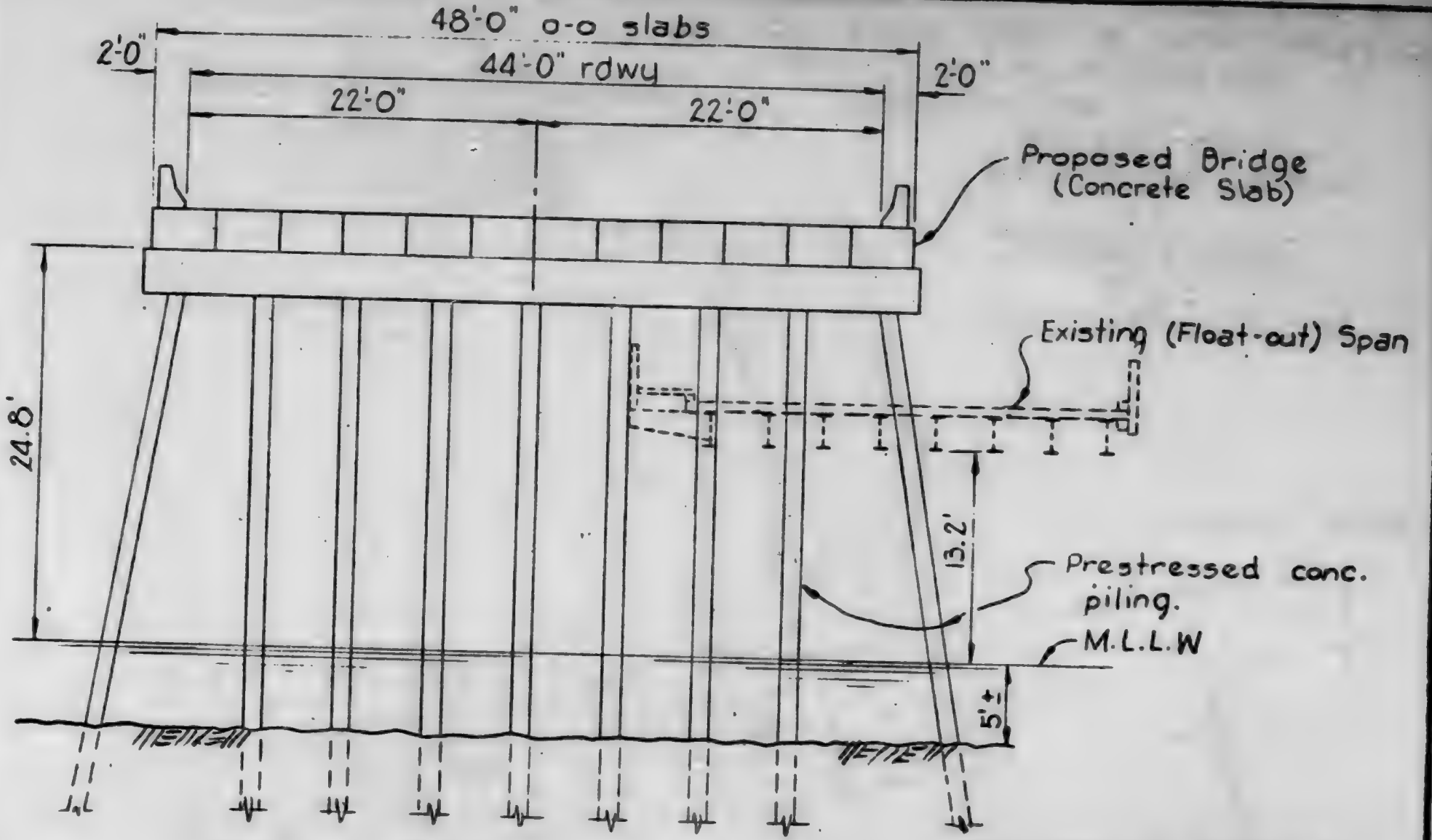
ELEVATION - EXISTING BRIDGE

DATUM: M.L.L.W. = Zero Tide

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 3 OF 6



PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 5 OF 6



TYPICAL SECTION AT CHANNEL

SCALE IN FEET

0 10 20 30

NOTE: PILE PROTECTION NOT SHOWN.
SEE SHEET 4.

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975

TITLE 33 - NAVIGATION AND NAVIGABLE WATERS

CHAPTER 1 - COAST GUARD, DEPARTMENT OF TRANSPORTATION

(CGD 75-155)

PART 117 - DRAWBRIDGE OPERATION REGULATIONS

SKIPANON RIVER, OREGON

On June 26, 1972, the Commandant, U. S. Coast Guard, found that the highway bridge across the Skipanon River at Warrenton, Oregon, was not constructed, maintained, and operated as a drawbridge in accordance with the Bridge Permit issued September 15, 1916, and the Drawbridge Operation Regulations, 33 CFR 117.740(a). The State of Oregon was therefore ordered to restore the bridge to the originally approved plans and operate it in accordance with the regulations.

The State of Oregon has elected to construct a new bridge in the approximate same location. However, because of the modifications, the bridge cannot, as a practical matter, be opened on signal in compliance with the regulations. The bridge can be operated on a limited schedule.

Pursuant to an agreement between the United States and the State of Oregon, the existing regulations in 33 CFR 117.740(a) pertaining to this bridge are suspended and the highway bridge will be operated as provided in the agreement.

The immediately adjacent railroad bridge now required to open on signal would be affected because of its close proximity to the highway bridge, and to require the bridge to operate differently would serve no

useful purpose. Accordingly, the existing regulations 33 CFR 117.740(a) as they apply to the railroad bridge are suspended, and the railroad bridge will be operated on the time schedule established for the highway bridge.

The agreement was negotiated to secure compliance with the Commandant's order of June 26, 1972, in contemplation of litigation. Therefore, public procedure would be impracticable.

In consideration of the foregoing, § 117.740 is amended by adding two notes after paragraph (a)(5) to read as follows:

§ 117.740 Youngs Bay, Lewis and Clark River and Skipanon River, Oregon; bridges.

* * * * *

NOTE 1: Pursuant to an agreement between the United States and the State of Oregon, the regulations in paragraph (a) pertaining to the highway bridge on the Skipanon River are suspended. The agreement states, in part -

The State of Oregon agrees to schedule two openings of the existing bridge each week to permit the passage of maritime traffic on the Skipanon River. This schedule will be subject to the approval of the Coast Guard. The two weekly openings will be scheduled no closer than every three days. The State will not schedule openings during peak vehicular traffic hours.

The State of Oregon will not be required to open the bridge at the scheduled time unless a request to do so is received by the State, or the State's agent for that purpose, within twelve hours of the scheduled opening.

The State of Oregon will not be required to open the bridge during peak vehicular traffic hours. Peak vehicular traffic hours are agreed to be between 0730 and 0930, and 1630 and 1830 on Mondays through Fridays, excluding holidays.

The State of Oregon agrees to post appropriate public notices on the bridge and in local periodicals, advising the public of the schedule of openings and the procedures for passing through the bridge.

NOTE 2: The regulations in paragraph (a) pertaining to the railroad bridge on the Skipanon River are suspended, and the railroad bridge will operate on the schedule established for the highway bridge in NOTE 1.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 5 U.S.C. 553(b)(3)).

Effective date: This revision shall become effective on NOV 8 1975

Dated: 24 OCT 1975

D. J. RILEY
Captain, U. S. Co...
Acting Chief, Offi...
Environment and ...

8651

9

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE: (206) 442-5864

RECEIVED
STATE HWY ENGR
NOV 4 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

3271
Serial 567
29 October 1975

cy Wolfe
Hank
11-4-75

In reply refer to
Proposed bridge across
Skipanon River at Mile 2.0
at Warrenton, Oregon

NOTED
E. S. HUNTER

PUBLIC NOTICE NO. 75-N-26

BRIDGES

All interested parties are notified that an application has been received from Oregon State Highway Division, Highway Building, Salem, Oregon 97310, by the Commander, Thirteenth Coast Guard District for approval of location and plans for construction of a highway bridge over navigable waters as follows:

WATERWAY AND LOCATION

Skipanon River at Mile 2.0 at Warrenton, Oregon

CHARACTER OF WORK

The applicant proposes to replace an existing 2-lane highway bridge with a modern structure. The proposed bridge will be constructed on a slightly different alignment as shown on the attached drawings.

The existing bridge was constructed as a hand-operated bascule structure in accordance with plans approved 15 September 1916. The bridge has been converted to a float-out span without benefit of permit. The Coast Guard ordered the bridge owner to either restore the bridge to the original permit requirements or submit an application for a replacement bridge. This application is for a fixed replacement bridge which will provide navigation clearances as follows:

Horizontal	54 feet
Vertical	24.8 feet at M.L.L.W. Elev. 0.0 feet 17.1 feet at M.H.W. Elev. 7.7 feet

P/N No. 75-N-26
Bridges

Navigation clearances of the existing bridge are as follows:

Horizontal	37 feet
Vertical	13.2 feet at M.L.L.W. Elev. 0.0 feet 5.5 feet at M.H.W. Elev. 7.7 feet

BASIS FOR DECISION

The decision as to whether or not approval of the location and plans for the proposed bridge will be granted must rest upon the impact of the bridge on navigation and the quality of the human environment. Factors such as wildlife and waterfowl refuges, public parks and historic sites will be made part of the record and will be considered in determining whether or not it would be in the best public interest to grant approval.

SOLICITATION OF COMMENTS

Interested parties are requested to express their views, in writing, on the suitability of the location, the effect on the environment and the adequacy of the navigation clearances, giving sufficient detail to establish a clear understanding of the reasons for support or opposition. Protests or comments will be received for the record at the Office of the Commander, Thirteenth Coast Guard District (oan), 915 Second Avenue, Seattle, Washington 98174 through 1 December 1975.

ENVIRONMENTAL CONSIDERATIONS

The applicant has prepared an Environmental Impact Statement for the project. Copies of the statement will be available for review at the offices of the applicant and in the office of Commander, Thirteenth Coast Guard District (oan), 915 Second Avenue, Seattle, Washington 98174. The Coast Guard will make an independent examination of the environmental effects of the bridge and review all comments received in regard to this application.

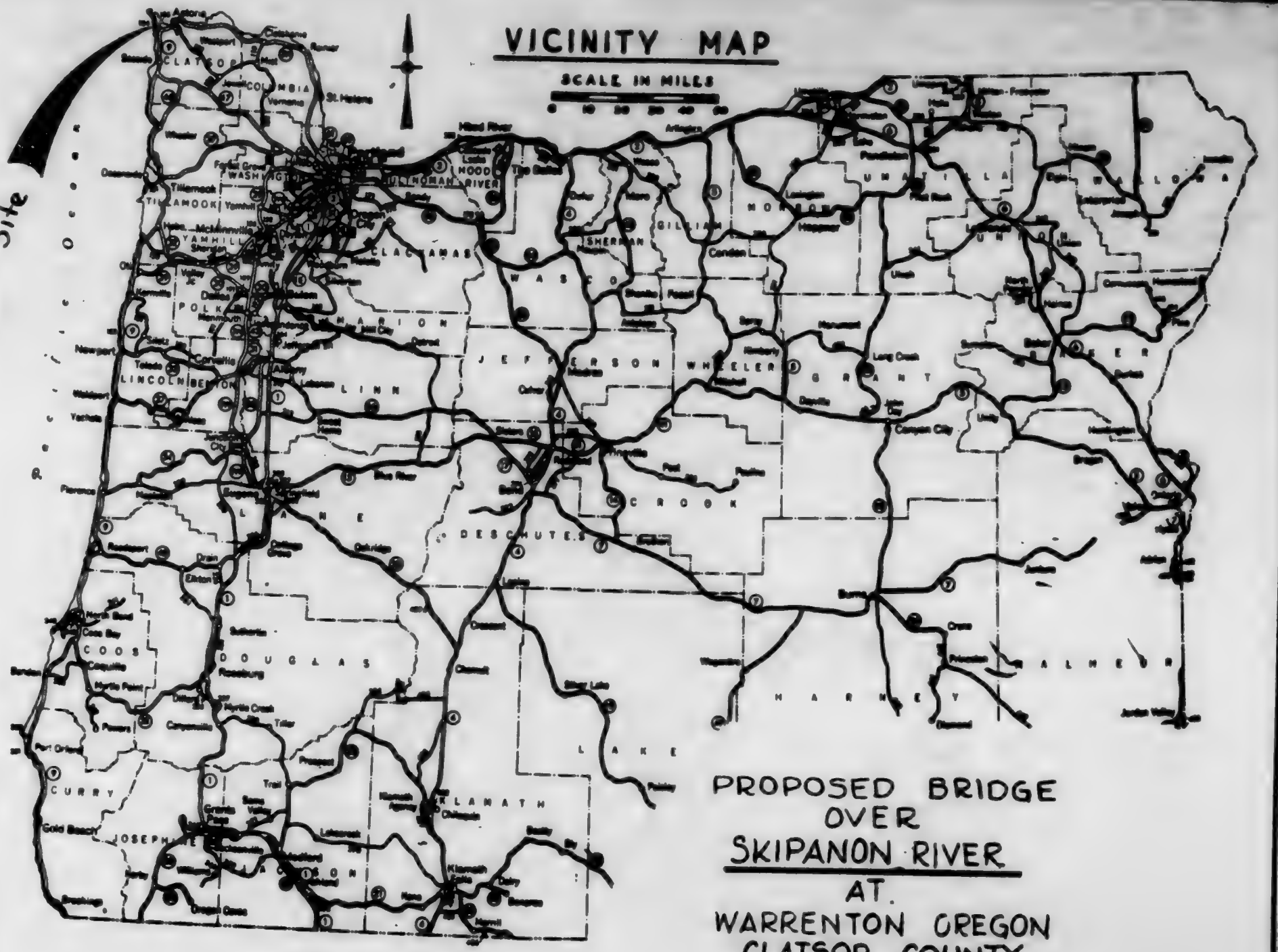
This Notice consists of two sheets of Notice, six sheets of drawings and one sheet Public Notice by Oregon DEQ)

R. C. Walton

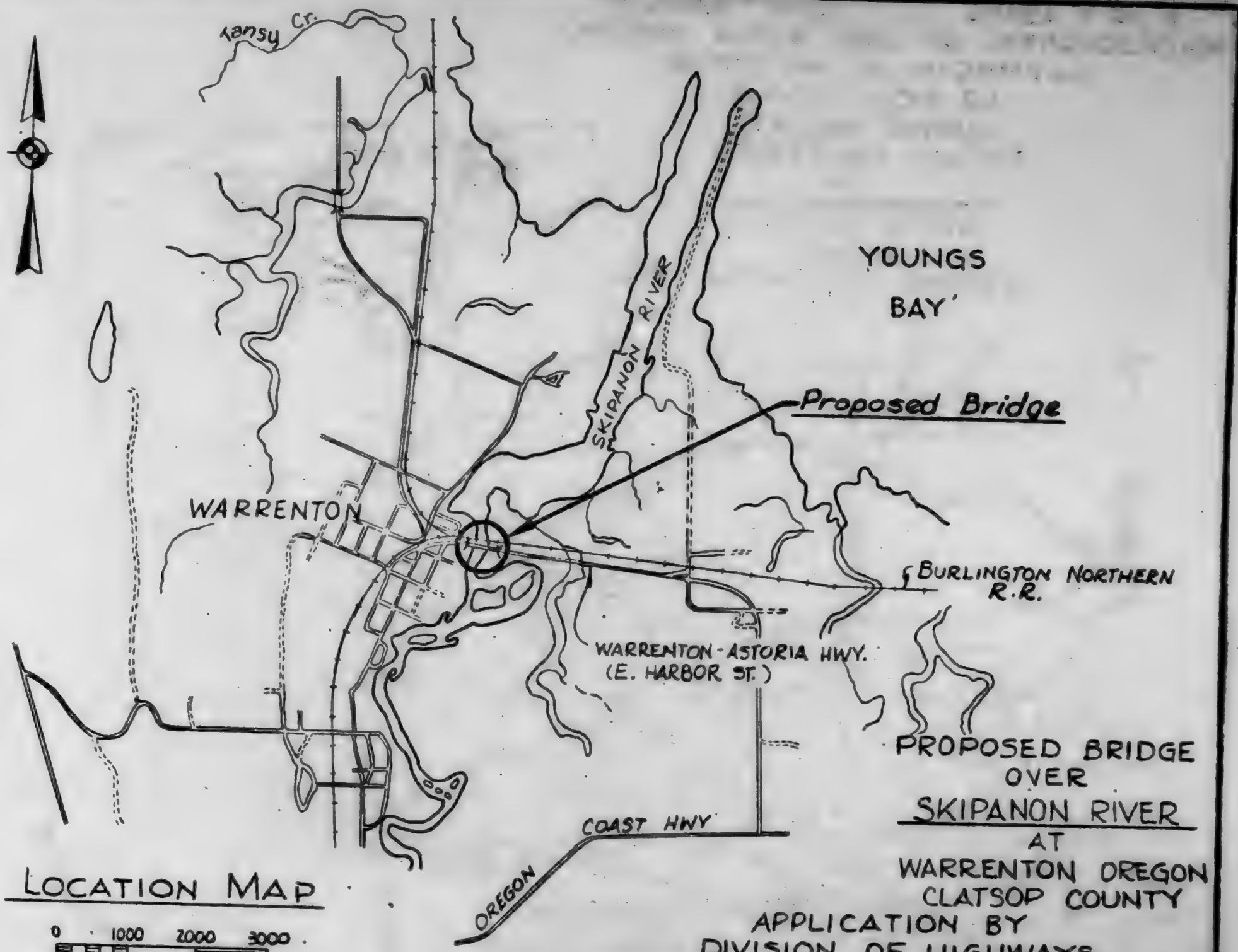
R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Encl: (1) Drawings (6)
(2) P/N Ore DEQ

VICINITY MAP

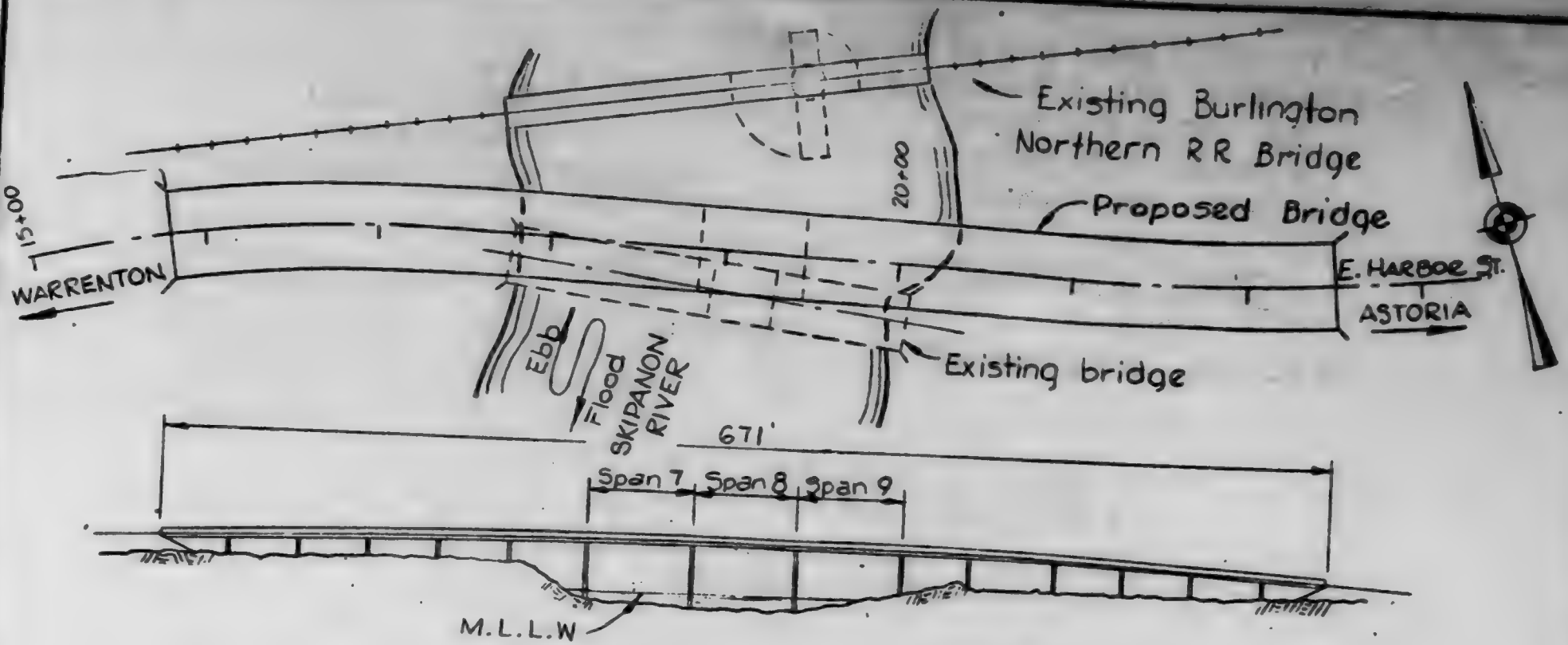


PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 1 OF 6



LOCATION MAP

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 2 OF 6



See Sheet 4 for clearance information.

PLAN AND ELEVATION

SCALE IN FEET

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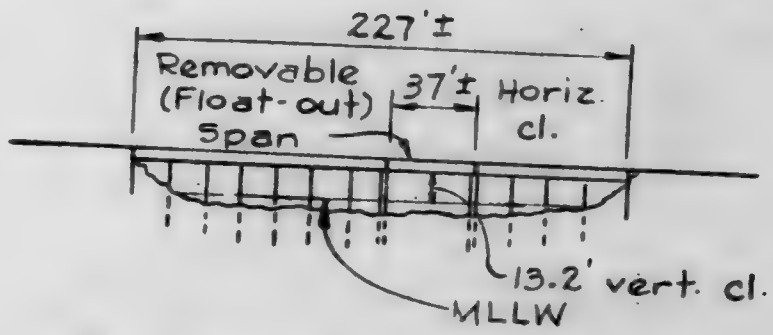
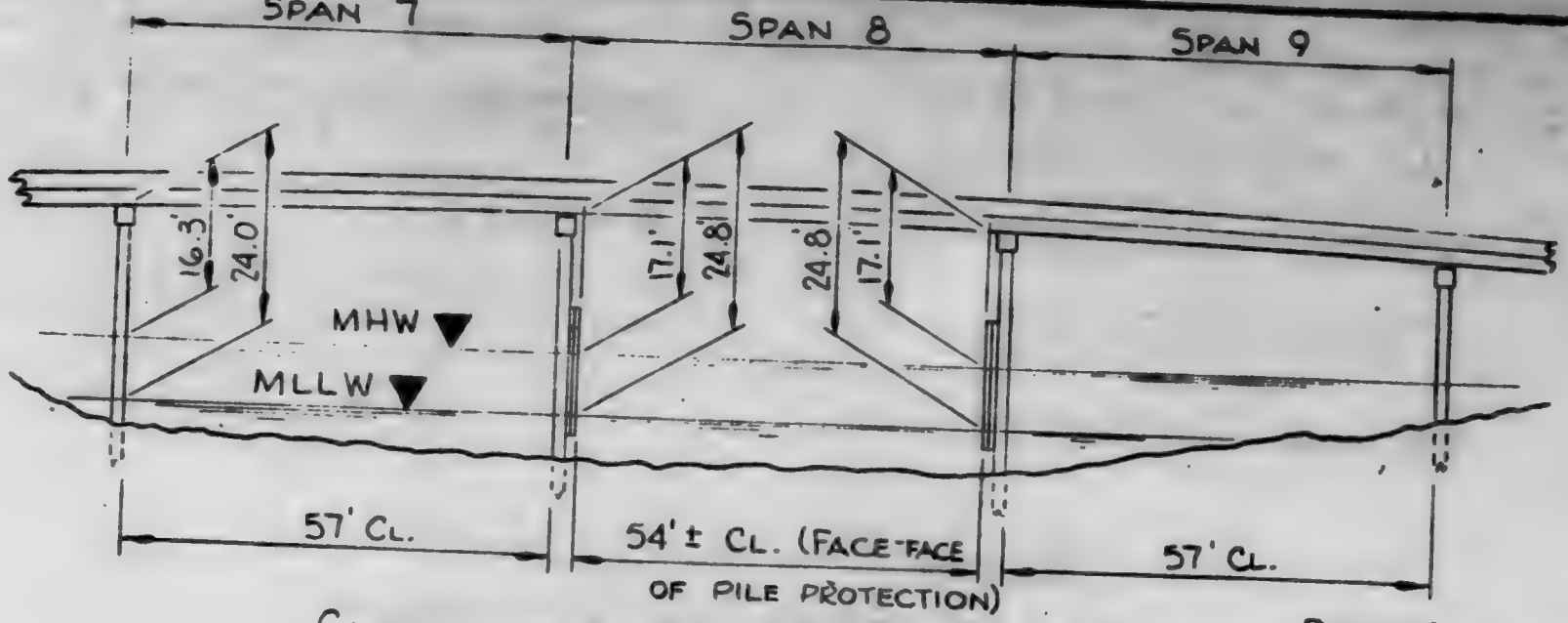


ELEVATION - EXISTING BRIDGE

DATUM: M.L.L.W. = Zero Tide

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975



CLEARANCE AT MAIN SPANS

SCALE IN FEET

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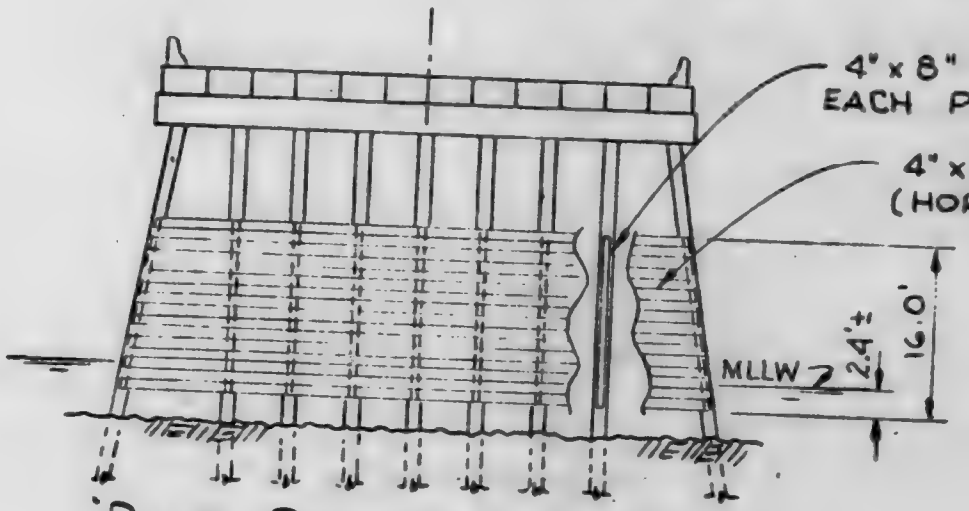
DATUM:
M.L.L.W = ZERO TIDE.

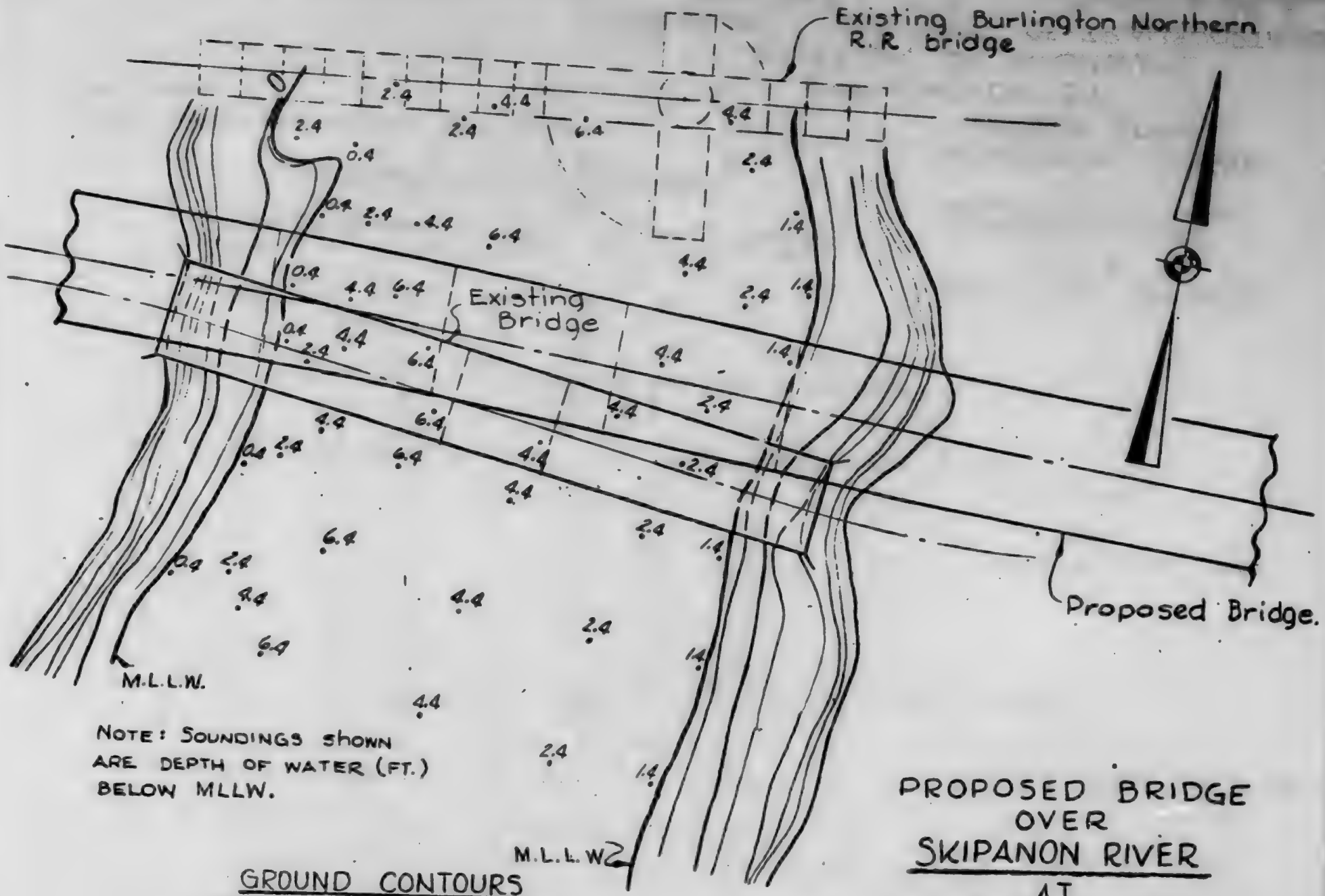


PILE PROTECTION DETAIL

SCALE IN FEET.

0 10 20 30

PROPOSED BRIDGE.
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975



NOTE: SOUNDINGS SHOWN ARE DEPTH OF WATER (FT.) BELOW MLLW.

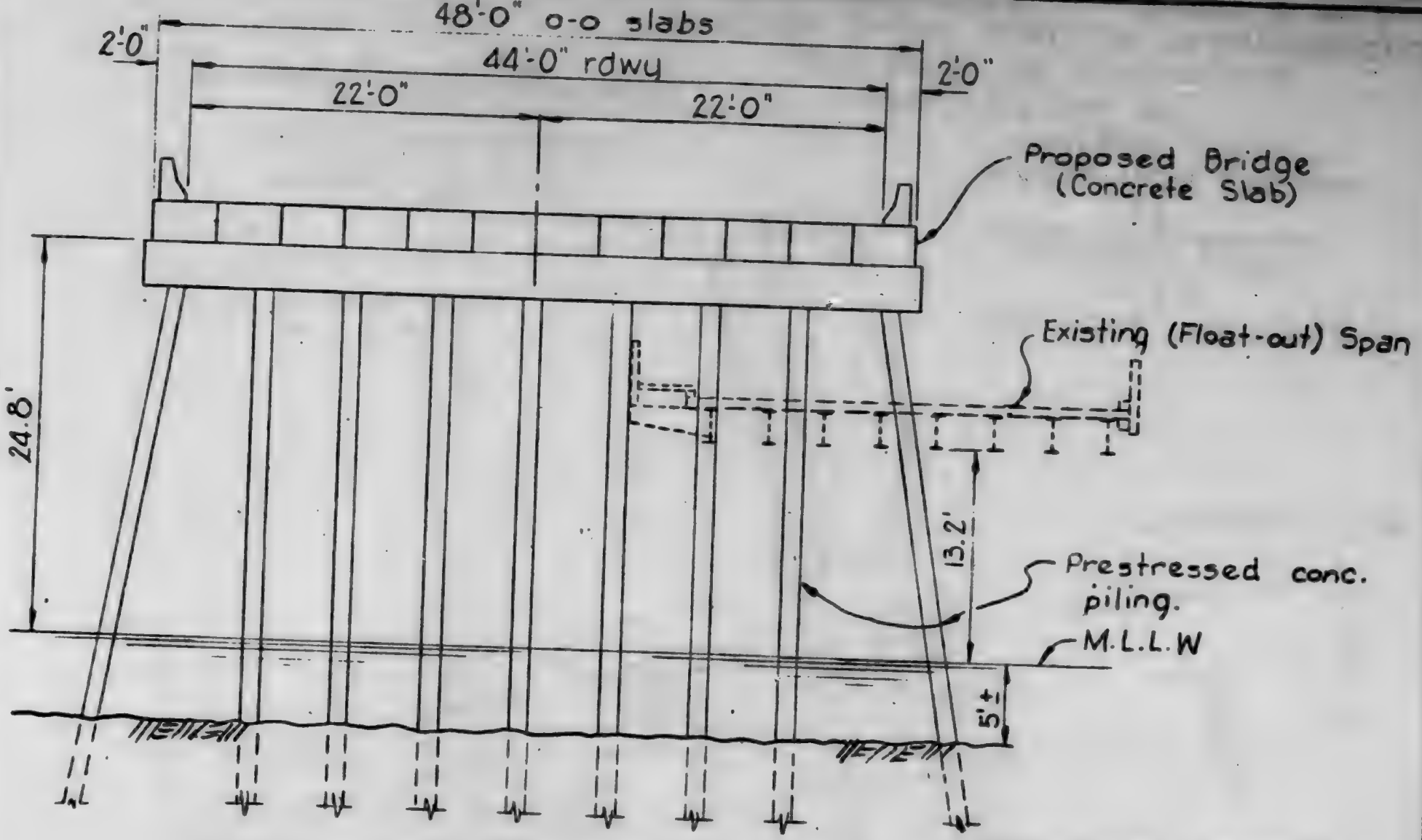
GROUND CONTOURS
AT EXISTING BRIDGE

SCALE IN FEET

0 50 100 150

PROPOSED BRIDGE OVER SKIPANON RIVER AT WARRENTON OREGON CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975



TYPICAL SECTION AT CHANNEL

SCALE IN FEET

0 10 20 30

NOTE: PILE PROTECTION NOT SHOWN.
SEE SHEET 4.

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975

SHEET 6 OF 6

8651

9

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

ROBERT W. STRAUB
GOVERNOR

October 24, 1975

1129-K

Mr. Darryl Bergersen
Bergersen Enterprises
3391 Irving
Astoria, Oregon 97103

Dear Mr. Bergersen:

I appreciate your calling my attention to the article from the North Coast Times Eagle. After reviewing the activities and investigations made by the Highway Division prior to and following the decision to acquire the floating devices being used to open the Skipanon River Bridge, I find that no improprieties have occurred.

It is hoped the Highway Division's recent response to you clarified the situation.

I appreciate your concern and agree that the State and other public agencies should not be in competition with or "squeezing out" private enterprises.

Sincerely,

Governor

RWS:cb

bcc Department of Transportation

RECEIVED
STATE HWY ENGR
NOV 3 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File
NOTED
MARIE STEPHENS

COPY

State 'Barges In' on Private Jobs

EDITOR'S NOTE: In June of this year, the state of Oregon attempted to facilitate the process of opening the outdated Skipanon bridge. Previous to June, in order to open the bridge to river traffic, it was necessary to have prior notice of the opening, so the state could then lease the services of private barge operators to lift the center section of the bridge to allow river traffic to pass. The cost of opening the bridge ranged anywhere from $1800 to $4600 per operation. Finally the State decided to buy its own barge to beat the cost of private leasings.

But the way in which the barge was purchased, and the tendency of the State to assimilate private enterprise, have caused many to reflect about the nature and tactics of the State, not to mention the apparent featherbedding that goes on on tax-payers money. One such man is Darryl Bergerson—a private barge operator in Astoria. Ken Greenfield spoke with Mr. Bergerson this week. What he has to say raises some important questions.

ASTORIA — Bergerson Enterprises is but one of the former outfits which was commissioned from time to time to open the Skipanon bridge. The owner, Darryl Bergerson, had been contacted by the State concerning the relative convenience of leasing versus buying a barge for opening the bridge. Yet, when the State decided to buy a barge, there was no advertisement for bids, according to Mr. Bergerson: "At one time, they were interested in our stuff. I told them that I was sure they had to put it up for bids to let everybody know and let everybody have an equal chance. That's all I wanted. Well, they didn't put this thing up for bids. The barge now on the Skipanon was bought in Tacoma, Washington (and I think they paid state tax on it) and it was made in London, England. They bought it for over $40,000. . . I had known where there was one for $17,000 on the Mississippi River, but I never had the chance to compete in the process of the State's purchase."

When Mr. Bergerson received a call to open the bridge, he would take a crew of three people, a barge, and rent a set of hydraulic jacks to remove the center portion of the bridge. Last week, he drove down to Warrenton to watch the State's crew maneuver the new barge and counted 16 State employees and 11 State vehicles. As Mr. Bergerson puts it: "I'd go broke; only the state can cover up its own mistake -- and they don't have to put it on a piece of paper: what it's costing them or how much. I never had a rich Daddy. I had to know what it costs me. Like so many instances around the state, it's just a fiasco — they take over the job of private enterprise, then write off their waste as maintenance."

Bergerson Enterprises is a diverse marine construction operation. It is involved in piledriving, heavy machinery rental, and dock and bridge building. The State has become more involved in construction operations over the years, and sees the tendancy of the State to assimilate private interests as a real threat to the free enterprise system: "This really doesn't hurt my business that much yet, but boy, I can see it growing. It's hurting other people's worse than me; people who have only one back hoe, the blacktop companies, dump truck drivers -- I don't like to see the State going in this direction, and they're going there awfully heavy, awfully fast."

The State's purchase of a barge to defray mounting costs of contracting out to private firms may have been a sound idea economically. In theory it would seem that the State must save money in the long run, or at least until a new bridge which can easily accommodate river traffic is built on the Skipanon. If there were no advertisements for bids put out by the State, however, an injustice has been committed. And if there is featherbedding in the administering of the barge on the Skipanon, an equal injustice is being perpetrated upon the people of the state.

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
COMMANDER (oan)
THIRTEENTH COAST GUARD DISTRICT
915 SECOND AVE.
SEATTLE, WASH. 98174
PHONE (206) 442-5864

3271
Serial 567
29 October 1975

In reply refer to
Proposed bridge across
Skipanon River at Mile 2.0
at Warrenton, Oregon

PUBLIC NOTICE NO. 75-N-26

BRIDGES

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Skipanon River at Mile 2.0 at Warrenton, Oregon

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P/N No. 75-N-26
Bridges

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Horizontal	37 feet
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SOLICITATION OF COMMENTS

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ENVIRONMENTAL CONSIDERATIONS

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R. C. WALTON
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

Encl: (1) Drawings (6)
(2) P/N Ore DEQ

Memo from

DARRYL BERGERSON

Transportation

BERGERSON ENTERPRISES B ASTORIA

October 9, 1975

RECEIVED
OCT 16 1975
Governor's Office
003067

Governor Robert Straub
State Capitol
Salem, Oregon

Please prepare draft reply for Governor's signature by 10-29
Thank you.

Dear Governor Straub:

Enclosed is an article that I would appreciate your reading and considering.

This problem of the State going into the contracting business and squeezing out "private enterprise" has bothered me for some time. I hope that you will find this problem worthy of your consideration.

Sincerely,

Darryl Bergerson
Darryl Bergerson

RECEIVED
STATE HWY ENGR
OCT 20 '75
REFER TO
Coulter
FOR
Info | Inves | R/D | O/R | Sign | Act | File
✓

Ry
9BX 1129

BERGERSON ENTERPRISES, 3391 IRVING, ASTORIA, OREGON 97103 — (503) 325-7139
"FOR A JOB WELL DONE"

due DOT 10-27

RECEIVED
OCT 20 1975
OFFICE
DIRECTOR of TRANSPORTATION

State 'Barges In' on Private Jobs

EDITOR'S NOTE: In June of this year, the state of Oregon attempted to facilitate the process of opening the outdated Skipanon bridge. Previous to June, in order to open the bridge to river traffic, it was necessary to have prior notice of the opening, so the state could then lease the services of private barge operators to lift the center section of the bridge to allow river traffic to pass. The cost of opening the bridge ranged anywhere from $1800 to $4500 per operation. Finally the State decided to buy its own barge to beat the cost of private leasings.

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October 23, 1975

1129-K

Mr. Darryl Bergerson
Bergerson Enterprises
3391 Irving
Astoria, Oregon 97103

Dear Mr. Bergerson:

Early this year, because of increasing requests to open the Skipanon River Bridge and escalating bids for performing the work, a study was made of alternate ways of responding to the needs of river traffic. Rough estimates were obtained for leasing and purchasing barges with or without propulsion. Annual leasing costs amounted to about one-fourth of the purchase estimates.

Our research and discussions with individuals in federal and state governments and private industry resulted in the following determinations:

(1) Leasing should be considered only if need is for a short time;

(2) If more than a very few openings are needed per year, proceeding in the same way as prior years would not be appropriate;

(3) Of the various types of barges, pontoons, et cetera, investigated, potential long-term benefit to the state was greatest with acquisition of modular units.

We compared costs and availability from suppliers contacted throughout the United States and it was determined the best buy was the equipment which was purchased in the State of Washington. Our Equipment Unit has a record of each contact made and these are available for inspection to determine the equity of the procedure.

I am sorry to hear you feel our operation is in conflict with the private enterprise system. Considering the frequency with which the bridge has been opened recently, it is felt that we can spend public funds more prudently and provide a response time which better serves the interest of navigation and the public traveling on the highway system.

The cooperation which your firm has given the Highway Division in the past is greatly appreciated. Should the situation arise when your equipment is needed, you will be given every opportunity to submit a competitive bid.

Very truly yours,

F. B. Klaboe, Administrator
and State Highway Engineer

bc The Honorable Robert W. Straub
bbc George M. Baldwin
E. S. Hunter
H. S. Coulter
C. O. Fredrickson

COF:elf HSC:ia srb

Memo from

DARRYL BERGERSON

BERGERSON ENTERPRISES B ASTORIA

October 9, 1975

Administrator
Oregon State Highway Department
Salem, Oregon 97310

Dear Sir:

Enclosed is an article from the North Coast Times Eagle that I thought you might find of interest.

This problem of the State going into the contracting business and squeezing out "private enterprise" has bothered me for some time. I hope that you will find this problem worthy of your consideration.

Sincerely,

Darryl Berger

Darryl Bergerson

RECEIVED
STATE HWY ENGR
OCT 15 '75
REFER TO
Coulter
FOR
Info | Inves | R/D | B/R | Sign | Act | File

Ref 7BK 1129

State 'Barges In' on Private Jo

EDITOR'S NOTE: In June of this year, the state of Oregon attempted to facilitate the process of opening the outdated Skipanon bridge. Previous to June, in order to open the bridge to river traffic, it was necessary to have prior notice of the opening, so the state could then lease the services of private barge operators to lift the center section of the bridge to allow river traffic to pass. The cost of opening the bridge ranged anywhere from $1500 to $4500 per operation. Finally the State decided to buy its own barge to beat the cost of private leasings.

But the way in which the barge was purchased, and the tendency of the State to assimilate private enterprise, have caused many to reflect about the nature and tactics of the State, not to mention the apparent featherbedding that goes on on tax-payers money. One such man is Darryl Bergerson--a private barge operator in Astoria. Ken Greenfield spoke with Mr. Bergerson this week. What he has to say raises some important questions.

ASTORIA -- Bergerson Enterprises is but one of the former outfits which was commissioned from time to time to open the Skipanon bridge. The owner, Darryl Bergerson, had been contacted by the State concerning the relative convenience of leasing versus buying a barge for opening the bridge. Yet, when the State decided to buy a barge, there was no advertisement for bids, according to Mr. Bergerson: "At one time, they were interested in our stuff. I told them that I was sure they had to put it up for bids to let everybody know and let everybody have an equal chance. That's all I wanted. Well, they didn't put this thing up for bids. The barge now on the Skipanon was bought in Tacoma, Washington (and I think they paid state tax on it) and it was made in London, England. They bought it for over $40,000... I had known where there was one for $17,000 on the Mississippi River, but I never had the chance to compete in the process of the State's purchase."

When Mr. Bergerson received a call to [illegible] he would take a crew of three people, a barge, and [illegible] set of hydraulic jacks to remove the [illegible] bridge. Last week, he drove down to [illegible] the State's crew maneuver the new barge and operated it. State employees and 11 State vehicles. As Mr. Bergerson puts it: "I'd go broke; only the state can cover up its own mistake -- and they don't have to put it on a piece of paper, what it's costing them or how much. I never had a rich Daddy. I had to know what it costs me. Like so many instances around the state, it's just a fiasco -- they take over the job of private enterprise, then write off their waste as maintenance."

Bergerson Enterprises is a diverse marine construction operation. It is involved in piledriving, heavy machinery rental, and dock and bridge building. The State has become more involved in construction operations over the years, and sees the tendancy of the State to assimilate private interests as a real threat to the free enterprise system: "This really doesn't hurt my business that much yet, but boy, I can see it growing. It's hurting other people's worse than me; people who have only one back hoe, the blacktop companies, dump truck drivers -- I don't like to see the State going in this direction, and they're going there awfully heavy, awfully fast."

The State's purchase of a barge to defray mounting costs of contracting out to private firms may have been a sound idea economically. In theory it would seem that the State must save money in the long run, or at least until a new bridge which can easily accommodate river traffic is built on the Skipanon. If there were no advertisements for bids put out by the State, however, an injustice has been committed. And if there is featherbedding in the administering of the barge on the Skipanon, an equal injustice is being perpetrated upon the people of the state.

FORM 61-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

October 22, 1975

FILE: 104-1915

FROM: C. O. Fredrickson
REGION 2 ENGINEER

SUBJECT: Assignment FBK #1129

TO: H. S. Coulter
ASSISTANT STATE HIGHWAY ENGINEER

In addition to the letter from Senator Charles J. Hanlon to F. B. Klaboe, Highway Administrator and Engineer, I received this morning a letter from Senator Hanlon to George Baldwin relative to the same subject, and copies of letters from Darryl Bergerson of Bergerson Enterprises in Astoria, directed to Governor Robert Straub, and to the Administrator, Oregon State Highway Department.

I believe that the original reply drafted for Mr. Klaboe's consideration to Senator Hanlon, will be satisfactory for a reply to his letter directed to George Baldwin. We are attaching, however, a suggested draft reply for both the Governor and Mr. Baldwin's consideration to the letters from Darryl Bergerson.

COF/elf

Attachs.

cc: D. H. Moehring

RECEIVED
OCT 21 1975
Office of
Assistant State Highway Engineer

October 23, 1975

1129-K

The Honorable Charles J. Hanlon
State Senator
Route 1, Box 221
Cornelius, Oregon 97113

Dear Senator Hanlon:

Your recent letter and attached newspaper article concerning the bridge removal operation at the Skipanon Bridge address two questions: (1) is the State operating efficiently in the bridge removal? and (2) were there any irregularities in the purchase of the barges?

The number of openings of the Skipanon River Bridge has increased appreciably since 1970. Since we had no equipment to perform the work, it was necessary to advertise for bids. The price has risen from $1,100 in 1971 to $4,100 in 1973. In 1974 the only bid received was $4,450 by Bergerson Enterprises. In 1975 prior to the State obtaining the barge, the structure was opened three times by Coast Marine, another firm capable of doing the work, at a cost of $3,750 each opening. In 1975 we were unable to obtain a bid from Mr. Bergerson.

Although Mr. Bergerson's crew consisted of from four to five people, it was necessary to have an additional seven to nine State employees at the openings to properly flag traffic, close the road when the bridge was opened, and provide assistance in the movement of the bridge span. The estimated cost of State personnel and equipment for each opening was $500. In one instance traffic was delayed for two hours and five minutes. For all other openings by the private contractor, the time varied from just under four to almost six hours. Total personnel for these openings varied from 13 to 15.

Since the State has obtained its own barge, the time to open the bridge has been shortened from four hours the first time the equipment was used, to one hour, twenty-three minutes for the last opening. From 12 to 13 State employees and five State vehicles have been used for each opening. The cost has been reduced from $1,127 for the first opening to $818 for the last.

It is believed that the opening referred to in the newspaper article was the fourth one using the State barge. On that day, George Baldwin and our District Engineer stopped by to observe part of the operation and a Foreman stopped to find out if any of his personnel were going to work overtime. These additional people who were there only a short time confirms the total of 16, but only 7 vehicles were present.

Early this year we investigated the advisability of purchasing or leasing a barge to handle the increasing demand for bridge openings. Mr. Bergerson was contacted to investigate obtaining an LCM which he had and might be willing to sell or lease to the Highway Division. At least five other sources were contacted to determine the availability and approximate cost of barges. Upon investigating further, our Equipment people felt that the use of modular barges would be a better investment because of the possible future use in other locations for a variety of operations. Over 25 contacts were made to people about providing this kind of equipment and it was determined that the best buy was a package of used units in Seattle. A purchase order with documentation was forwarded for this acquisition through the Department of General Services.

The following is a cost comparison of our costs before and after purchase of our floats:

7 Commercial bridge openings, 1973-75	$27,800 or	$3,970 each
State costs to control traffic, etc.		500
Total average cost per opening -		$4,470
5 Openings with State equipment -	$ 4,801 or	$1,000 each

Savings per opening $4,470 - $1,000 = $ 3,470

Openings necessary to amortize costs of floating units of $51,000:
$51,000 ÷ $3,470 = 14.7 Openings Needed

We do not feel there was any irregularity in the purchase of this equipment. Owning it has made it possible to be more responsive to requests for bridge openings while providing a system with minimal inconvenience to traffic on the highway. The units not used on the Skipanon River are being used for other tasks and, when the bridge is replaced, the modular units can be put to other uses. Orthodox procedures were and are being followed and no excess personnel or expenditures of money are being made.

I hope this will answer your questions regarding this matter.

Sincerely,

F. B. Klaboe, Administrator
and State Highway Engineer

bc: George M. Baldwin
E. S. Hunter
H. S. Coulter
Ralph Sipprell
C. O. Fredrickson

cy Gov Straub 10-23

COF:elf HSC:ia srb

Commercial bid openings —

1973 - 3 openings - cost $12,100 plus State expense
1974 1 opening cost - 4,450 plus State expense
1975 3 openings cost 11,250 plus State expense

27,800

Ave cost per opening $3,970 plus State expense of $500
or ~~[illegible]~~ = $4470

State barge openings —

Opening #1	State costs - includes all costs except purchase of float units which was capital outlay. —	$1127
2		911
3		915
4		1030
5		818
		$4801 Saving $1,000/opening

Cost of Uniflote units - $51,000

Saving per opening $3490
Openings to amortize total cost of floats 51,000 ÷ 3490 = 14.7
or 15 openings

FORM 81:734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon 97310

September 30, 1975

FILE: ~~SUP 10-3~~

FROM: Robert W. Kuenzli
Equipment Supply Superintendent

SUBJECT: Boat, Pontoons or Floats for Skipanon River Drawbridge Warrenton-Astoria Highway

TO: Memo To The File

Late April and early May I was asked to pursue the availability of boat, pontoons or floats that could be used as a means to remove the drawbridge portion of the Skipanon River Bridge on the Warrenton-Astoria Highway.

Previously, Messrs. Sheldrake, Read, Anderson and myself had inspected a LCM boat and floats belonging to Bergerson Enterprises Incorporated of Astoria, Oregon.

I made many telephone inquiries as to the availability of a boat, LCM or similar that might be readily available on the Pacific Coast or in the Pacific Northwest. This was done to ascertain the availability and approximate cost conditions taken into consideration of LCM boats in the area. Mr. Gordon Graber, Federal Surplus Officer for the Oregon State Department of General Services, screened the Federal listings and found no such vessel available at present. He continued throughout the weeks to research all information and contacts he normally works with on the Pacific Coast but still to no avail.

Transversal International Corporation, a marine broker in Portland, Oregon, was contacted for like information. Mr. Darry Nicholson of Transversal International indicated an LCM in the Seattle area with an estimated price of $38,000 to $40,000. This unit was in good condition and further information, drawings, plans, etc. would be made available to us if we were interested. He acknowledged the scarcity of these crafts and would continue to make inquiries over the next week or two for us.

I contacted Captain Harald Fritzner of Viking Marine Company, ship brokers and agents in Seattle, Washington, advising them of our needs and hopes that perhaps they could screen the area and offer or suggest possible LCM units available.

Captain Fritzner located a converted flat deck LCM boat that was modified as a push tug and pull tug with a wheel house and a closed and/or covered cargo well. The unit had recently been sand blasted and painted and was in very good condition. Estimated cost $32,000. A second vessel was located in the Puget Sound area being a standard military version of the LCM boat with a cost of $25,000 to $27,000. The $27,000 figure would be with engines installed. Captain Fritzner advised he would continue throughout the week or weeks to screen the area for a unit.

Both Captain Fritzner and Darry Nicholson advised such units were a scarcity in the Pacific Northwest of recent because of the escalated oil pipe line and other activities in the Alaskan area.

The Seattle Shipbuilding and Dry Dockers Corporation in Seattle had two LCM's in Seattle without engines and one with engine that had been operating in the Hawaiian area. It was scheduled to arrive within approximately three weeks from the Islands with other items they were shipping to Seattle. This unit was a LCM-6 Model 2 with a 55 foot length and the price of $20,000 to $22,000 FOB Seattle.

I continued to seek the availability of a Navy pontoon gear which are rectangular pontoon measuring approximately 5 foot x 5 foot x 7 foot. Along with this we sought availability of the Bailey Bridge floating modules or any type of floating barge type unit that would meet the dimensions required for movement of a drawspan.

I contacted the Oregon State Department of General Services Federal Surplus Officer; Region 10 of the U. S. Government General Services Administration Federal Supply Service, Seattle, Washington; General Services Administration Region 9 Federal Supply Service, San Francisco, California and their satellite outlets in Oakland, California and Los Angeles, California; U. S. Army Corp of Engineers, Portland, Oregon and their supply control and distribution branch at Walla Walla, Washington; Defense Property Disposal Office at Fort Lewis Logistics Center in Fort Lewis, Washington; the Defense Property Disposal Office, Bremerton Naval Base, Bremerton, Washington with their satellite outlet of the U. S. Navy Whidby Island Washington facility; U. S. Navy Port Hueneme which has one of the largest maritime and floating construction equipment facilities in the world; Willamette Western Corporation, Portland, Oregon; Hamilton Construction, Springfield, Oregon; Palmberg Construction Company, Warrenton, Oregon; Pasco Steel Corporation, Pomona, California; Bergerson Enterprises Incorporated, Astoria, Oregon; Acrow Corporation of America, Carlstadt, New Jersey; Beck Constructors, Seattle, Washington; Worldwide Corporation, Chicago, Illinois and Fairbanks, Alaska; and a great number of other individuals, businesses and governmental outlets that I did not document with name, location or telephone numbers.

Acrow Corporation of America which is the outlet for the Unifloat, a floating device used on Bailey Bridges, the parent company is in England. After all of the research by this office and on behalf of a score plus of individuals in State, Federal and private industry, Mr. John Ralph of Acrow indicated a few Unifloat used units were available in Seattle, Washington. He gave me the name of Beck Constructors of whom we contacted and later made an on site inspection.

These units were initially scheduled for Alaska to be used by Bell Worldwide in their Alaska Pipe line committments. Through Acrow Corporation, Beck Constructors and Bell Worldwide we were able to obtain a fair and competitive price for these units.

A purchase request with documentation was forwarded through acquisition channels to the Procurement Section of the Department of General Services, Salem, Oregon. This agency initiated a purchase order and subsequent delivery of the units were made.

Within a list of some documentation, purchase request and purchase order copies, memos to the file, listing of companies and, on occasion, individuals with telephone numbers contacted relative to either and/or LCM, pontoons and/or Unifloats. Inasmuch as only a few months have passed since contact was made, I am sure that in all cases these individuals referenced would acknowledge our contact, our concern and their endeavors to assist me through other outlets for information on these types of items.

The only way we could purchase the Unifloats and attachment was as a package, for without being a packaged unit some of the stern floats, ramp float, etc. would of had absolutely no value. The floats not used on the Skipanon River are being utilized by Highway in other construction and engineering uses.

I can give additional information verbally on particulars if it is required.

RWK:dh

Attachments
cc: John Sheldrake
Howard Read

Some Of The Governmental And Private Industries Contacted

Department of General Services
1225 Ferry Street
Salem, Oregon 97310

Mr. Gordon Graber
Federal Surplus Officer

Phone: 378-4293

General Services Administration
Region 10
Federal Supply Service
Auburn, Washington

Mr. Windel Gunn
Chief, Inventory Management Branch

Phone: 206-833-6500 Ext. 488

General Services Administration
Region 9
Federal Supply Service
San Francisco, California

Ted Ofthen
Nila Baker

Phone: 415-556-3767 Ext. 1521

Dick Jacka (Oakland)

Phone: 415-273-6061

Jack McKittrick

Phone: 714-293-6553 (Los Angles)

U. S. Army Corps of Engineers
Portland, Oregon

Dave Sims

Phone: 777-4441 Ext. 511

Joe Ruth

Phone: 777-4441 Ext. 297

U. S. Army Corps of Engineers
Supply Control and Distribution Branch
Walla Walla, Washington

Defense Property Disposal Office
Fort Lewis Logistics Center
Fort Lewis, Washington

Phone: 206-967-5206

Defense Property Disposal Office
Bremerton Naval Base
Bremerton, Washington

Mr. Anderson
Mr. Pete Alderson

Phone: 206-478-7338

Mr. Dunn
(U. S. Navy, Widby Island, Washington)

Phone: 206-257-2501

U. S. Navy, Port Hueneme
Port Hueneme, California 93041

Mr. Michael Duran
Surplus Officer

Phone: 805-982-5636

Mr. McNutt
Inventory Manager

Phone: 805-982-4868 or 4006

Ms. Marcia Weaver
Property Manager

Phone: 805-982-4868

Mr. Seifert
Program Manager

Phone: 805-982-5678

Willamette-Western
Portland, Oregon

Mr. Frank Norris

Phone: 285-9111

Hamilton Construction
Springfield, Oregon

Phone: 746-2426

Palmberg Construction Company
Warrenton, Oregon

Phone: 861-1542

Pasco Steel Corporation
Pomona, California

Mr. Otis Weikoff
Chief Estimator

Mr. Title
Production Manager

Phone: 714-623-1411

Darrel Bergerson
Bergerson Enterprises, Incorporated
Astoria, Oregon

Transversal International Corporation
520 West 6th, Marine Brokers
Portland, Oregon

Mr. Darry Nicholson

Phone: 223-6101

Viking Maritime Company
Maritime Building
Seattle, Washington

Captain Fritzner

Phone: 206-622-0584

Seattle Shipbuilding & Dry Dockers, Corporation
1441 North Northlake Way
Seattle, Washginton

Phone: 206-632-1446

Acrow Corporation of America
396 Washington Avenue
Carlstadt, New Jersey

Mr. John Ralph

Phone: 201-933-0450

Beck Constructors / B-E-C-K / C.R.K.
and Associates
3647 Stone Way North
Seattle, Washington 98103

Mr. Keith Chilcott
Manager

Mr. John Windsor
Controller

Phone: 206-634-1700

Bell Worldwide
222 South Riverside Plaza
Chicago, Illinois

Mr. Paul Began

Phone: 312-648-4090

Mr. Bob Thorn (Fairbanks, Alaska)

INTERNAL OFFICE MEMO

Date 9/26/75 104-1915

Subject HSC Assign. - Skipanon "Barge" File No.

Received (call) [visit] from Chuck Fredrickson

Address

Made [call] [visit] to Phone

Reason for contact and general discussion: He has direct assign. to answer Sen. Hanlon letter resulting from Astoria newspaper editorial ~~on~~ critical of barge purchase. Gave copy of file to Howard Read to provide info on purchase to support Fredrickson's R/D reply on Chuck's request. (Due 10/9/75)

File [ ]
Circulate [ ] ME [ ] ~~WSE~~ [ ] ~~BME~~ BME [ ] BS [ ] OE [ ] AG [ ] AA [ ] ALL

Signature J W Stoltenberg

9/26/75
cc: Howard Read

C. Fredrickson
Attached

cc: R. Escher
R. Kuenzli

RECEIVED
OCT 1 1975
REGION

HOME ADDRESS
CHARLES J. HANLON
RT. 1, BOX 221
CORNELIUS, OREGON 97113

CLATSOP, COLUMBIA, WASHINGTON COUNTIES
DISTRICT 1

OREGON STATE SENATE
SALEM, OREGON
97310

COMMITTEES
MEMBER:
AGING
AGRICULTURE AND NATURAL RESOURCES
ENVIRONMENT AND ENERGY
LABOR

RECEIVED
STATE HWY ENGR
SEP 25 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

September 23, 1975

Department of Transportation
140 Highway Building
Salem, Oregon 97310

Attention: Mr. Fred Klaboe

Dear Sir:

On the assumption that the bridge operation mentioned in the enclosed newspaper article is under your jurisdiction, would you check out the comments by Mr. Bergerson for accuracy and completeness?

I am always interested in the cause of understanding between people and their government, and questions such as those raised in the article mentioned should not go unanswered.

I would appreciate your cooperation.

Sincerely yours,
Charles J Hanlon
Charles J. Hanlon

State 'Barges In' on Private Jobs

Times-Gaz. 9-18-75

EDITOR'S NOTE: In June of this year, the state of Oregon attempted to facilitate the process of opening the outdated Skipanon bridge. Previous to June, in order to open the bridge to river traffic, it was necessary to have prior notice of the opening, so the state could then lease the services of private barge operators to lift the center section of the bridge to allow river traffic to pass. The cost of opening the bridge ranged anywhere from $1800 to $4600 per operation. Finally the State decided to buy its own barge to beat the cost of private leasings.

But the way in which the barge was purchased, and the tendency of the State to assimilate private enterprise, have caused many to reflect about the nature and tactics of the State, not to mention the apparent featherbedding that goes on on tax-payers money. One such man is Darryl Bergerson--a private barge operator in Astoria. Ken Greenfield spoke with Mr. Bergerson this week. What he has to say raises some important questions.

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FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Astoria, Oregon

7 September 1975

RECEIVED
SEP 1975

FILE: 104-6607-152-

FROM: Eldon L. Everton
District Engineer

TO: C. O. Fredrickson
Regional Engineer

SUBJECT: Assignment No. 1732
Skipanon River Drawbridge

Missed the newspaper article that quoted Darryl Bergeson Enterprises in regard to the operation of the Skipanon River Drawbridge which has eroneous information.

Until the State obtained the barge that was mandatory due to the Coast Guard decision, it was necessary to contact barge operators in the area to obtain a bid for each opening. The past few years obtaining the bids have been very difficult and generally we are able only to receive a bid from one party. There are many times that we were not able to open the structure when it was requested as we were unable to have a barge available at that time. This condition existed even though we would have two to three days notice for the opening.

From 1964 to 1967 there were no requested openings for this structure. In 1968 there was one opening which cost $888.00 for the barge to open the structure and traffic was delayed five hours and fifty minutes. In 1969 there was one opening with the barge costing $1,065.00 and traffic delayed five hours five minutes. In 1970 there were no requests for openings. In 1971 there was one opening by Bergeson Enterprises for $1,100.00 and traffic was delayed three hours forty-one minutes. Mr. Bergeson had four men plus the superintendent on the job and no jacks were used for the opening. In addition to the barge and tug to move the structure, Bergeson also had one and sometimes two pick ups on the job during the operation. In 1972 there were no openings. In 1973 there were three openings, the first two openings, the only bid that we could get was from Coast Marine and they were both for $4,100.00. Bergeson refused to bid for both of these. The first opening in 1973, traffic was delayed four hours five minutes and the second opening traffic was delayed four hours forty minutes. The third opening in 1973, Bergeson Enterprises did the opening for $3,900.00. Coast Marine bid $4,100.00. I am sure that Bergeson bid under this figure as he had been in my office after the first two openings and requested the figure that Coast Marine had bid. Mr. Bergeson's operation had either four or five men and traffic was delayed four hours thirty-five minutes. In 1974 the structure was opened once by Bergeson Enterprises for $4,450.00. No other bid was received. Traffic was delayed for two hours and five minutes and on this operation, Mr. Bergeson did use jacks; but, our records show that he had four men on the job in addition to himself. In 1975, prior to the State obtaining the barge, the structure was opened three times by Coast Marine for a cost of $3,750.00 per opening with traffic delayed between four and five hours. We were unable to obtain any bid from Mr. Bergeson for these openings.

What Mr. Bergeson is failing to remember during all of the openings by either his firm or by Coast Marine, that State personnel were also required for these openings and handled all of the flagging for traffic as well as assisting in the moving in and out of the bridge span. Our records indicate that for each of these openings there were from seven to nine State employees with five State vehicles in addition to the contractor's men and equipment.

I have had the Bridge Foreman keep an Extra-Gang Report for every opening that we have had since obtaining the barge. We have opened the bridge a total of five times. The first time we did not use jacks and the traffic was stopped for four hours and there was thirteen State personnel plus five State vehicles, one State boat and the entire operation cost $1,127.00. The second operation, jacks were used and there were a total of twelve State personnel, five State vehicles with traffic delayed for one hour forty-five minutes at a cost of $911.00. The third operation there were twelve State personnel, five State vehicles and traffic delayed one hour fifty-five minutes for a total cost of $915.00. The third opening there were thirteen State personnel, five State vehicles, traffic delayed two hours fifteen minutes at a total cost of $1,030.00. It was this opening that Mr. Bergeson observed. The last time the structure was opened by State personnel, there were twelve State personnel, five State vehicles with traffic delayed one hour twenty-three minutes at a cost of $818.00.

These were the State personnel and equipment that were on the actual barge operation. On the day that Mr. Bergeson observed the operation, I stopped at the bridge site during the operation with Mr. George Baldwin in my own car. At this same time, the Assistant Foreman from the Astoria Section Crew stopped by the bridge as there were some personnel from the Astoria Section Crew that were assisting on the opening and he was wanting to find out if they were going to have to work overtime. If you add these additional people to the thirteen, you do come up to sixteen State personnel; but the three above those opening of the structure were only there a very short period of time and were not involved in the bridge operation. Counting their vehicles, there would have been seven State vehicles; but, this is a far cry from the eleven that is stated in the article.

When the structure was being opened on a bid basis, if the State personnel and contractor's personnel were combined, there were always from thirteen to fifteen personnel on the bridge opening which is more than we are presently using. There were always five State vehicles and at least one to two from the contractor which made more vehicles than the present operation. Contractors operation delayed traffic between four to five hours and our last operation, traffic was only delayed one hour and twenty-three minutes. Contractor only used jacks to open the bridge one time and then our personnel had to assist them in the opening of the structure. When the contractor used jacks to open the structure, his bid price was $4,450.00 and I estimated that the cost of State personnel and equipment involved in this opening exceeded $500.00, which gave a total bridge opening cost of approximately $5,000.00. Our last opening with the twelve State personnel only cost $818.00.

Assignment No. 1732
Skipanon Bridge Drawbridge

7 September 1975

I had made contact with Mr. Bergeson prior to the State purchasing the barge in regard to the availability of purchasing or leasing of a barge. I wrote you a letter on 21 March 1975 telling you of what I had found out. At this time Mr. Bergeson had advised me that purchasing of a barge would be very difficult and an estimated cost of a used barge would be $30,000.00 to $35,000.00. He did say that he would lease the State his LCM for $750.00 per month or sell it to the State for $35,000.00. You are aware of the story in regard to the LCM so will not go into any further detail. The present operation we were able to open the structure when the opening is requested which was not the case when we had to obtain bids from local people. The total number of people is no more than the combined total of State and contractors personnel were on the prior openings. There was the same number of State vehicles on the prior openings as we presently use. The traffic is delayed less then two hours compared to the four to five hour delay when the contractor did it. Our total loaded cost for our last opening was approximately one-fifth of Bergeson's last bid. We are not trying to hide any costs and an Extra-Gang Report is being made for each opening.

ELE:lh

1975

FILE: SUP 4

OREGON STATE HIGHWAY DIVISION

EQUIPMENT UNIT

P.O. BOX 30 • SALEM, OREGON • 97310 • Phone 378-260

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator of Highways

June 3, 1975

Department of General Services
Procurement Division
1225 Ferry Street S. E.
Salem, Oregon 97310

Attention: Mr. Ralph Calkin

RE: Purchase Request H-16851
Bid No. 15-4676-75 and
P. O. No. 467601

This letter confirms our telephone conversation today resulting in a request change of vendor name and address.

Because of a technicality between the two owning parties of the items on this purchase order, a request from both Bell World Wide and B-E-C-K/C. R. K. and Associates the following correction should be initiated.

Correct the current Purchase Order vendor, Bell World Wide c/o Paul Began, 222 South Riverside Plaza, Chicago, Illinois 60606 to read B-E-C-K/C. R. K. and Associates Incorporated, 3647 Stoneway North, Seattle, Washington 98103.

You have indicated you were also going to make a correction on line item #1 to read one (1) lot of eleven (11) Unifloats in lieu of the existing one (1) lot.

Thank you for your time and attention to this matter and we are sorry for the inconvenience and inconsistency relative to this order and the correct vendor.

Howard H. Read
Equipment Superintendent

By Robert W. Kuenzli

Robert W. Kuenzli
Equipment Supply Superintendent

RWK:dh

cc: Gail Williamson
Gordon Wi[illegible]

PROCUREMENT DIVISION

Department of General Services

S T A T E M E N T O F J U S T I F I C A T I O N

Nonroutine

Description: ___X___ Urgent

Purchase Request No. H-16851

___X___ Single Source

Agency: Highway - 734

_____ Exception to Price Agreement

Statement of Justification:

RE: Attached documentation. Received approval from U. S. Coast Guard and U. S. Department of Justice to forestall immediate available span opening means, however this provision terminates in late June 1975. Required immediately per Federal law. Research of western states for two (2) weeks provided only this unit.

Unit was purchased and scheduled for Alaska and we were fortunate after explaining our urgent needs to acquire the unit. Immediate implementation of the unit. It will eliminate Federal fines, possible Federal court action, both which would be damaging to the Highway Division and the State of Oregon.

Complete the following if item requested or a similar item is on price agreement

Describe why price agreement item is unacceptable:

Describe acceptable and unacceptable items considered and reasons for action:

Special handling requested by: Robert W. Kuenzli (name) — Supply Superintendent (title)

May 28, 1975 (date) — 378-2602 (telephone)

Approved for agency by: John Sheldrake (name) — Maint. Services Engr. (title)

May 28, 1975 (date) — 378-6528 (telephone)

81-125-10942

PURCHASE REQUEST

STATE OF OREGON

PR-H 16851

c/o Howard H. Read, Equipment Superintendent PAGE OF

SHIP TO: OREGON STATE HIGHWAY DIVISION , 2800 State St., Salem, Or. 97310 (FOB Seattle, Washington

BILL TO: State Highway Division, Accounting Section, State Highway Building, Salem, Oregon 97310

NO. INVOICES: 3

ACCOUNT NUMBER: $12,750.00=104-6607-605/$12,750.00=104-6602-605
PRO RATE: $12,750.00=104-6604-605/$12,750.00=104-6601-605

FISCAL YEAR: 74-75

NON ROUTINE: ☒ ATTACH STATEMENT OF JUSTIFICATION

CONFIRMING: ☐ PURCHASE REQUEST

CLASS	FUND, PROJECT OR APPROPRIATION	REQ. NO.	AGENCY NO.	DATE WANTED	EMERGENCY
	HIGHWAY FUND		734	Immediately	☒

PURCHASE REFERENCE

Bell Worldwide
222 So. Riverside Plaza
Chicago, Illinois 60606 %Paul Began

FOR ORDERING AGENCY USE

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	EST. UNIT PRICE	EST. TOTAL PRICE
1.	TSU.37/1A Unifloat (used) 17' L x 8' W x 4' H (Overall 18' L x 8'9" W x 4'4" H) With wood decking. Weight with decking 8,000 pounds.	11		$3,181.82	$35,000.00
2.	TSU.41/3A Stern Float (used) 6' L x 8' W x 4' H (Overall 6'5" L x 8' W x 4'4" H). Weight 2000 pounds.	10		$1,000.00	$10,000.00
3.	TSU.44/1A Ramp Float Assembly (used) 12' L x 8' W x 4' H (Overall 17'6" L x 8' W x 4'6" H). Weight 5600 pounds.	2		$3,000.00	$ 6,000.00
			Grand Total		$51,000.00

To be removed from storage site of B-E-C-K Contractors of Seattle, Washington. Physical location is Chilcott, Raber and Kief and/or Aleutian Construction, 5939 Fourth Avenue South, Seattle, Washington. Attention: Mr. John E. Windsor.

Confirms quotation of Mr. Bob Thom, Bell Worldwide of Fairbanks, Alaska; Reference Mr. Paul Began, Bell Worldwide of Chicago, Illinois. Phone: 312-648-4090.

P.O. # 467601

ORDERED BY [signature] DATE 5-27-75

APPROVED FOR AGENCY [signature] DATE 5-28-75

AUTHORIZED AGENT DATE

APPROVED DEPARTMENT OF GENERAL SERVICES

- REPLACEMENTS - PROPERTY CONTROL
POR NO
☐ APPROVED
☐ OPTIONAL TRADE-IN $
☐ NO TRADE-IN
☐ DISAPPROVED
☐ SEPARATE MEMO ATTACHED
INITIAL DATE

- REGISTERED - PROCUREMENT DIV.
REQ.
BID
P. O.
REVIEWED P.A.
☐ APPROVED ☐ DISAPPROVED
INVESTIGATOR DATE

CHANGE NOTICE

STATE OF OREGON

PAGE 1 OF 1

ORDER NUMBER IS CHANGED AS INDICATED BELOW.

No. 467001

Oregon State Highway Division, Equipment Superintendent,
3500 State Street, Salem, Oregon 97310 3

State Highway Division, Accounting Section
State Highway Bldg., Salem, Oregon 97310

P O DATE: 6-3-75

NO. INVOICES: 3

ACCOUNT NOS.: 104-6607-605 - 104-6602-605
104-6604-605 - 104-6601-605

Pro-Rata 25% Each

CLASS	FUND, PROJECT OR APPROPRIATION	BIENNIUM	THIS ORDER IS ACCEPTANCE OF YOUR QUOTATION	
	Highway Fund	74-75	15-4676-75	03-450

REQ. NO.	AGENCY NO	PURCHASE REQUEST NO.
	734	H 16051

VENDOR

Bell Worldwide
c/o Paul Degan
222 So. Riverside Plaza
Chicago, IL 60606

Change Vendor to:

D-M-C-X CIK & ASSOCIATES
3647 Stoneway, North
Seattle, Washington 98103

Attn: Keith Chilcott

Reason: Vendor request.

THESE GO TO
ELOOR EVERYDAY

R. Kemp

6-2-75

R. Kemp

TOTAL PRICE

FROM: NO CHANGE TO:

George H. Cockerl, Purchasing Mgr.
STATE PURCHASING AGENT

DATE 6-5-75

RECEIVING

31-128-3283 (REV. 1-73)

PURCHASE ORDER

STATE OF OREGON

PAGE 1 OF 1

SHOW THIS NUMBER ON ALL PAPERS AND PACKAGES PERTAINING TO THIS ORDER
P.O. NO. 467031

SHIP TO: Oregon State Highway Division, Equipment Superintendent, 3500 State St., Salem, OR 97310

BILL TO: State Highway Division, Accounting Section, State Highway Bldg., Salem, OR 97310

P.O. DATE: 6-3-75

NO. INVOICES: 3

ACCOUNT NUMBER: 104-6607-605 - 104-6602-605 / 104-6604-605 - 104-6601-605 — Pro-rate 25% ea.

CLASS.	FUND, PROJECT OR APPROPRIATION	BIENNIUM	BID NUMBER	COMMODITY CODE
	Highway Fund	74-75	15-4676-75	03-450

REQ. NO.	AGENCY NO	PURCHASE REQUEST NO.
	734	H-10091

VENDOR
Dell Worldwide
c/o Paul Degan
222 So. Riverside Plaza
Chicago, IL 60606

PROCUREMENT DIVISION
DEPARTMENT OF GENERAL SERVICES
GENERAL SERVICES BUILDING
1225 FERRY ST. S.E.
SALEM, OREGON 97310

F.O.B. Seattle, Washington

DELIVERY REQUIRED: Immed.

TERMS: Net

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
	Equal Employment Opportunity Clause: This transaction is subject to the provisions of Executive Order 11246 (Nondiscrimination in Employment, Section 202, Paragraphs 1 through 7 of the Order), a copy of which is attached.				
1	TSU.37/1A Uniflont (used) 17' L x 8' W x 4' H (Overall 16' L x 8'9" W x 4'4" H) With wood decking. Weight with decking 8,000 pounds.	1	lot		35,000.00
2	TSU.41/2A Stern Float (used) 6' L x 8' W x 4' H (Overall 6'5" L x 8' W x 4'4" H). Weight 2000 pounds.	10	ea	1000.00	10,000.00
3	TSU.44/1A Ramp Float Assembly (used) 12' L x 8' W x 4' H (Overall 17'6" L x 8' W x 4'6" H). Weight 5000 pounds.	2	ea	3000.00	6,000.00
	To be removed from storage site of D-B-C-K Contractors of Seattle, Washington. Physical location is Chilcott, Raber and Kief and/or Aleutian Construction, 5939 Fourth Avenue South, Seattle, Washington. Attention: Mr. John E. Windsor.				
	Confirm quotation of Mr. Bob Thom, Dell Worldwide of Fairbanks, Alaska; Reference Mr. Paul Degan, Dell Worldwide of Chicago, Illinois. Phone: 312-648-4000.				
	Confirming Order - Do Not Duplicate				
	KMO:cc				51,000.00

IN ADDITION TO THE CONDITIONS STATED HEREON, THIS ORDER IS SUBJECT TO CONDITIONS STATED IN THE INVITATION TO BID AND THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATIVE RULES.

PROCUREMENT DIVISION AUTHORIZED AGENT

6-2-75

81-125-3281 A

Form 61.734.8038

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon 97310

May 8, 1975

FILE: SUP 10-3

FROM: Robert W. Kuenzli
Equipment Supply Superintendent

SUBJECT: LCM Boat

TO: Memo To The File

This afternoon Mr. Darry Nicholson of Transversal International, a ship broker in Portland, Oregon, contacted me to advise he had located a LCM in the Seattle area with a "eye-ball" price for the craft of $38,000.00 to $40,000.00.

He understands this unit is in good condition with further information, pictures, drawings, plans, etc. available if we wish to pursue further.

He also located a number of other LCM's available, most of which were in the Seattle area but were of good to average condition. He did not pursue these vessels for condition or price.

Mr. Nicholson was advised that should we desire further information we could contact him. He also acknowledged the scarcity of these craft and many inquiries now being made for such crafts from other sources.

RWK:dh

RW.

FORM 61-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon 97310

May 7, 1975

FILE: SUP 10-3

FROM: Robert W. Kuenzli
Equipment Supply Superintendent

SUBJECT: LCM Boat

TO: Memo To The File

Contact was made again yesterday and today with two ship brokers regarding availability of LCM's in the Pacific Northwest area.

Mr. Darry Nicholson of Transversal International Corporation in Portland believes he will have some information later on this afternoon and will either telephone it or direct it to my attention via mail.

Captain Fritzner of Viking Maritime Company, Seattle, Washington has made numerous telephone calls and has located two vessels.

Vessel 1 has been converted to a flat deck type vessel and has been used both as a push tug and a pull tug. The forward door of the wheelhouse on this vessel has been closed and with the cargo well covered with a flat deck would make a very usable and workable utility and work boat. The bottom has recently been sand blasted and painted and Captain Fritzner believes we would have no problem in receiving Coast Guard approval for movement under its own power from the Puget Sound area to Astoria with full Coast Guard authority and would sure meet all Marine regulations for river use. An "eye-ball" cost of $32,000.00.

A second vessel available recently has no engines. It is pretty much a standard military version of a LCM boat with a cost of $25,000.00 to $27,000.00 and it is believed the $27,000.00 figure would include engines installed.

Captain Fritzner will forward more particulars on it and possibly photos of both units via mail to arrive possibly this week.

For our information Captain Fritzner offers this observation that many buyers for the Alaska market area are now in the Pacific Northwest purchasing boats, barges, etc. for the escalated economic impact in Alaska area. These types of vessels have been in demand previously in Alaska operations. He reinterated the suggestion that we may want to pursue the services of the Marine Superintendent to the Research Marine Director of the Oceangraphic Research Division of Oregon State University for inspection of any vessel we may plan to purchase.

RWK:dh

Al Huhta
Knappa 458-6341
Marine Surveyor
Rt. 2, Box 1015 Astoria, Oregon 97103

56' O.A.L.

REPORT OF SURVEY

Home Port Astoria, Ore. Official No. No.

Owners Borgerson Enterprises Address 3391 Irving st., Astoria, Ore. 97103 Name MARLENE B

TYPE LCM Landing craft (Log patrol)

Waters Navigated Columbia River

Year Built Approx 1943 By N/A Where N/A

HULL.—Length 51'9" Beam 14'½" (28' with Pontoons) FREEBOARD Draft 3'10" loaded

Gross Tons 33.28 Net Tons 22 Customs No. Last Drydocked 1974

Planking Mild steel ¼" Frames 3/8" angles Spaced Approx 18" o-to Floors Diamond plating—

Main Deck Diamond plating Beams 3/8" angles Spaced " " Shelf —

Cabins Marine Plywood Bulkheads 2

How Ventilated Natural

Galley and Range None

Fire Extinguishers One 15# Co2

MASTS & SAILS None

ANCHORS

EQUIPMENT Foote Mechanical ramp winch

ENGINES:—Name Two Cleveland Diesel Built by GM No.

Kind Diesel (model 6HM-9) H. P. 165 Cyl. 6 When Installed 1974

Last Overhaul By 1974

Where Located Aft of midship-stern area Fuel Consumption per hour 5 per engine

Engine Foundation 3/8" steel angles

Carburetors:—No. & Make —

Are Pans Fitted Under Carburetors? — Is Exhaust Clear of Woodwork? no

Fuel Lines to Engine Copper Shut Off Valves at tanks

Piping Steel

TANKS : (Fuel) Four tanks

Material Welded steel Installed 1943-45

Where Vented Lazarette Capacity Approx 960 Located Lazarette & Eng room

PUMPS 1½" Graymarine Bilge Filling Lines Lazarette and main deck

SEA COCKS Heat exchanger cooled -two sea valves approx 2"

WATER TANKS None

LIGHTING SYSTEM 12 volts Installed —

Is Wiring in Metal Conduit? no Where Is Switchboard? pilot house console

Do Propellers Extend Below Keel? no Skeg or Shoe Strut

Speed in Miles Approx 8 Service Log boom salvage

Has Vessel Been Well Cared for by Owner? yes No. of Crew one and two

Experience of Owner or Master as it applies N/A

Estimated replacement value $85,500 Estimated present value $ 22,600 (Hull painted 14,500 37,100)

Surveyed { Afloat / On Drydock } at Astoria, Ore. Date December 3, 1974

Year Built Approx 1943 By N/A Where N/A

HULL.—Length 51'9" Beam 14'1½" (28' with Pontoons) FREEBOARD Draft 3'10" loaded

Gross Tons 33.28 Net Tons 22 Customs No. Last Drydocked 1974

Planking Mild steel ¼" Frames 3/8" angles Spaced Approx 18" o-to Floors Diamond plating

Main Deck Diamond plating Beams 3/8" angles Spaced " " Shelf —

Cabins Marine Plywood Bulkheads 2

How Ventilated Natural

Galley and Range None

Fire Extinguishers One 15# Co2

MASTS & SAILS None

ANCHORS

EQUIPMENT Foote Mechanical ramp winch

ENGINES:—Name Two Cleveland Diesel Built by GM No.

Kind Diesel (model 6HHI-9) H. P. 165 Cyl. 6 When Installed 1974

Last Overhaul By 1974

Where Located Aft of midship-stern area Fuel Consumption per hour 5 per engine

Engine Foundation 3/8" steel angles

Carburetors:—No. & Make —

Are Pans Fitted Under Carburetors? — Is Exhaust Clear of Woodwork? no

Fuel Lines to Engine Copper

Piping Steel Shut Off Valves at tanks

TANKS : (Fuel) Four tanks

Material Welded steel Installed 1943-45

Where Vented Lazarotte Capacity Approx 960 Located Lazarotte & Eng room

PUMPS 1½" Graymarine Bilge Filling Lines Lazarotte and main deck

SEA COCKS Heat exchanger cooled -two sea valves approx 2"

WATER TANKS None

LIGHTING SYSTEM 12 volts Installed —

Is Wiring in Metal Conduit? no Where Is Switchboard? pilot house console

Do Propellers Extend Below Keel? no Skeg or Shoe Strut

Speed in Miles Approx 8 Service Log boom salvage

Has Vessel Been Well Cared for by Owner? yes No. of Crew one and two

Experience of Owner or Master as it applies N/A

Estimated replacement value $85,500 Estimated present value $ 22,000 $37,500

Surveyed { Afloat / On Drydock } at Astoria, Ore. Date December 3, 1974

By Request of Insurance company

Type of Inspection Condition survey

Alvin E Huhta Surveyor

SEE BACK OF THIS SHEET FOR

AUXILIARY ENGINES PROPELLER TAIL SHAFT RUDDER CONDITION OF HULL

Defects And Recommendations Including Quantity Gasoline Onboard And How Carried

Diesel Engine: The diesel engines are War Surplus models 6-4HN-9, driving Twin Disc 1.5 to 1 mechanical gear ratio, Duplex sea strainers, 12 volt. Engines rebuilt in 1974.

Auxillary Engine

none

Propeller, Shaft, Rudder

Propellers around 24" diameter 3 bladed bronze. Right hand turning
2" bronze shafting
Steel rudders
Cutless strut bearings

Remarks, Findings, Recomendations

Vessel Discription: The vesselx is a steel LCM war surplus landing craft with bow ramp door, deep cargo well, wings walls, twin screw diesel engines, and used as a log patrol boat.
~~LCM equipped with a Americanhoist and Dorrick 3 drum deck winch, mounted on skids aft of cargo deck, run by 6 cylinder inline Chysler gasoline engine with 4 speed gear box.~~ does not go.

Deficiencies noted: Bow ramp blister deteriorated. Recommend drop and fair out blister as soon as possible. Beef up area as required.
Moderate rust condition in wingwall and cargo void spaces. Recommend using a rust arrestin; compound or consul Oilcontrol rust as soon as possible.
No oil pollution placard. Recommend receive and install immediately.
Only one fire extinguisher bottle. Recom end a 10# dry chemical in addition to the Co2 bottle.
Port side engine has generator missing. Recommend reinstall generater prior to use.
Starboard engine bilge pump and cargo sump pump missing. Recommend reinstall as soon as possible. Owner advised pumps in for repair.
Lazarette steel hatch cover deteriorated around land area. Recommend fabricate section of new hatch cover and install with new neoprene gasket, as soon as possible.
New exhaust system installed. Recommend lagging exhaust system from manifold through deck , also fabricate guard over exhaust piping to keep from burning hand, also install asbestos cover around pilot house back side adjacent to exhaust , port and starboard sides prior to using vessel.
Gen[illegible]
No electronic units aboard.
Starboard engine v belt for generator worn. Recommend replace as soon as possible.
Recommendations: Recommend upper and lower split pipe hull guards on port, starboard and transom to protect hull plating as soon as possible.
Foote ramp winches have been difficult to keep adjusted. Owners intend to replace with hydraulic ramp winch for future planning.
Owners intend to aid a stern winch for future planning.
Starboard engine indicates some oil leaks. Trace down and correct oil leaks as soon as possible.
Owners modified vessel by extending forward engine room bulkhead forward, adding new plywood house and new engine room overhead diamond decking.

This report uses marine terminology, slang and references in use on the vessel; marine terms in general use on the West Coast and Alaska are used.

Recommend new neoprene bow ramp gasket as soon as possible .

This report concerning the vessel contains such information as has come to the attention of, or reported to, the undersigned in the course of the type of inspection for which the undersigned was retained. This is not a "Certificate of Seaworthiness", nor intended to imply that the vessel will or will not pass any specific type of "Governmental Inspection", or complies with any governmental regulation. This report has been made solely for the purpose specified, is personal and confidential to the person who has ordered it, and has been limited to the extent hereinabove stated.

Auxiliary Engine

none

Propeller, Shaft, Rudder

Propellers around 24" diameter 3 bladed bronze. Right hand turning
2" bronze shafting
Steel rudders
Cutless strut bearings

Remarks, Findings, Recomendations

Vessel Discription: The vesselx is a steel LCM war surplus landing craft with bow ramp door, deep cargo well, wings walls, twin screw diesel engines, and used as a log patrol boat.
~~LCM equipped with a Americanhoist and Derrick 3 drum deck winch, mounted on skids aft of cargo deck, run by 6 cylinder inline Chysler gasoline engine with 4 speed gear box.~~ does not go.

Deficiencies noted: Bow ramp blister deteriorated. Recommend drop and fair out blister as soon as possible. Beef up area as required.
Moderate rust condition in wingwall and cargo void spaces. Recommend using a rust arrestin; compound or consul Oilcontrol rust as soon as possible.
No oil pollution placard. Recommend receive and install immediately.
Only one fire extinguisher bottle. Recom end a 10# dry chemical in addition to the Co2 bottle.
Port side engine has generator missing. Recommend reinstall generator prior to use.
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Foote ramp winches have been difficult to keep adjusted. Owners intend to replace with hydraulic ramp winch for future planning.
Owners intend to aid a stern winch for future planning.
Starboard engine indicates some oil leaks. Trace down and correct oil leaks as soon as possible.
Owners modified vessel by extending forward engine room bulkhead forward, adding new ply-wood house and new engine room overhead diamond decking.

This report takes into consideration ages, class, and reported intended use of vessel; marine terms in general use on the West Coast and Alaska are used.

Recommend new neoprene bow ramp gasket as soon as possible .

This report concerning the vessel contains such information as has come to the attention of, or reported to, the undersigned in the course of the type of inspection for which the undersigned was retained. This is not a "Certificate of Seaworthiness", nor intended to imply that the vessel will or will not pass any specific type of "Governmental Inspection", or complies with any governmental regulation. This report has been made solely for the purpose specified, is personal and confidential to the person who has ordered it, and has been limited to the extent hereinabove stated.

As far as could be ascertained from inspection afloat without taking test borings or opening up of areas ordinarily concealed, the hull appears to be sound and vessel should be suitable for its intended purpose.

Submitted without prejudice

Alvin E Huhta, Marine Surveyor

AL HUHTA

CAPT. HARALD FRITZ
Telephones
Office: [redacted]
Home: [redacted]

Viking MARINE COMPANY

SHIP BROKERS AND AGENTS

[redacted]ING • SEATTLE 4, WASHINGTON
Cable Address: "Vikingship" or "Pritzner"
New Bee Code

VIKING MARINE COMPANY
507 Maritime Bldg.
Seattle 4, Wash. Mn. 2-0584

Particulars of ..... Type .....
Our reference number ..... Flag .....

D. W. incl. bunkers (abt.) ..... Tons
Gross ..... Net ..... Tons
Cubic, Grain .....
" Bale .....
Tank Cargo ..... Bbls.
Refrigerated space .....
Lumber capacity .....
Accommodations .....
Water ..... Ballast ..... Fresh
Decks .....
Derricks .....
Winches ..... Electric ..... Steam
Holds ..... Hatches .....
Hatch sizes .....

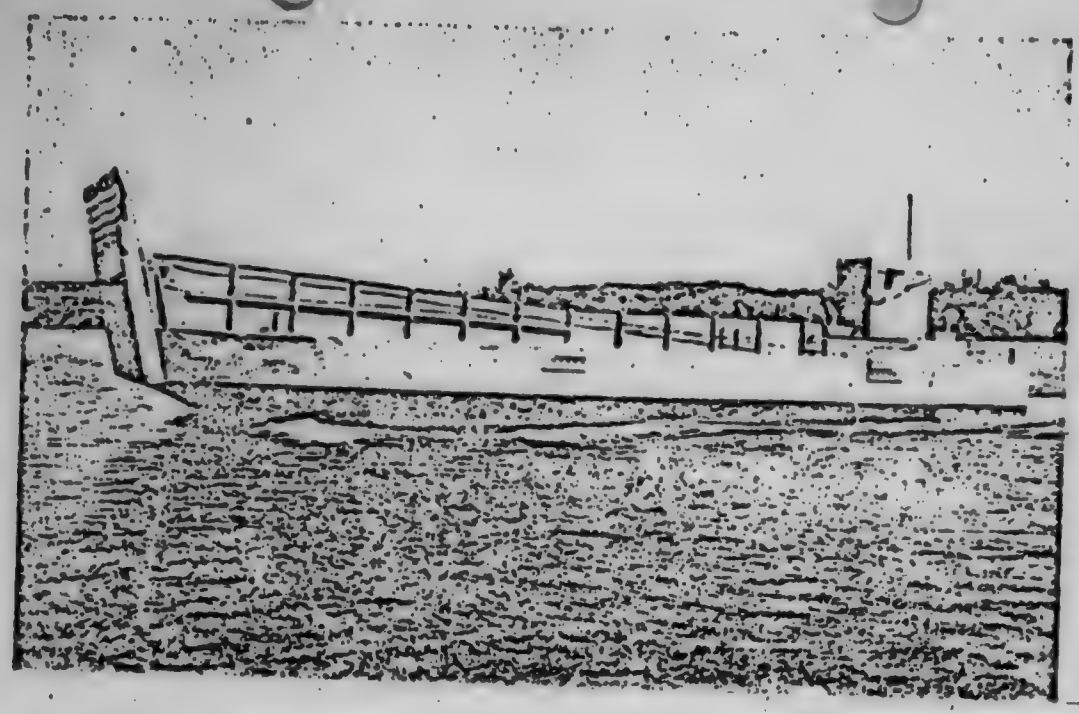
These particulars are believed to be correct but not guaranteed.

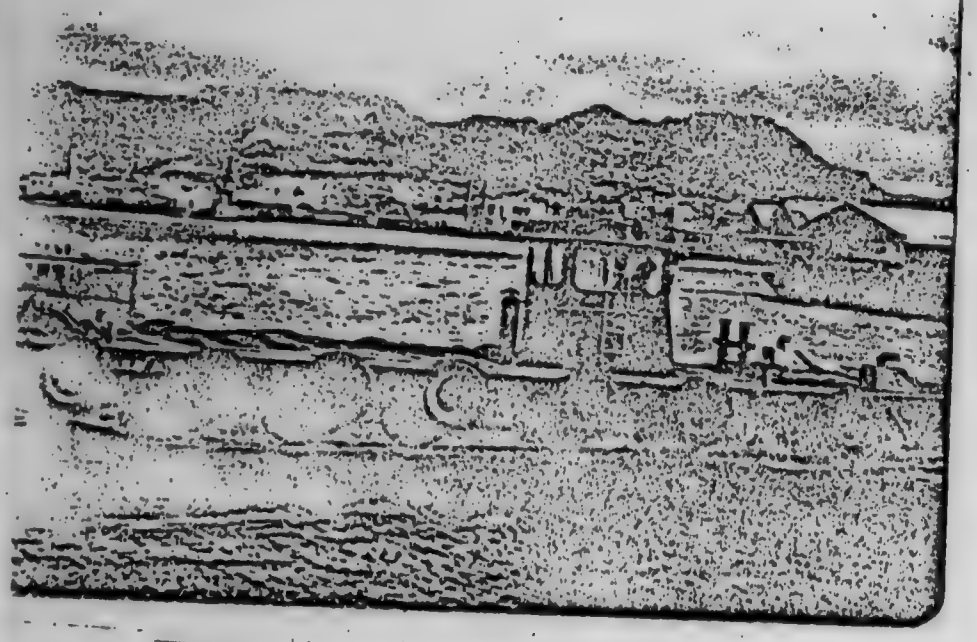
Built .....
Builders .....
Class .....
Last survey .....
Length o.a. ..... b.p. .....
Breadth ..... Depth .....
Draft loaded .....
Speed loaded (abt.) ..... knots
Consumption (abt.) .....
Bunkers .....
Boilers .....
.....
Engines .....

Price idea: .....

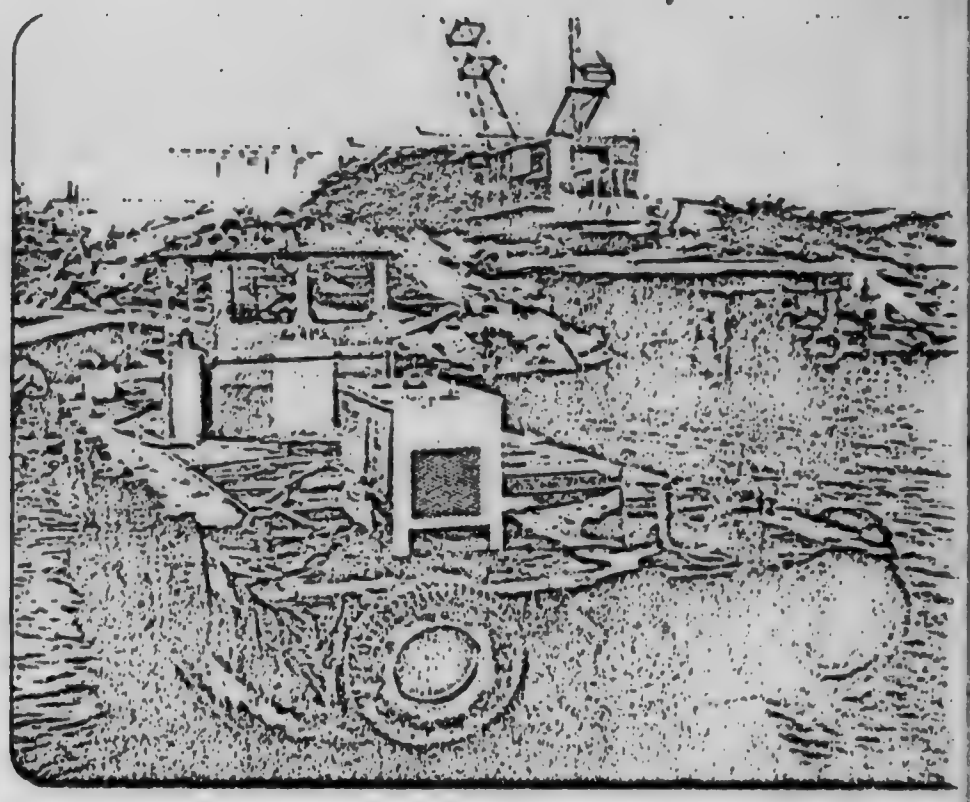
The above vessel is for sale/open for charter. If interested kindly contact us.

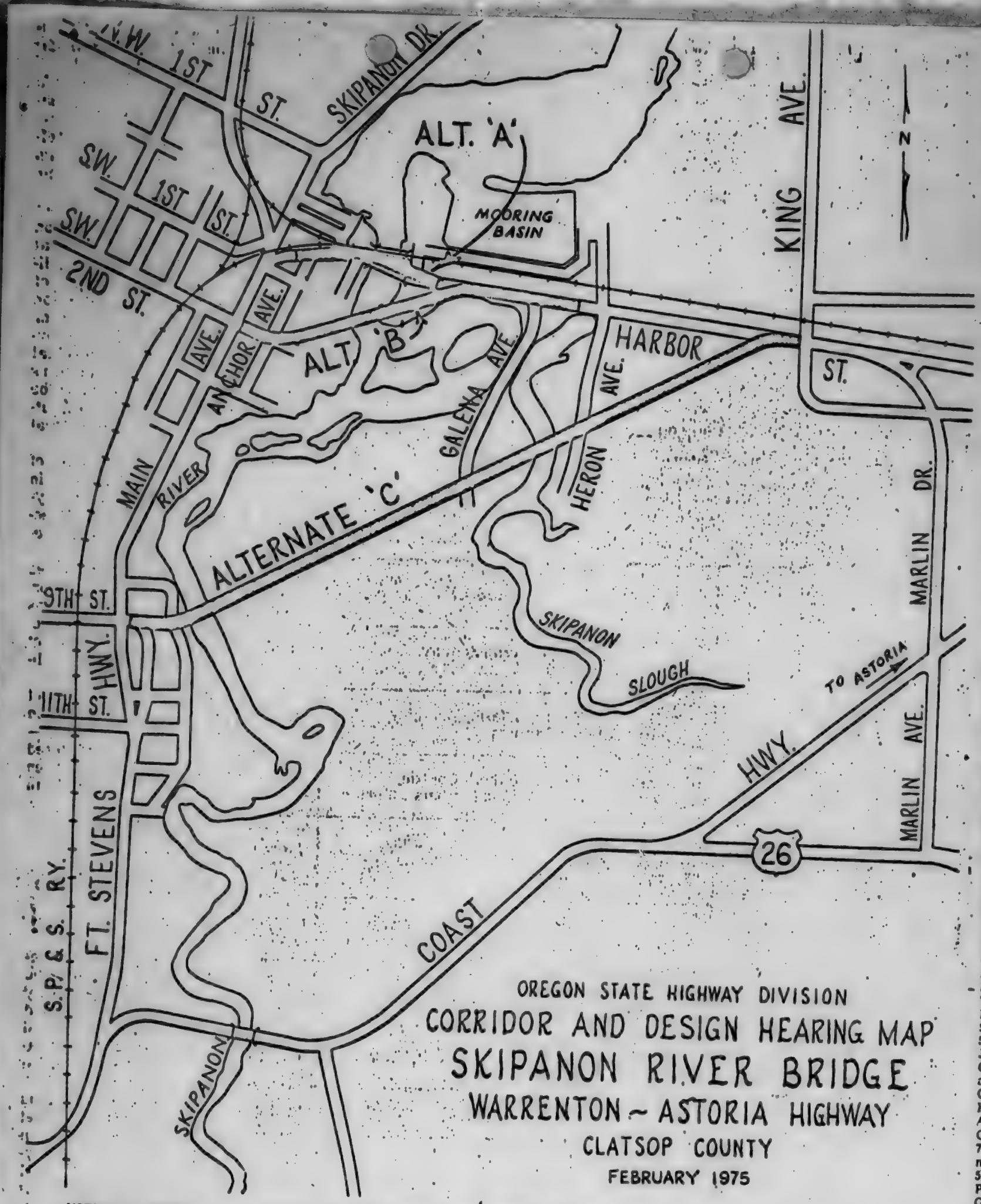
VIKING MARINE COMPANY





before overhaul
and blast repaint
repair —





OREGON STATE HIGHWAY DIVISION

CORRIDOR AND DESIGN HEARING MAP

SKIPANON RIVER BRIDGE

WARRENTON – ASTORIA HIGHWAY

CLATSOP COUNTY

FEBRUARY 1975

NOTICE OF PUBLIC CORRIDOR-DESIGN HIGHWAY HEARING

Notice is hereby given that the Oregon State Highway Division proposes to hold corridor-design hearings pertaining to its proposed plans for right-of-way acquisition and construction on the Skipanon River Bridge Section of the Warrenton-Astoria Highway lying in or near the city of Warrenton, Clatsop County, Oregon.

The proposal consists of two alternate designs for replacement of the existing bridge. Each design would provide a 44 foot curbed section, which would accommodate two twelve foot travel lanes and ten foot shoulders. The various design and alternate routes that will be discussed at the public sessions are approximately as shown on the accompanying map.

The informal informational sessions will be held, with plans for the proposal on display, in the Warrenton High School Library in Warrenton, Oregon, between the hours of 7:00 p.m. and 10:00 p.m. on Wednesday, June 4, 1975, and again between the hours of 7:00 p.m. and 8 p.m. on Thursday, June 5, 1975.

Interested persons may examine the plans and other pertinent information developed by the State Highway Division and written views received as a result of coordination with other interested agencies. State Highway Division engineering and right-of-way personnel will be present to discuss the proposal, including relocation and assistance programs with those persons who may be affected by the project.

The formal public hearing pertaining to the corridor-design features will be held in the Warrenton High School Library in Warrenton on Thursday, June 5, 1975, beginning promptly at 8:00 p.m. at which time any interested person desiring to express an opinion pertaining to State's proposal is invited to do so, and in addition may submit written statements at the hearing or to the Transportation Commission within ten (10) days after the public hearing. Schedules for right-of-way acquisition and construction will be discussed at the formal hearing.

A statement regarding the environmental effects this proposed project may have on the area, including a detailed analysis of the various human and natural environmental impacts, as well as air, water, and noise pollution studies, has been made available for review and information of those persons interested. The environmental impact statement may be reviewed in Room 419, State Highway Building in Salem, at the State Highway Division's Region 2 Office, East Salem Highway Building, Salem, Oregon, and also at the informational sessions and formal hearing.

If any questions arise pertaining to this matter, please contact Mr. C. O. Fredrickson, Regional Engineer in Salem, phone 378-2626.

C. O. Fredrickson
Regional Engineer

OS May 8, 29, 1975

wood, Cumm
Davidson, R
wards, Cynth
Delores M., 6
B., 50.24; Fra
Galfke, John
K., 86.40; G
Goertzen, Sh
Conrad L.,
M., 73.36; H
Harter, Shar
Vesta A., 11.4
Hawley, He
Iyer, James E.
64.80; Hofstette
Hogan, Margare
Gladys M., 83.8
106.40; Leindeck
McGee, Sylvia
Dennis H., 74.48
94.32; Neill,
Neuenschwand
Overman, Richa
son, Christine,
M., 115.28;
103.04; Query, Ed
del, Richard W
Ima Leona, 52.4
F., 13.20; Savoy
Schaffner, Dor
Robert B., 11.76
F., 10.80; Shra
Siegmund, Floyd
Isobel M., 54.4
72.24; Smith,
Snook, Gene D
vira T., 13.04,
54.80; Thomas,
Vanderlaan, Tho
don, Lucian B.,
R., 62.40; Watso
Wiktorek, Adar
Larry, 5.80; Tr
Yaw, Mary, 15
5.00; Mothersb
Fordice, Steven
M., 10.80; Van
8.60; Vanbreem
Postnikov, Basi
ard, 5.00; Harr
Hatch, Charles,
lyn, 13.80; Ahr
Ahrens, Myrcha

Spealman, A
Glen Jr., 23.20,
Hinkley, James
A., 5.80; Whipp
Albers, Timoth
William, 5.80; G
Clay, Phyllis
Otto, 6.60; Mc
Janec, Michael
Eleanor, 7.56; W
Watkins, Jane,
5.00; Sansburn,
Guadalupe C., 5
5.64; Threlkel,
Orville, 10.12; B
Cupit, Joseph,
5.80; Polanski
Myers, Richard,
W., 11.60; Tim
Benckendorf, R
Stephen, 5.80;
5.80; Field, Mi
James, 8.20; G
Cobb, Norm, 5
ane, 9.32; Phil
Cuno, Sally, 5.0
Kucera, Karen,
A., 5.16; Blitz, A
Gregory M., 7.5
7.56; Lafrance, J
man, Carl, 7.40,
5.80; Davis, Ste
Peggy L., 5.32;
Gibson, L. E., 5
as, 7.40; Bram
Loftis, Jennie W

Lofus, Linda,
ert, 5.80; Holl
Fletchall, Duan
san, 5.00; A B
65.00; A To Z
Abel, Robert,
Service, 1.53; A
graph, 5.30; Ado
82.00; Advance
700.95; Air Poll
7.00; Aldrich,
100.00; Allen, A
Allen, Juliet V.,
66.75; Aliens I
Tool, 37.68; Allie
The American
American Asph
306.30; American
5.40; American
319.65; America
Assn., 12.50; Am

PURCHASE ORDER

STATE OF OREGON

PAGE OF

SHOW THIS NUMBER ON ALL PAPERS AND PACKAGES PERTAINING TO THIS ORDER

H 348821

SHIP TO: Oregon State Highway Division, 2800 State Street, Salem, Oregon 97310 — ATTN: R. W. Kuenzli

P. O. DATE: 5-29-75

BILL TO: OREGON STATE HIGHWAY DIVISION, ACCOUNTING SECTION, 438 HIGHWAY BUILDING, SALEM, OREGON 97310

NO. INVOICES: 3

ACCOUNT NUMBER	CREW NUMBER	BIENNIUM	BID NUMBER	COMMODITY CODE
104-6607-605	101-01			

CLASS. FUND, PROJECT OR APPROPRIATION	REQ. NO.	AGENCY NO.
		734

VENDOR

Independent Cleaning Service
P. O. Box 24385
Seattle, Washington 98134
Attention: Mr. Don Anderson

INSTRUCTIONS TO VENDOR

ALL INVOICES MUST CARRY THIS PURCHASE ORDER NUMBER. PREPAY ALL TRANSPORTATION CHARGES UNLESS OTHERWISE STATED.

IF TRANSPORTATION IS BILLED AS SEPARATE ITEM, RECEIPTED FREIGHT BILL MUST ACCOMPANY INVOICE.

STATE IS NOT SUBJECT TO FEDERAL EXCISE TAX.

SEND 3 COPIES OF ITEMIZED INVOICE.

F.O.B. | DELIVERY REQUIRED | TERMS

QUANTITY ORDERED	QUANTITY UNIT	QUANTITY REC'D.	DESCRIPTION	COMMODITY CODE	UNIT PRICE	ITEM TOTAL	COST DISTRIBUTION OR EQUIP. NO.
X			Movement of four semi-trailer loads			$1,200.00	104-6607-605
			of steel floats from B-E-C-K			(4 Loads at $300.00 per load -	
			Constructors Yard (Chilcott-Raber-Kiest			Total $1,200.00)	
			and/or Aleutian Construction) at 5939				
			Fourth St. So. in Seattle to following				
			destination, to arrive NLT 11 a.m. Friday,				
			May 30, 1975:				
			On 2 Trailers: 8 only 17' x 8' x 4' Steel Unifloats.				
			Estmated Weight 8000 pounds each float.				
			To: Oregon State Highway Division, at Skipanon River				
			Bridge, Hwy 105 near Warrenton, Oregon.				
			On 2 Trailers: 10 only 6' x 8' x 4' End Floats, 2 only 12' x 8' x 4'				
			Ramp Floats and 3 only 17' x 8' x 4' Unifloats.				
			To: Oregon State Highway Division, 2800 State Street,				
			Salem, Oregon				
Confirming telephone conversation of Thursday, May 29, 1975 and Friday, May 30, 1975.							
			CONFIRMATION - DO NOT DUPLICATE				

I Certify the Above Items are within Current Budget Allowance

ORDERED BY: [signature] — DATE: 5-29-75

APPROVED — DATE

I Certify these Items are Authorized by the Dept. of General Services

AUTHORIZED AGENT — SIGNATURE: [signature] — DATE: 5-29-75

RECEIVED BY: — DATE

FORM 81-734-1036

ORIGINATOR

5651

October 23, 1975

Commander (oan)
U.S. Coast Guard
13th Coast Guard District
Federal Building
915 Second Avenue
Seattle, Washington 98174

Dear Sir:

Proposed Bridge Replacement
Skipanon River at Warrenton, Oregon
Warrenton-Astoria Highway
Clatsop County, Oregon
Bridge Permit Application

Enclosed are four prints each of Sheets 1 through 6 of the permit drawings for the subject structure, along with one set of reproducibles.

These have been revised from our October 3 submittal as per your suggestions.

Very truly yours,

E. S. Hunter
Deputy State Highway Engineer

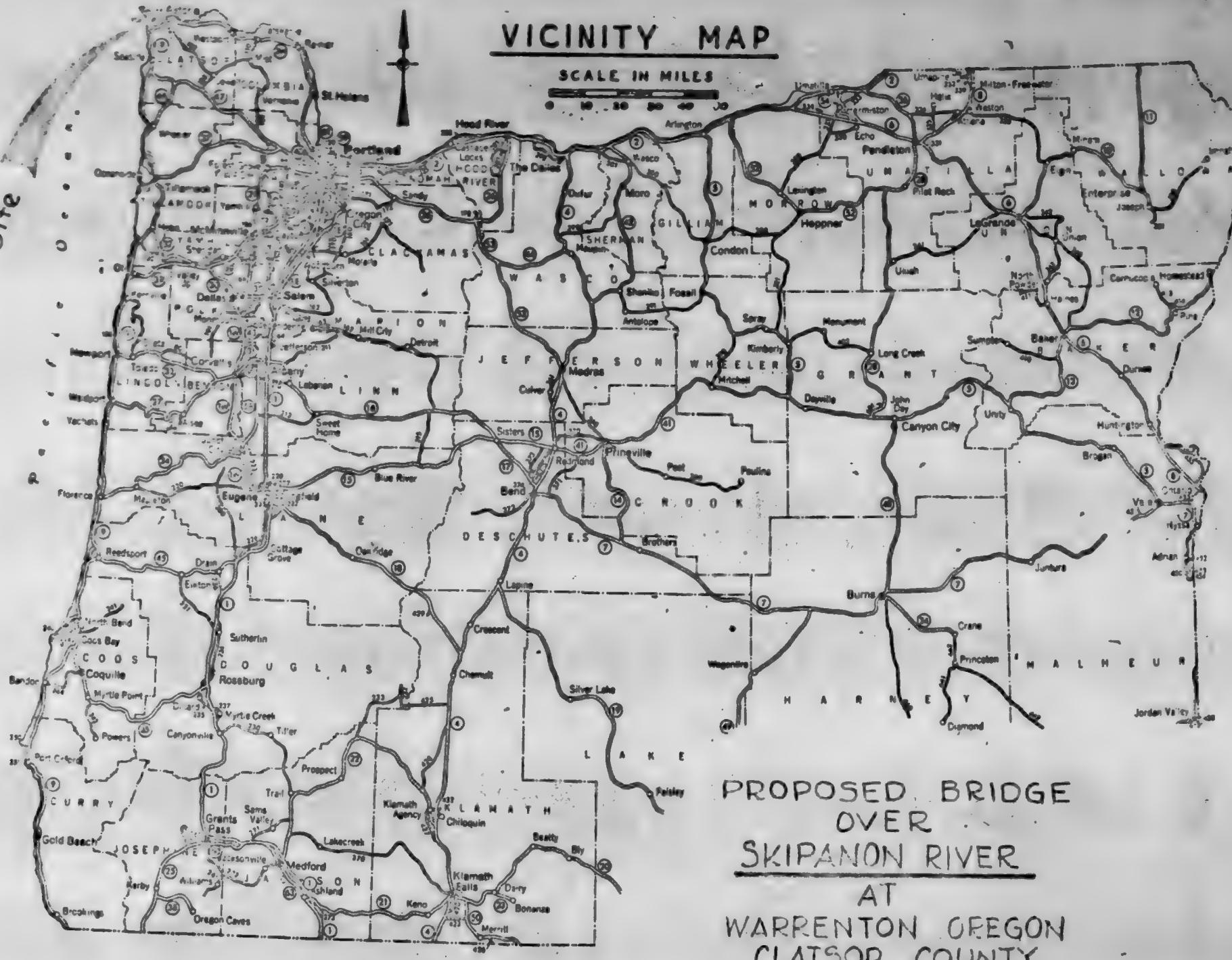
Enc.

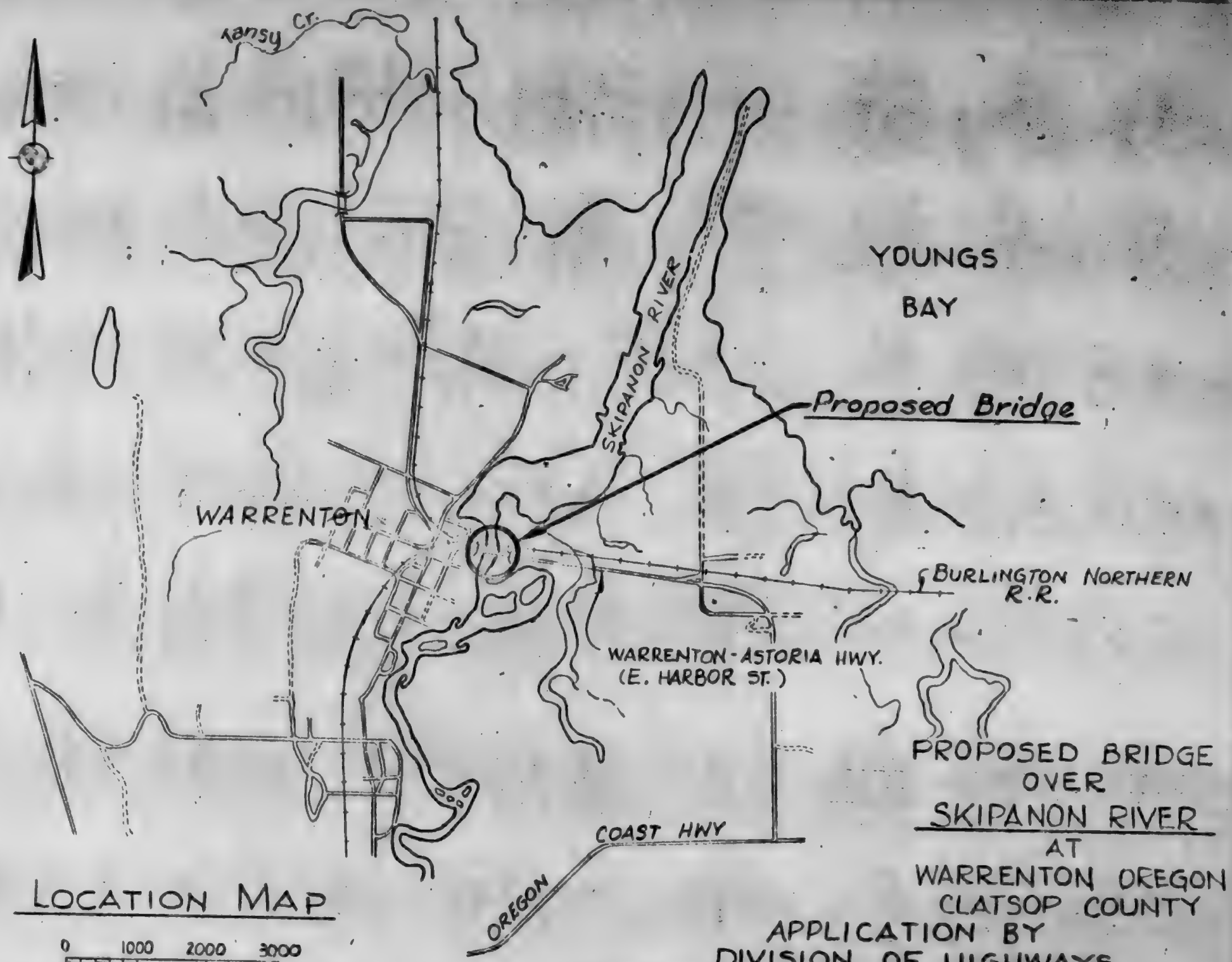
bc F. B. Klaboe
H. S. Coulter (enc.)
R. L. Schroeder "
Walt Hart
D. H. Moehring "
L. W. Rulien "
Gary Potter "
C. O. Fredrickson "

PMO:ag ja

VICINITY MAP

SCALE IN MILES

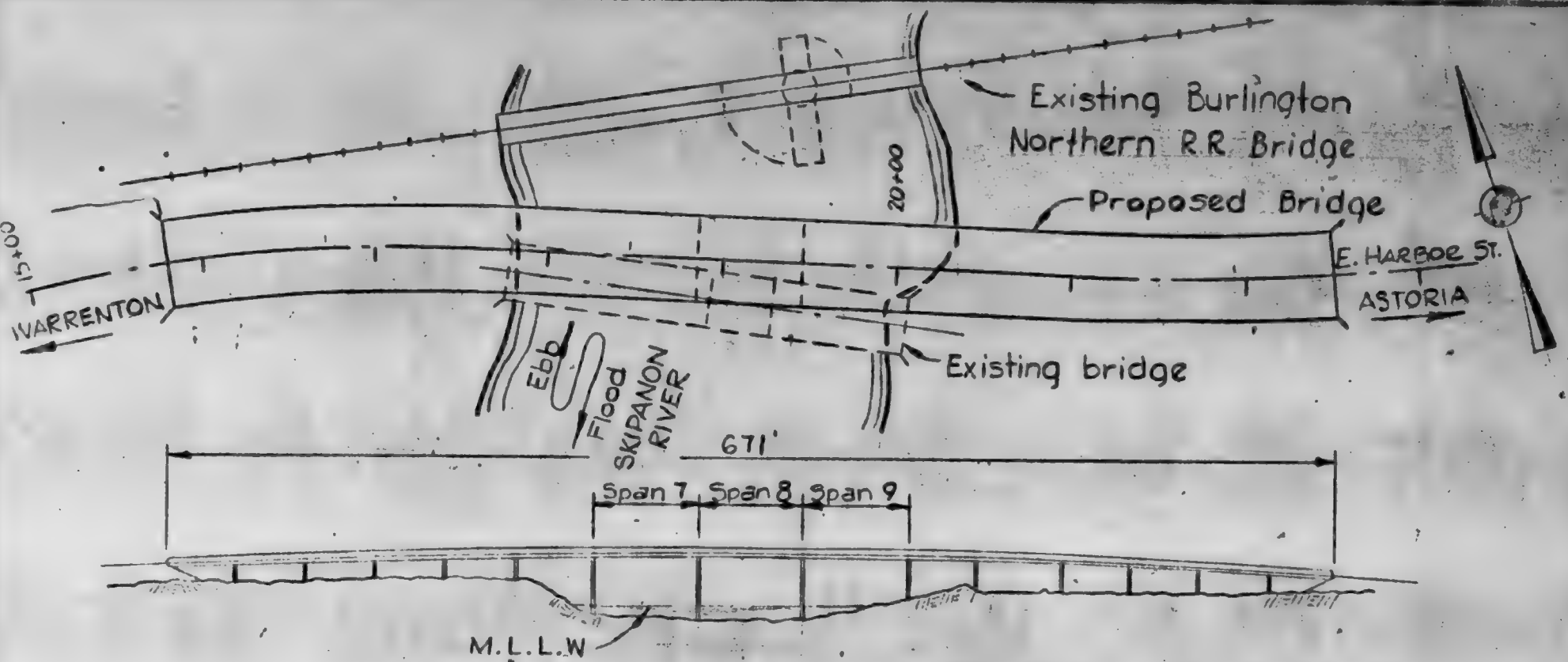

Project Site
Portland
Salem
Eugene
Bend
Medford
Klamath Falls
Roseburg
Coos Bay
Grants Pass
Astoria
The Dalles
Pendleton
La Grande
Baker
Ontario
Burns
Lakeview
Canyon City
John Day
Prineville
Redmond
Sisters
Madras
Condon
Heppner
Hermiston
Milton-Freewater
Enterprise
Joseph
Wallowa
Dallas
Albany
Corvallis
Lebanon
Sweet Home
Blue River
Oakridge
Cottage Grove
Reedsport
Florence
Coquille
Myrtle Point
Gold Beach
Brookings
Port Orford
Powers
Canyonville
Myrtle Creek
Tiller
Sutherlin
Drain
Elkton
Newport
Tillamook
Yachts
Westport
Clatskanie
St Helens
Hood River
Arlington
Wasco
Moro
Grass Valley
Shaniko
Fossil
Antelope
Madras
Culver
Metolius
Sisters
Redmond
Bend
Prineville
Post
Paulina
Brothers
Lapine
Crescent
Chemult
Silver Lake
Paisley
Lakeview
Klamath Agency
Chiloquin
Prospect
Trail
Sams Valley
Lakecreek
Medford
Ashland
Keno
Merrill
Klamath Falls
Beatty
Bly
Dorry
Bonanza
Kerby
Oregon Caves
Agness
Powers
Condon
Monument
Kimberly
Mitchell
Dayville
Long Creek
Unity
Sumpter
Huntington
Brogan
Vale
Ontario
Juntura
Crane
Princeton
Diamond
Jordan Valley
Adrian
Nyssa
Ironside
Cornucopia
Homestead
Pine
Durkee
Halfway
Imbler
Enterprise
Joseph
Wallowa
Lostine
Minam
Elgin
Weston
Athena
Echo
Pilot Rock
Umatilla
Irrigon
Boardman
Heppner
Lexington
Ione
Arlington
Wasco
Moro
Grass Valley
Shaniko
Fossil
Condon



LOCATION MAP

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975

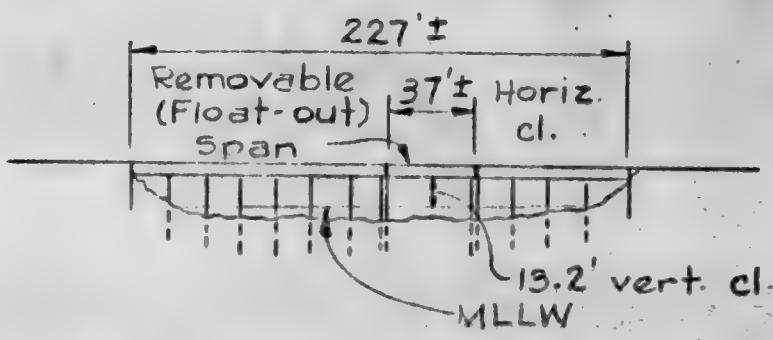


See Sheet 4 for clearance information.

PLAN AND ELEVATION

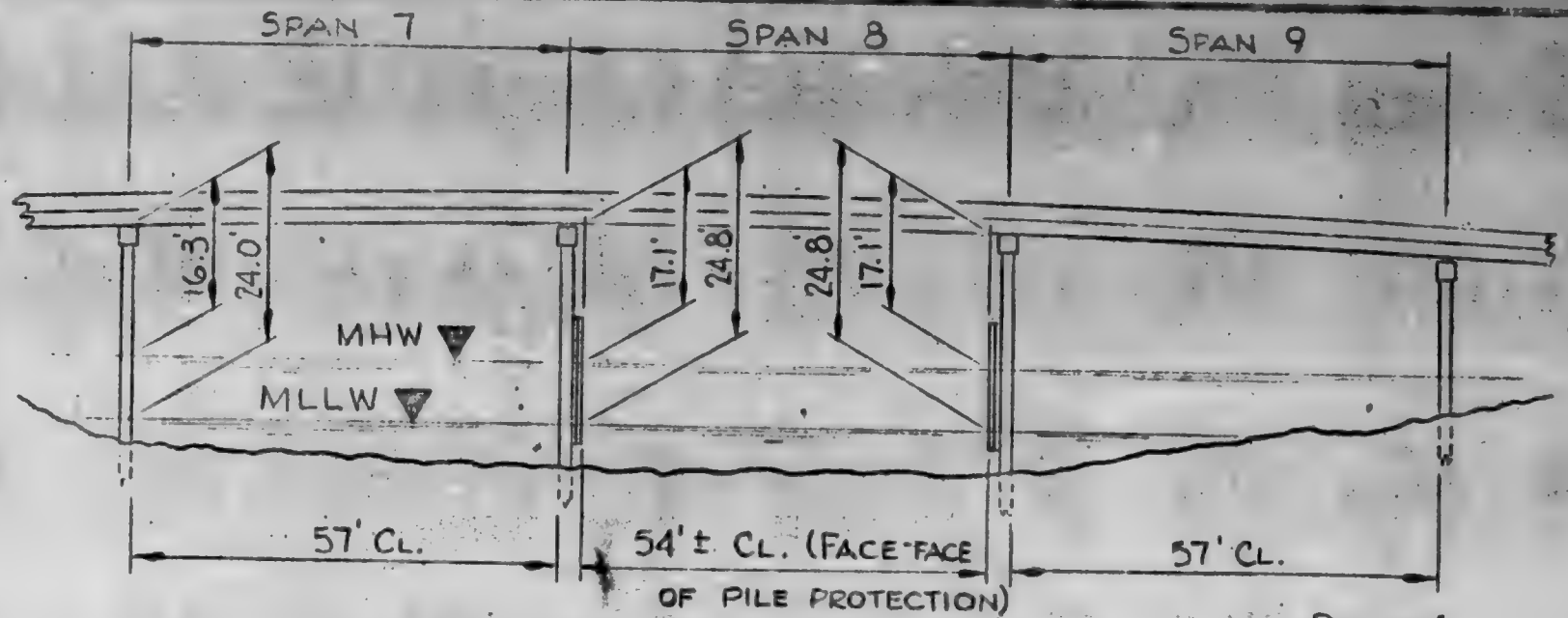
SCALE IN FEET

0 100 200 300



ELEVATION - EXISTING BRIDGE

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 3 OF 6

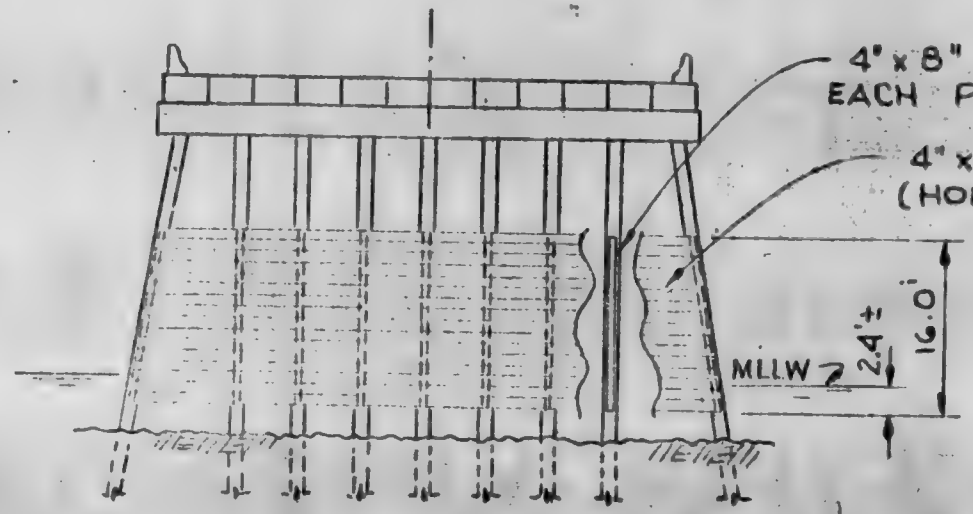


CLEARANCE AT MAIN SPANS

DATUM:
M.L.L.W = ZERO TIDE.

SCALE IN FEET

0 30 60 90

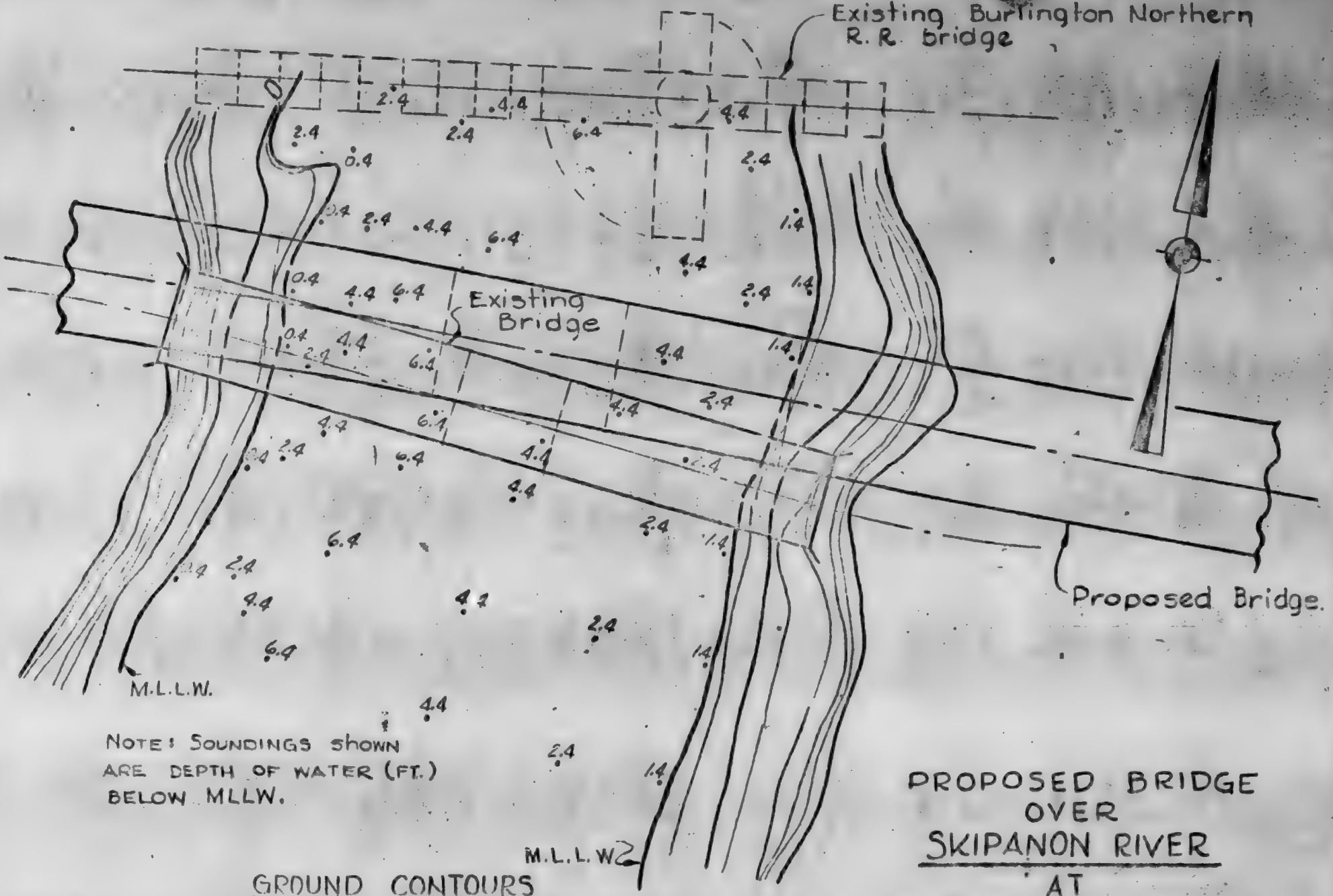


PILE PROTECTION DETAIL

SCALE IN FEET

0 10 20 30

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975



NOTE: SOUNDINGS SHOWN ARE DEPTH OF WATER (FT.) BELOW MLLW.

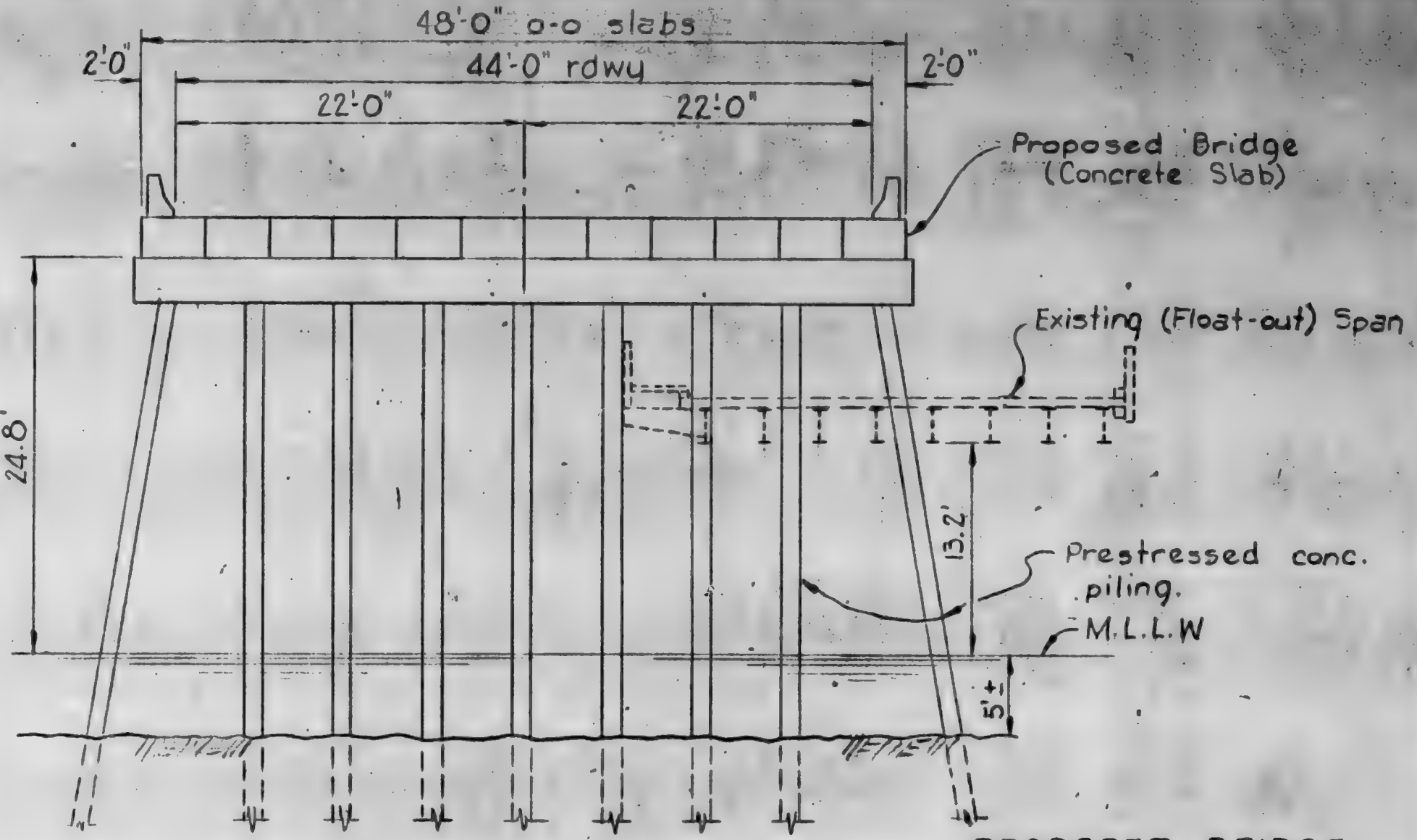
GROUND CONTOURS
AT EXISTING BRIDGE

SCALE IN FEET

0 50 100 150

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 5 OF 6



TYPICAL SECTION AT CHANNEL

SCALE IN FEET

0 10 20 30

NOTE: PILE PROTECTION NOT SHOWN.
SEE SHEET 4.

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
OCTOBER, 1975 SHEET 6 OF 6

8651

8

October 6, 1975

Commander (oan)
13th Coast Guard District
Federal Building
915 Second Avenue
Seattle, Washington 98174

Dear Sir:

Proposed Bridge Replacement
Skipanon River at Warrenton, Oregon
Bridge No. 11226A
Warrenton-Astoria Highway
Clatsop County, Oregon
Bridge Permit Application

Application is hereby made by the Highway Division of the Oregon Department of Transportation at Salem, Oregon, for a permit for the replacement of the Skipanon River Bridge at Warrenton, Oregon. This bridge is at River Mile 2. One set of reproducibles and four prints each of Sheets 1 through 5 of the permit drawings are enclosed.

As you are aware, the Coast Guard office in Washington, D.C. has ordered the Oregon Highway Division to bring the existing bridge into permit compliance (War Department permit of 1916) or present an alternate proposal.

This permit application is for a high-level, fixed-span bridge which will provide 24.8 feet of vertical clearance above mean lower low water. Horizontal clearance under the main span (Span 8) will be 54 feet. As noted on Sheet 3 of the permit drawings, the temporary horizontal clearance during construction will be the same as that of the existing bridge, 37 feet.

After much study of the alternates available and the public input received, the proposed structure was

selected as the alternate which will adequately serve the needs of navigation as well as those of highway traffic. The existing bridge will be removed completely to the natural streambed.

For your information, a copy of the Corridor-Design Study Report and its attachments are enclosed.

This application is being sent to you prior to availability of the Final Environmental Impact Statement in order that permit processing may be started. The final EIS is being printed and will be forwarded to the Federal Highway Administration for concurrence very soon. Copies will be sent to you subsequent to their concurrence.

This project is being developed for financing under Federal-aid Secondary Highway funding. It is currently anticipated that advertisement for bids for this work will be during the second quarter of 1976. Please advise us of any requirements for navigation lights on this structure.

It is requested that the Coast Guard issue a permit for this bridge.

Very truly yours,

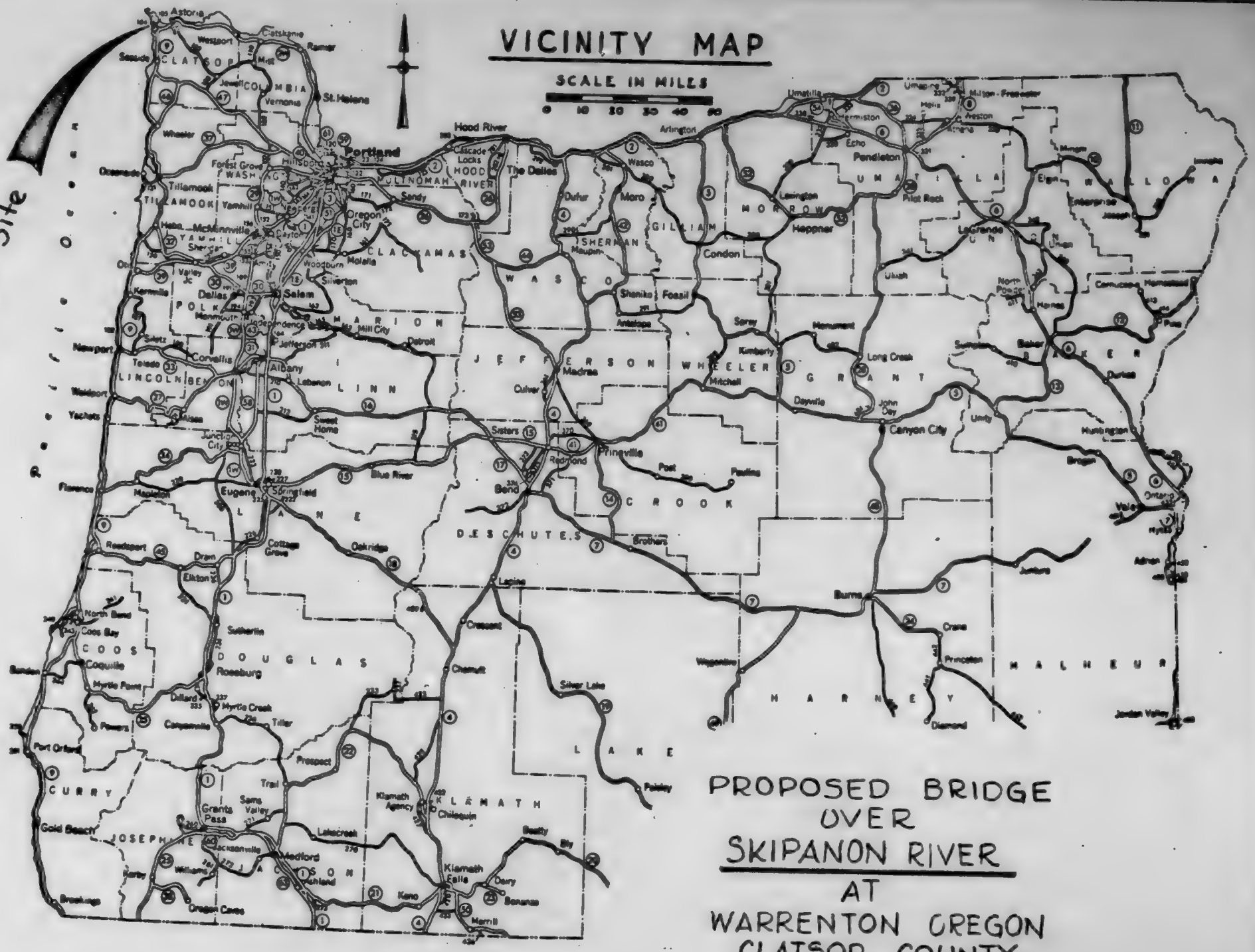
E. S. Hunter
Deputy State Highway Engineer

Enc.

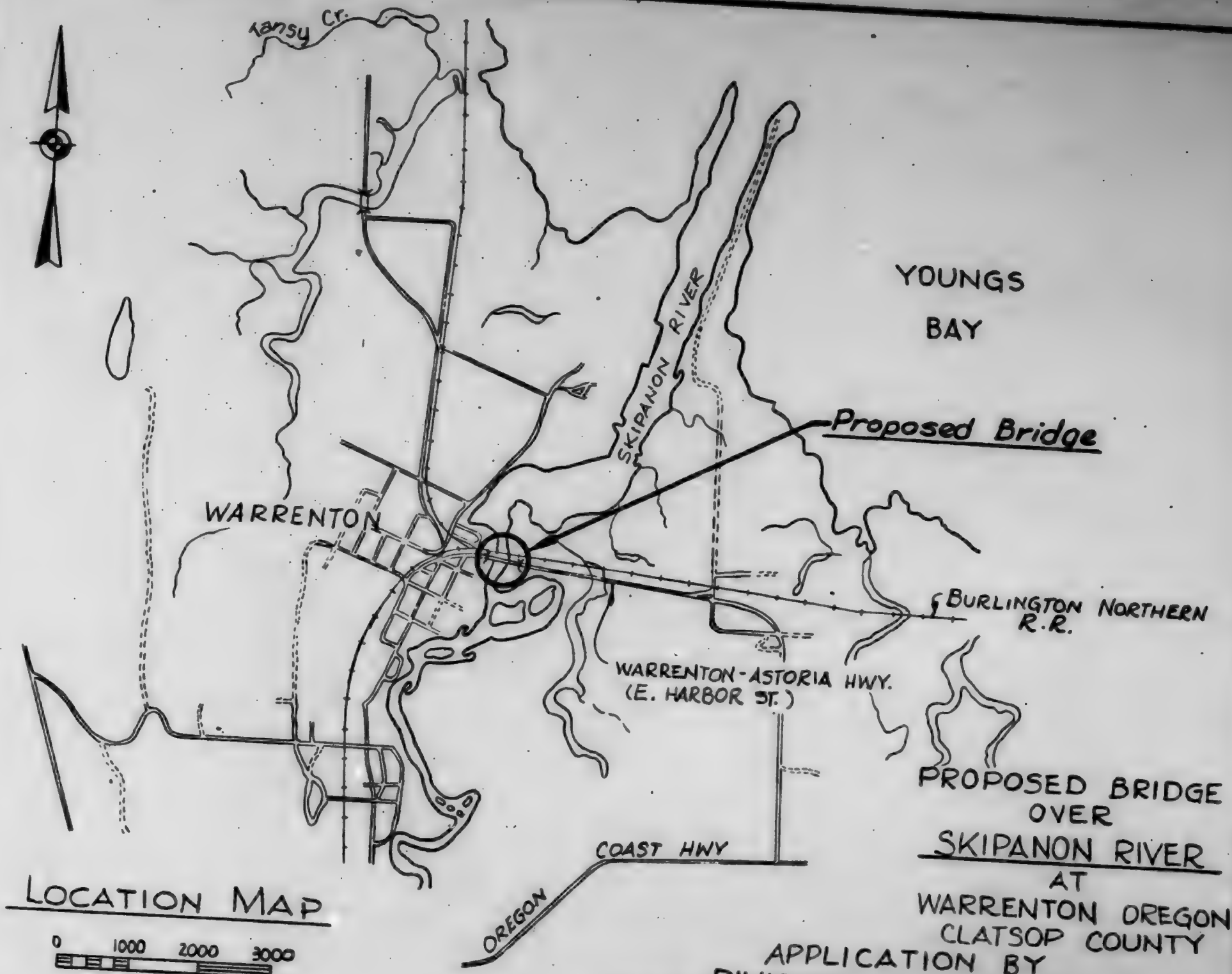
bc F. B. Klaboe
H. S. Coulter
R. L. Schroeder
W. J. Hart
D. H. Moehring
L. W. Rulien
Gary Potter
C. O. Fredrickson

RWE:dh ja

VICINITY MAP



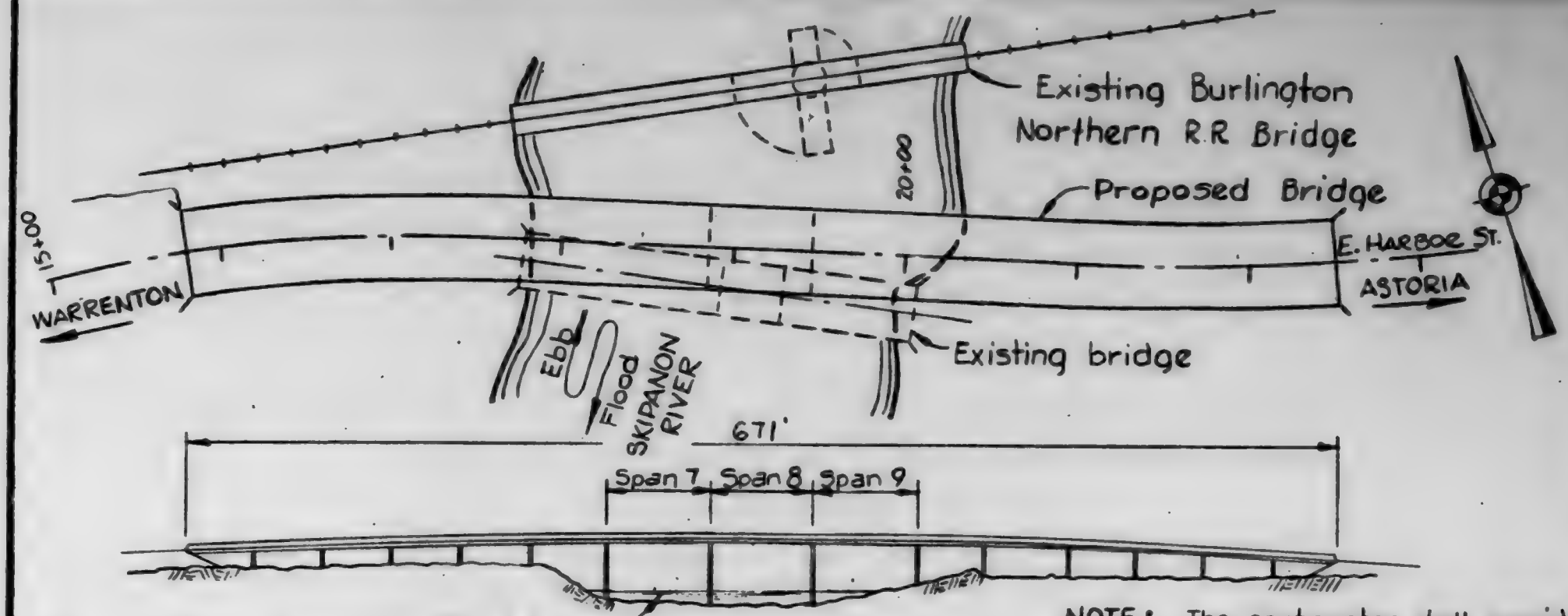
PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1975 SHEET 1 OF 5



PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1975

SHEET 2 OF 5

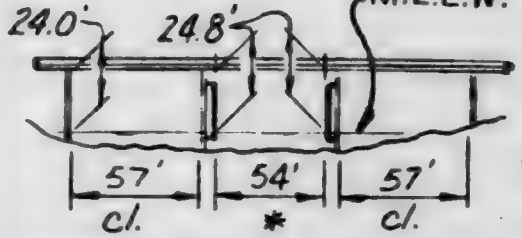


* Span 8 horiz. cl. is face-to-face of pile protection.

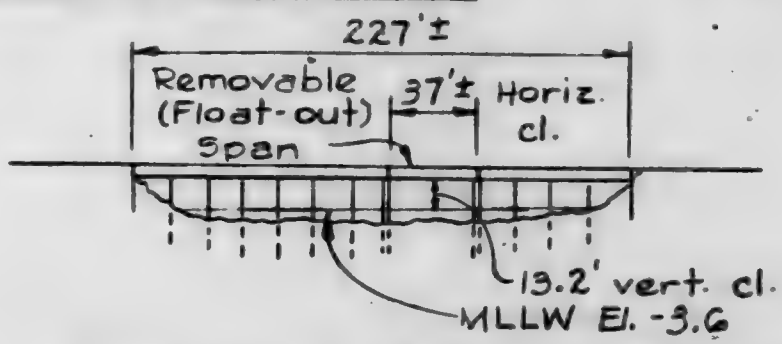
PLAN AND ELEVATION

SCALE IN FEET

0 100 200 300



SPAN 7, 8 & 9 - CLEARANCES

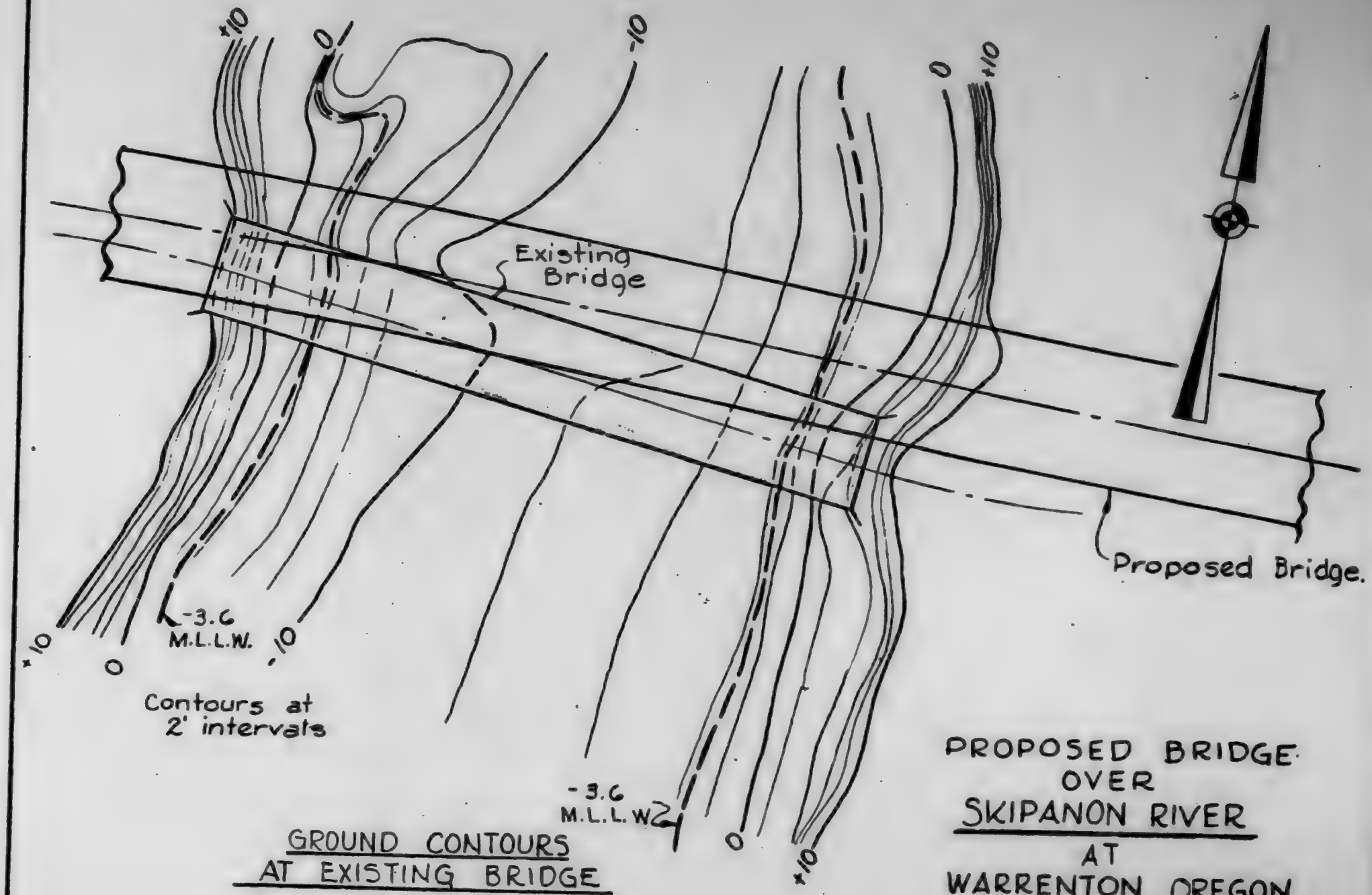


ELEVATION - EXISTING BRIDGE

NOTE: The contractor shall provide for a horizontal navigation clearance at Span 8 during construction equal to the horizontal clearance provided by the existing bridge.

Elevations shown are U.S.C. & G.S. (1947 Adj). El. -3.6 is 3.6' below Mean Sea Level.

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1975 SHEET 3 OF 5



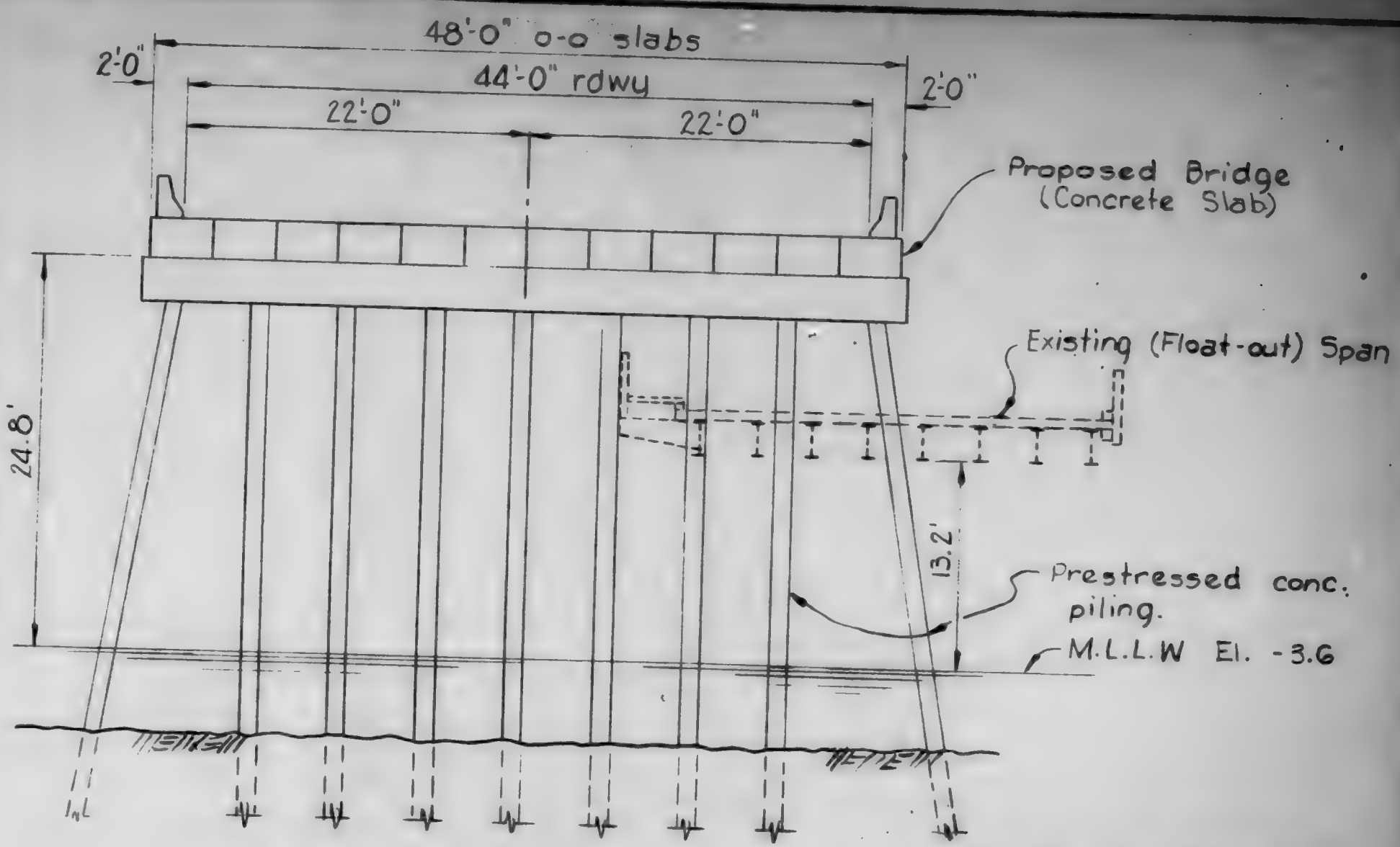
GROUND CONTOURS
AT EXISTING BRIDGE

SCALE IN FEET

0 50 100 150

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1975 SHEET 4 OF 5



TYPICAL SECTION AT CHANNEL

SCALE IN FEET

0 10 20 30

PROPOSED BRIDGE
OVER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY
APPLICATION BY
DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1975 SHEET 5 OF 5

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION
INTER-OFFICE CORRESPONDENCE

FILE:

September 3, 1975

FROM: Victor D. Wolfe
Location Engineer

TO: E. S. Hunter
Deputy State Highway Engineer

SUBJECT: Location Study Report
Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County

Enclosures ([redacted]):

1. Transcript of public hearing
2. Hearing map
3. Plans and profiles
4. Traffic Study
5. Right of Way Liaison Report

We have reviewed the transcript of the Corridor-Design Public Hearing for the subject project, which was held June 5, 1975 at 8:00 p.m. in the High School Library at Warrenton, Oregon.

Previous meetings with the Warrenton City officials and with the public essentially eliminated alternate corridors; therefore, the hearing covered only the design alternatives on the existing corridor (East Harbor Street).

The design alternatives presented were (1) a double leaf bascule span and (2) a fixed span. The bascule span, in the closed position, would have 16 feet of vertical clearance above extreme low water and 44 feet of horizontal clearance. In the open position there would be 34 feet of horizontal clearance and the vertical clearance would be limited by overhead utilities. The fixed span would have 27 feet of vertical clearance above extreme low water (about 25 feet above mean lower low water) and 54 feet of horizontal clearance. Each design would have a 44-foot curbed street section with 12-foot travel lanes and 10-foot shoulders. The shoulder area would serve as a pedestrian/bicycle facility.

The preferences stated at the hearing (both oral and written) were as follows: 7 persons favored the fixed span as presented; 3 favored the bascule span as presented; 2 a lower fixed span; 1 a higher fixed span with 50 feet of vertical clearance above mean lower low water; and 5 a higher opening span (20 feet above mean lower low water when closed).

At the hearing, the City of Warranton requested that testimony be held open until the results of an advisory election that was held on June 10, 1975 could be submitted. Out of the 233 votes cast, 210 favored the existing bridge corridor (East Harbor Street), 11 the Second Street Corridor, and 8 a Ninth Street Corridor. The vote also revealed that 123

persons favored a high fixed span noted as 1G in the Environmental Impact Statement which specified a 27-foot clearance, 92 an opening span higher than the existing bridge, and 18 an opening span at the same elevation as the existing bridge. The preferences expressed at the hearing, combined with the election results, show that a majority favors a high fixed span.

Interdisciplinary Team No. 1 recommends that the fixed span with a 27-foot vertical clearance at extreme low water (±25 feet at mean lower low water) be submitted for design approval. The Coast Guard's order allowed us to propose an acceptable alternate to the original bridge plan, and we believe this design is such an alternate, which will adequately serve the needs of navigation as well as those of highway traffic.

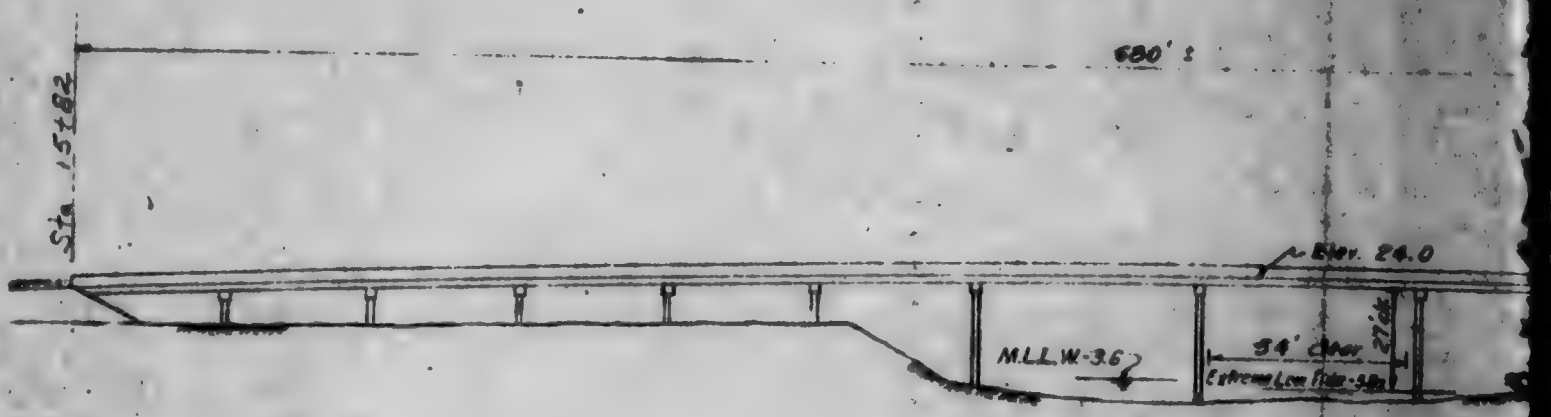
This solution will be less expensive than a bascule span. A fixed span will cost $1.5 million to construct with only minimal operation and maintenance costs, while a bascule span would cost $2 million to construct and $25,000 to $75,000 annual operating costs, depending upon its opening schedule.

However, a fixed span will have greater social impact, since it would displace one family of three persons (replacement housing is readily available at a reasonable cost), while the bascule span would not. To offset this disadvantage, the fixed span would be less detrimental to the natural environment, since it would require only minimal work in the streambed and no detour route would be required. Effects on traffic, the local economy, land use and habitat would be minimal.

Finally, the City of Warrenton has promulgated a zoning ordinance that would severely restrict navigation upstream from the existing bridge even if access to this part of the river were improved. Boats could legally land at only three private properties in this area. All other parts of the river bank are blocked off by dikes constructed by the City, and landing on these structures is prohibited by a City ordinance. Therefore, even though the Highway Division is legally obligated to pursue this project for the benefit of navigation, the increase in boat traffic on the upper reach of the Skipanon River after completion of the work will be minimal, providing present City zoning and orginances are not revised.

For these reasons, the fixed span noted as 1G in the Environmental Impact Statement which specified a 27-foot clearance is recommended over the bascule span.

DB:mc

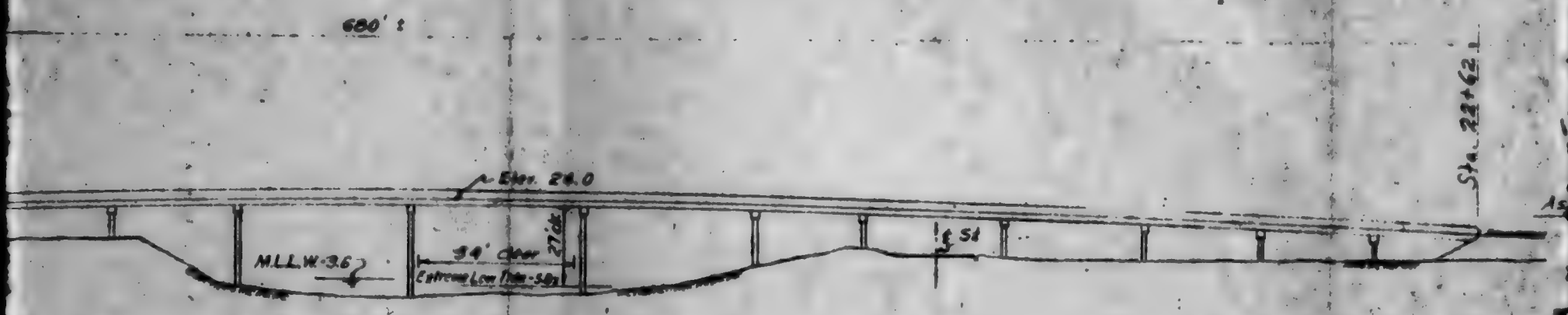


ELEVATION
Scale: 1" = 30'

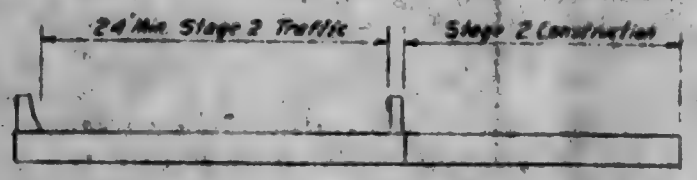
STAGE 1

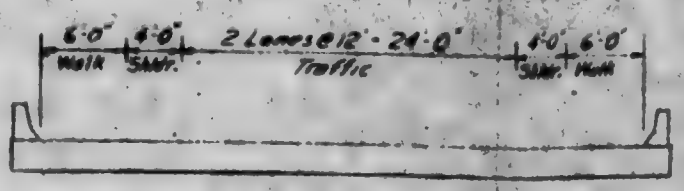
STAGE 2

PRELIMINARY COPY
SUBJECT TO CHANGE

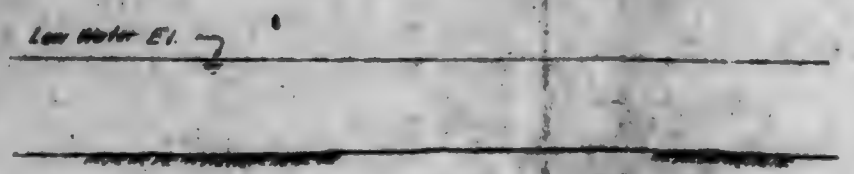


ELEVATION
Scale: 1" = 30'

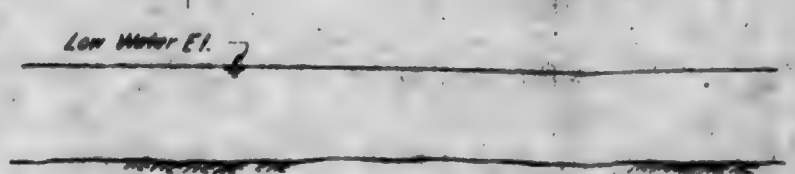




Remove Existing Structure



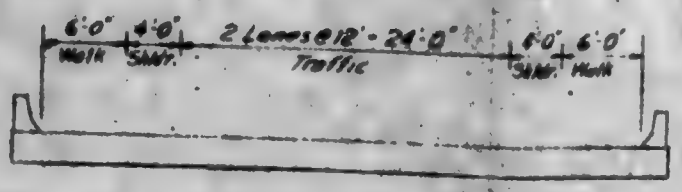
STAGE 2



FINISHED STRUCTURE

DESIGNED
DRAWN HOW

PRELIMINARY COPY
SUBJECT TO CHANGE



Structure

Low Water El.

FINISHED STRUCTURE

OREGON STATE HIGHWAY DIVISION
BRIDGE SECTION

SKIPANON RIVER BRIDGE

WARRENTON-ASTORIA HWY. CLATSOP COUNTY

PROPOSED FIXED SPAN ALTERNATE

DRAWN: NDW

PRELIMINARY COPY
SUBJECT TO CHANGE

FIRST STREET

ANCHOR AVENUE

BAY AVENUE

SKIPANON

Scale 1"=50'

12+00 Lt.
Construct Type 'G' Inlet
Install 8" Sewer Pipe - 40'

12+25 Rt.
Construct Type Inlet
Install 8" Sewer Pipe - 135'

13+60 Lt. & Rt.
Construct Type 'G' Inlet
Construct Type 'D' Inlet
Construct Manhole
Install 8" Sewer Pipe - 50'
Install 12" Sewer Pipe - 220'

16+80 Rt.
Construct Manhole
Install 12" Sewer Pipe - 150'
Install 8" Corregated Metal Pipe - 55'

12+36.00 P.S.

14+71.00 P.S.C.

175' R

7° C.R.

175' R

DIKE

Reconstruct Curb & Sidewalk

Shopping Center Earl Johnson Mk. 1 S.R. Rank

Proposed R/W

Existing R/W

Remove Fence

Remove Fence

Remove Pavement

Existing R/W

D.D. F.M.H. Rock Elev. 19.71 P.C.S.

Bridge End

TYPICAL TWO-WAY ACCESS ROAD

2' 10' 10' 2'

4" A.C. Wearing Surface M.C. 250/m

6" Aggregate Base

3:1

Match Existing Pavement

350' V.C.

+5.0%

Profile Grade @ 12' Rt.

+5.0%

Profile Grade @ ℄

K.C. P.I. Sta. 13+30 Elev. 5.60

8.5' 6' 4' 10' 12' 12' 4' 6' 10' 8.5'

Walk

Curb

4" A.C. Wearing Surface

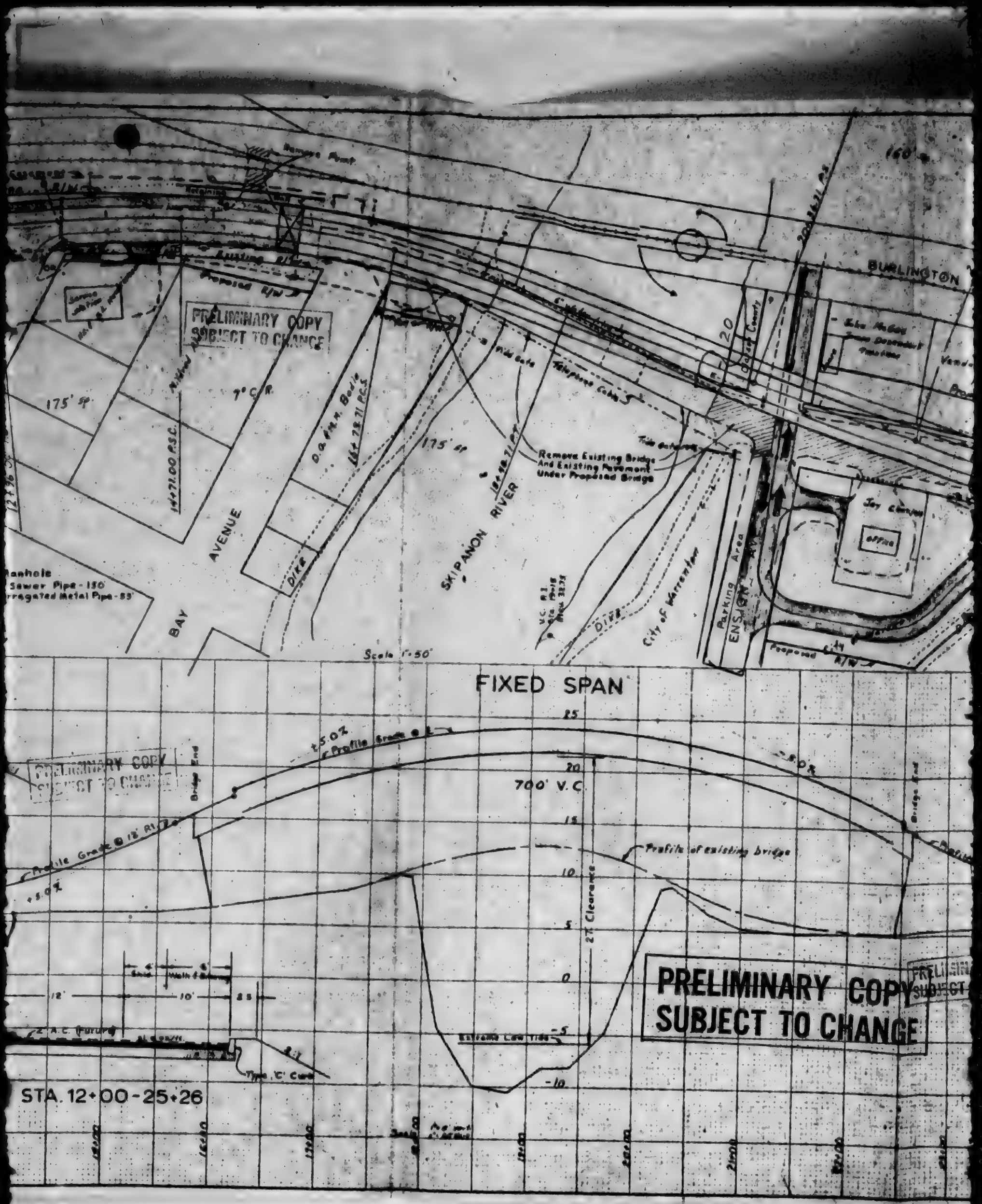
2" A.C. (Future)

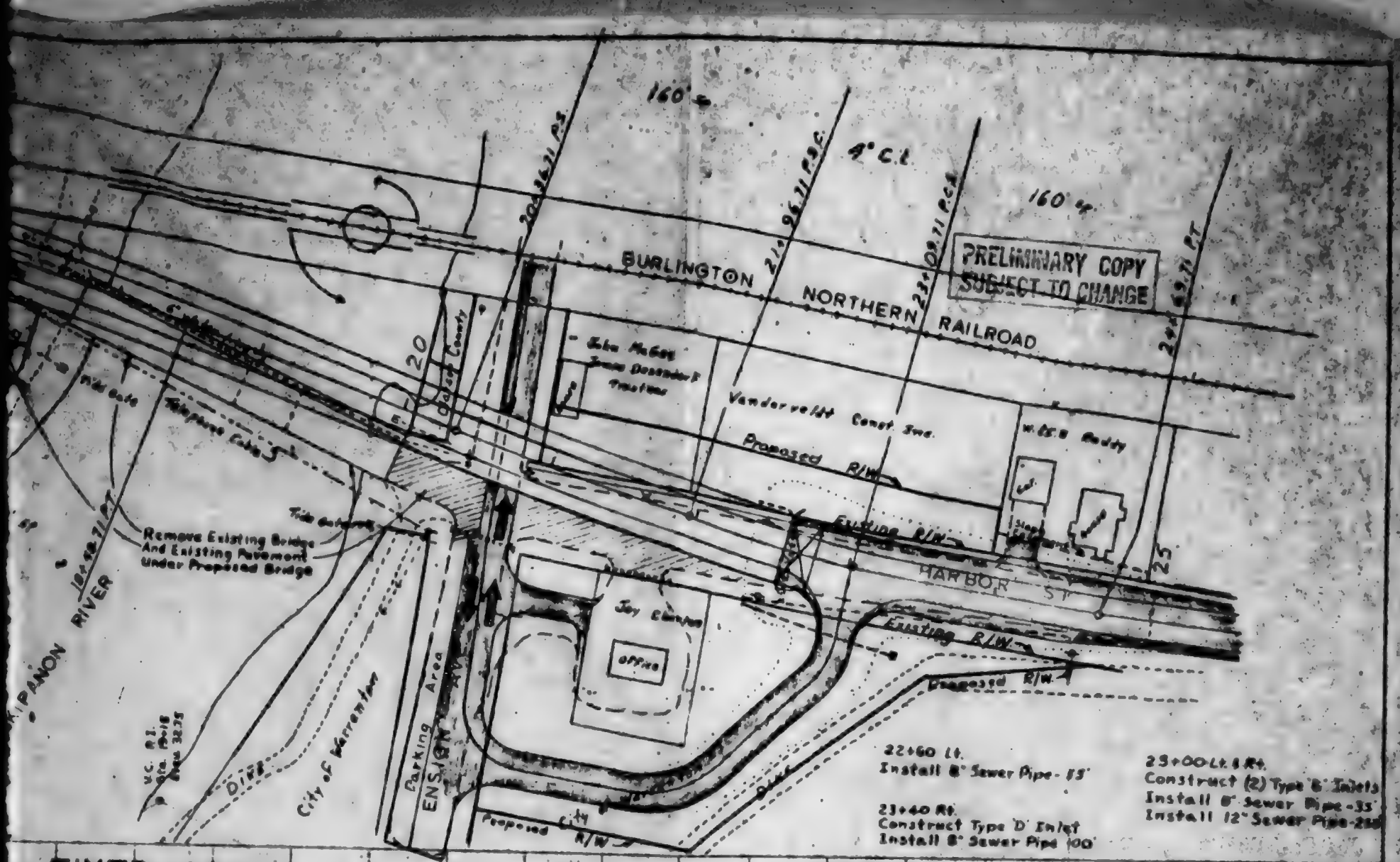
M.C. 250/m

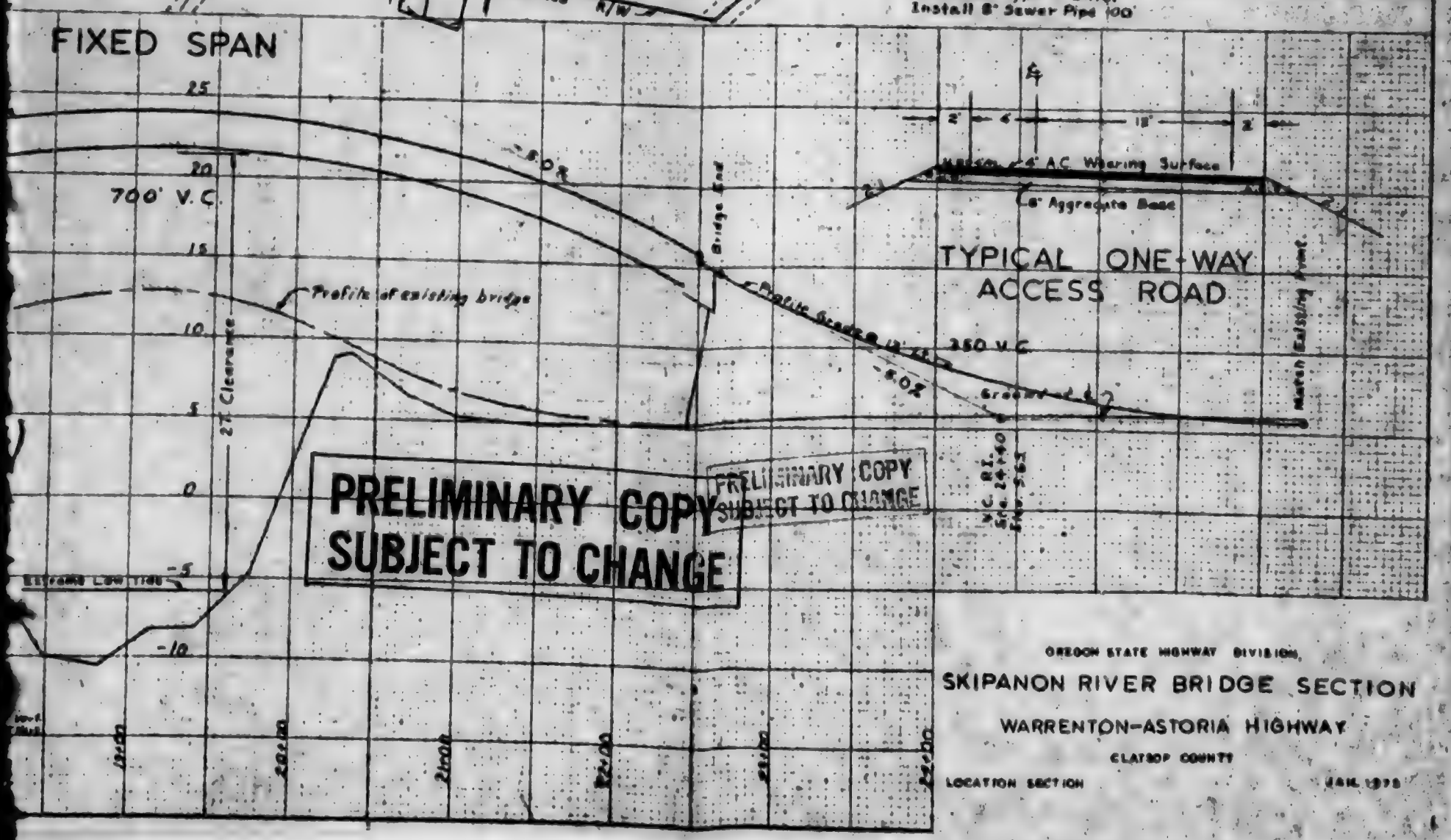
18" Aggregate Base

Type 'C' Curb

TYPICAL SECTION STA. 12+00 - 25+26


PRELIMINARY COPY
SUBJECT TO CHANGE
Remove Existing Bridge
And Existing Pavement
Under Proposed Bridge
SKIPANON RIVER
BAY AVENUE
DIKE
BURLINGTON
Scale 1"=50'
FIXED SPAN
700' V.C.
27' Clearance
Profile of existing bridge
Profile Grade @ ℄
+5.0%
-5.0%
Extreme Low Tide
Type 'C' Curb
STA. 12+00-25+26
PRELIMINARY COPY
SUBJECT TO CHANGE





OREGON STATE HIGHWAY DIVISION

SKIPANON RIVER BRIDGE SECTION

WARRENTON–ASTORIA HIGHWAY

CLATSOP COUNTY

LOCATION SECTION JAN. 1978

8651

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem, Oregon 97308

DATE: August 25, 1975

In reply refer to: 1041DB

SUBJECT: Oregon Project RS-599(1)
Skipanon River Bridge
Draft EIS FHWA-OR-EIS-75-03-D

FROM : G L Green, Division Administrator

TO :
Mr. F. B. Klaboe, Administrator & State Highway Engineer
Attention: G. Potter, Environmental Section

Attached for your further action are comments from our Washington, D.C. Office of Environmental Policy concerning the subject EIS. Please advise this office of the action you may wish to take on these comments.

G. K Hoosier
G. L. Green

Attachment

RECEIVED
STATE HWY ENG.
AUG 27 '75
REFER TO
Schroeder
FOR
Info | Inves | R/D | D/R | Sign | Act | File

8-28-75
CC: Potter - T.A.A.
Rubien - Info

NOTED
R. L. SCHROEDER

RECEIVED
AUG 28 1975

Comments on Draft Environmental Impact Statement
Oregon - Skipanon River Bridge, Warrenton
FHWA-OR-EIS-75-03-D

1. The reference to 49 U.S.C. 1653(f) and 16 U.S.C. 470(f) on the title page should appear only when the project includes a Section 4(f) taking or involvement with historic properties. The final EIS title page should not include these references.

2. The street map of Warrenton, Figure No. 2, needs to be explained, i.e., a legend to show which streets exist and which do not.

3. The discussion on project need, page 3, should be expanded to include a discussion on the adjacent railroad bridge, its effect on the water traffic, and if it must be opened when the highway bridge is opened. We realize that some of this information is contained later in the statement, but the existence of this bridge immediately adjacent to the highway bridge is an important element in selection of the final project alternative.

4. The reference to Figure 12 on page 36 seems to be inappropriate since Figure 12 is the city's land use plan and one cannot differentiate between existing and proposed. We suggest changing the reference to Figure 2 in the FEIS rather than Figure 12.

5. The discussion on page 45 indicates a possible attempt by the Highway Division to obtain Coast Guard approval to restrict openings of the bridge to scheduled openings or advance requests. The final EIS should contain more information on this possibility and whether the matter has been discussed with the Coast Guard.

8151

9

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

August 4, 1975

FROM: Dennis Bagger

TO: F I L E

SUBJECT: Interdisciplinary Team 1
Location Study Report
Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County

The team met in Mr. Wolfe's office on August 1 to discuss the Location Study Report for the Skipanon River Bridge Section. Those in attendance were:

Victor D. Wolfe - Location
J. B. Boyd - Right of Way
C. O. Fredrickson - Region 2
Gary Potter - Environmental
Dennis Bagger - Location

NOTED
E. S. HUNTER

The team discussed the general content of the study report and agreed it was acceptable. However, Gary Potter suggested that the following items should be incorporated into the study report:

1. Environmental advantages of the fixed span.

2. The City of Warrenton's zoning in regard to navigation restrictions upstream from the existing bridge.

3. Project costs, both for initial construction and future cost comparisons for fixed span vs bascule span.

The team concurred that the study report should be rewritten to include the above subjects.

cc E. S. Hunter
J. B. Boyd
C. O. Fredrickson
Gary Potter

RECEIVED
STATE HWY ENGR
AUG 4 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

8651

8

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-LCL/81)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE: 202-426-2245

RECEIVED
JUL 22 1975
LEGAL

5895
PSB #107-74

17 JUL. 1975

Patrick A. Randolph, Jr., Esq.
Assistant Attorney General
State of Oregon Department of Justice
211 State Highway Building
Salem, Oregon 97310

NOTED
H. S. COULTER

Re: Bridge over Skipanon River
at Warrenton, Oregon

Dear Mr. Randolph:

Forwarded herewith are two signed copies of the agreement between the State of Oregon and the U.S. Coast Guard regarding the referenced bridge. We have taken the liberty of retyping the last page of the agreement in order that the entire document be in a single type-face, thus presenting a more integrated appearance. There have been no changes to the agreement as signed by Mr. Klaboe.

Please have Mr. Klaboe execute the agreement and return the original to my office. I apologize for the delay in returning the final version of this agreement to you.

Sincerely,

NORMAN B. LYNCH
Commander, U.S. Coast Guard
Chief, Claims & Litigation Division
By direction of the Commandant

Enclosure

Copy to:
Mr. Thomas C. Lee, AUSA Portland, Oregon
CCGD13(d1)

RECEIVED
JUL 24 1975
Office of
Assistant State Highway Engineer

Bridge Section Head
G-C File
Coulter
Hunter
Barrie
Orig to Randolph for return to CG.
7-23

GPO 920-452

AGREEMENT TO MODIFY THE REQUIREMENTS FOR THE OPENING OF THE OREGON STATE HIGHWAY BRIDGE AT MILE 0.9, SKIPANON RIVER, OREGON

Preliminary Statement. The Oregon State Highway Bridge at Mile 0.9, Skipanon River, Oregon was originally constructed and authorized to operate as a single leaf bascule type drawbridge on September 15, 1916. Since that time the bridge structure has been physically modified without authority from any agency of the United States. As a result of these modifications and due to the bridge's aged and deteriorated condition, it is capable of being opened only by use of a suitable water craft floating out a removable section of the bridge. This operation consumes considerable time and is relatively costly for the State of Oregon to perform. In order to remedy this situation, the Coast Guard and the State of Oregon hereby enter into the agreement below. This agreement is specifically conditioned on the State of Oregon continuing to demonstrate good faith in proceeding toward the completion of a new lawful highway bridge to replace the existing structure over the Skipanon River. It is the understanding of the parties that the State of Oregon will proceed diligently and with all appropriate speed towards the construction of a new highway bridge over the Skipanon River which will satisfy the requirements of navigation on the Skipanon River.

In view of the foregoing considerations, the Coast Guard and the State of Oregon hereby enter into the following interim agreement:

1. The Coast Guard will not pursue judicial enforcement to require the State of Oregon to comply with the Commandant's Order dated June 26, 1972, or 33 C.F.R. §117.740 (with regard to the Skipanon River Bridge) until, either a replacement bridge is completed or

the State of Oregon fails to demonstrate good faith in proceeding diligently toward the completion of a replacement bridge.

2. The State of Oregon agrees to schedule two openings of the existing bridge each week to permit the passage of maritime traffic on the Skipanon River. This schedule will be subject to the approval of the Coast Guard. The two weekly openings will be scheduled no closer than every three days. The State will not schedule openings during peak vehicular traffic hours.

3. The State of Oregon will not be required to open the bridge at the scheduled time unless a request to do so is received by the State, or the State's agent for that purpose, within twelve hours of the scheduled opening.

4. The State of Oregon will not be required to open the bridge during peak vehicular traffic hours. Peak vehicular traffic hours are agreed to be between 0730 and 0930, and 1630 and 1830 on Mondays through Fridays, excluding holidays.

5. The State of Oregon agrees to post appropriate public notices on the bridge and in local periodicals, advising the public of the schedule of openings and the procedures for passing through the bridge.

6. The State of Oregon agrees to implement this agreement as soon as a suitable craft can be obtained for the purpose of opening the bridge, but in any event no later

than August 1, 1975. In the period between the time referred to in this paragraph above and the date of this agreement, the State of Oregon agrees to make reasonable efforts to accommodate maritime traffic desiring opening of the bridge in light of the significant economic costs of opening the bridge by currently available means. Compliance by the State with the Commandant's Order dated June 26, 1972, 33 C.F.R. §117.740 (with regard to the Skipanon River bridge), or paragraphs 2,3,4, and 5 of this agreement will not be required by the Coast Guard until a suitable craft is obtained by the State or until August 1, 1975, whichever is earlier.

7. The Coast Guard and the State of Oregon agree, upon the request of either party, to review paragraph 2 of this agreement with an eye toward modification of the number of scheduled openings. The number of scheduled openings will be increased or decreased at a future date if the need of navigation for bridge openings demonstrates that a change is appropriate. The primary considerations for any such future change are the needs of maritime navigation, the needs of vehicular traffic, and the cost to the State of Oregon of opening the bridge. The State of Oregon agrees to maintain an accurate record of each occasion the bridge is opened in order to further the objectives of this paragraph. This record will include the date and inclusive times of each opening and a

GPO 873-804

brief description of all maritime traffic passing through each opening.

The Oregon Transportation Commission, by a duly adopted delegation order, authorized its Chairman or Vice Chairman to act in its behalf in approving this contract. Approval was given for this contract on June 10, 1975 by the Chairman, which approval is on file in the Commission records. The delegation order also authorizes the Administrator and State Highway Engineer to execute the contract on behalf of the Commission.

State of Oregon by and through its Department of Transportation Highway Division

Administrator and State Highway Engineer

17 JUL 1975

U. S. Coast Guard — Date

R. I. PRICE
Rear Admiral, U. S. Coast Guard
Chief, Office of Marine Environment
and Systems

8.51

July 14, 1975

Mr. John W. Kinchaloe
Field Supervisor
U.S. Department of the Interior
Fish and Wildlife Service
919 N.E. 19th Avenue
Portland, Oregon 97232

1398 J

Dear Mr. Kinchaloe:

Reference: EIS

Thank you for your letter of June 3 expressing the view of the U.S. Fish and Wildlife Service on the proposed Skipanon River Bridge Project.

We have coordinated with the Oregon Fish and Wildlife Commission during preliminary development, and you can be assured the coordination will continue throughout project development.

I will see that you receive a copy of the Final EIS when it is released.

Very truly yours,

E. S. Hunter
Deputy State Highway Engineer

GAP:sz js

bc: F. B. Klaboe
R. L. Schroeder
Gary A. Potter
V. D. Wolfe
J. H. Versteeg
C. O. Fredrickson

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Division of River Basin Studies
Portland Area Office
919 N.E. L9th Avenue
Portland, Oregon 97232

Reference: RBS

June 3, 1975

Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Sir:

We have reviewed your proposed Skipanon River Bridge, SR 105, Warrenton, Clatsop County project, and have the following comments:

The U.S. Fish and Wildlife Service is opposed to alternative plans 2 and 3 because of the adverse effects on fish and wildlife resources. All but one of the plans under Alternative 1 would require a detour bridge; however, they would be less disruptive to fish and wildlife habitats on a long-term basis.

The Oregon Fish and Wildlife Commission should be consulted during scheduling of in-water work.

Thank you for the opportunity to comment on this project.

Sincerely yours,

John W. Kincheloe
Field Supervisor

NOTED
E. S. HUNTER
Porter
2/D please
EOA

ECEIVED
E HWY ENGR
JUN 5'75
REFER TO
Hunter
FOR
Info | Inves | R/D | D/R | Sign | Act | File

NOTED
L. E. JOHNSON

CONSERVE AMERICA'S ENERGY

Save Energy and You Serve America!

RECEIVED
JUN 6 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

8

1009 K

July 1, 1975

Mr. Herbert G. Palmberg
Palmberg Construction Company
Post Office Box 448
Warrenton, Oregon 97146

Dear Mr. Palmberg:

This will acknowledge your June 16 response to my June 13 letter regarding the Skipanon River Bridge.

It will be some time before the testimony taken at the recent public hearing can be fully analyzed and a decision can be reached on the bridge replacement project.

Your interest in this matter is appreciated.

Very truly yours,

F. B. Klaboe
Administrator and
State Highway Engineer

bc: A. E. Johnson
E. S. Hunter
H. S. Coulter
Walt Barrie (Att: Randolph)
D. H. Moehring

DHM:jl srb

RECEIVED
STATE HWY ENGR
JUN 17 75
REFER TO
Counts - Hunt
FOR
Info | Invest | R/D | D/R | Bill | Act | File

RECEIVED
JUN 19 1975
Office of

PALMBERG CONSTRUCTION CO.
P. O. BOX 448 WARRENTON, OREGON 97146
PHONE 503-861-1542

June 16, 1975

F. B. Klaboe, Administrator
and State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Klaboe,

Your interest in the Skipanon River bridge problem is appreciated and we are therefore desirous of pursuing the problem as to its aspects of economy and community betterment. We realize that the time you can devote to one local problem such as this is limited, and, with this thought in mind, we have devoted considerable time in studying this problem and hope that you will give serious consideration to our suggestions which have always been, and will continue to be, albeit lacking in diplomacy, for the ultimate benefit of all involved parties - vehicular traffic, navigation interests, and particularly the local community.

The meeting with Mr. Sheldrake was arranged as an endeavor to explore the possibility of economics to the State during the interim period pending completion of the new Skipanon River bridge. With respect to the three provisions outlined the the 3rd paragraph of your letter, we reiterate the following clarifying comments.

(1) Requests for bridge openings could be markedly reduced and/or limited by cooperation of navigation interests and the State;

(2) No moorage above the bridge was anticipated - only moorage on the downstream side.

(3) Navigation interests insisted that this item is involved in the economics to the State during the interim period as well as benefitting upstream navigation in the future and providing access to a presently undeveloped core area of the city, all as pointed out in the letter to Rear Admiral Price, U. S. Coast Guard. Further, landowners have agreed to donate a right-of-way of 70-foot width for this alternate route. This route would also provide an alternate corridor to the south end of the City and to the 9th street connection with Ridge Road and Ft. Stevens State Park, thus alleviating some traffic over the new bridge and thru the City center.

Hopefully, the State can propose consideration of this route to the City on the basis of the overall benefits present and future, which will redound to the City.

In behalf of navigation interests,

Palmberg Construction Co.

by H. G. Palmberg
H. G. Palmberg

8651

8

June 18, 1975

Mr. Gilbert G. Grenson
Auditor and Police Judge
P. O. Box 250
Warrenton, Oregon 97146

Dear Mr. Grenson:

Skipanon River Bridge
City of Warrenton

This is in reference to my letter of March 18 and your reply of March 20 regarding the proposed installation of a submerged water line at the Skipanon River Bridge location.

Actual cost to the City for installation of a 10" water line would be $10,000 more than for a 6" line.

The Department of Environmental Quality must approve the 10" installation and we must have the City's concurrence in the $10,000 cost increase prior to obtaining DEQ approval. If the City concurs in this cost increase, please indicate approval by signature in the space provided below and return a signed copy to this office. We will then proceed to obtain DEQ approval of the 10" installation; otherwise, approval of the 6" installation will be requested.

May we hear from you soon so we may proceed with obtaining necessary permits and approvals.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

APPROVED BY CITY OF WARRENTON:

By _____

By _____

DNH:mm js

Date _____

bc: F. B. Klaboe
A. E. Johnson
W. J. Hart
L. W. Rulien C. O. Fredrickson

3/13/75
JA

1/2

Skipanon River Bridge
City of Warrenton Line Relocation

Cost Estimate

Materials

350' - 10" flexible jt. pipe.	@	57.79/ft	=	20209.50
180' - 6" slip jt "	@	4.00	=	730.80
2 - 10" Gate values	@	358.23 ea	=	716.46
2 - 6" " "	@	141.58 ea	=	283.16
2 - 10"x6" Reducer	@	59.85 ea	=	119.70
2 - 6" T's	@	78.30 ea	=	156.60
2 - 6" Hydrants	@	400.00 ea	=	800.00
2 - connections to existing line			=	300.00
6 - 10" 22½° bends	@	89.50 ea	=	537.00
2 - 10" 45° bends	@	89.50 ea	=	179.00
4 - Boxes for values	@	100.00 ea	=	400.00

3 yd³ concrete for thrust blocks @ 100/yd. = 300.00

Material Cost = 24,732.00

Installation Cost

River Portion

150.00/ft x 250' = $37,500

Land Portion

5.00/ft. 280' = $1400

Total Installation Cost = $38900

$63,632

20% E&C = 12,726

76,358

Use Total Cost = $76,500

Cost Increase going from 6" to 10" pipe

MATERIALS:

Cost for 10" flexible jt pipe = 57.74/ft
" " 6" " " " " = 35.00/ft
difference = 22.74/ft.
for 350' pipe @ 22.74 = $7959.00 ← increase cost

2 - 10" gate valves = 716.46
2 - 6" " " = 283.16
difference = $433.30 ← increase cost

2 - 10" x 6" reducers = 119.70 ← increase cost

6 - 10" x 22½° bend = = 537.00
6 - 6" x 22½° " 48.50 ea = 291.00
difference = 246.00 ← increase cost

2 - 10" x 45° bends = 179.00
2 - 6" x 45° " 48.50 ea = 97.00
difference = 82.00 ← increase cost

Total Material Cost Increase = $8840.00

INSTALLATION Cost

Very small difference assume 5.00/ft x 250' = $1250.00

Total Cost Increase from 6" to 10" line = 10,090
Say $10,000

CITY OF WARRENTON

WARRENTON, OREGON
97146

P. O. BOX 250
TELEPHONE 861-2233

20 March 1975

Mr. E. S. Hunter
Assistant State Highway Engineer
Oregon State Highway Division
Salem - OREGON - 97310

Re: Skipanon River Bridge

Dear Mr. Hunter:

This is to acknowledge receipt of your letter of March 18, 1975, regarding the submarine water line at the Skipanon Bridge location. It was necessary for me to confer with the now semi-retired City Manager E. R. Baldwin on this subject as I have just recently assumed the position of city manager.

The city of Warrenton is not particularly pleased about this new development in the cost of the water line, especially in view of the fact that the bridge is being changed at the request of the U. S. Coast Guard, the Oregon State Highway Division and others. In addition, we are rather unhappy that the Health Division appears not to have made an official decision on the type of piping that may be used in crossing the river.

We had anticipated in our budget the cost difference between the 10-inch line and the 6-inch line as amounting to approximately $2500. Funds in the amount now estimated for the 10-inch line were not included in our water budget.

We will need a firm, maximum price figure on this 10-inch line. Until this price has been confirmed, reviewed and approved by the city commission, we cannot make a final commitment on the project.

Sincerely,

CITY OF WARRENTON

Gilbert Gramson

Gilbert G. Gramson
Auditor & Police Judge

GG:jb

RECEIVED
MAR 24 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

NOTED
E. S. HUNTER
cc Swart Hunt
R/W. agreement made
ESH

8651

AN EQUAL OPPORTUNITY EMPLOYER

EXECUTIVE DEPARTMENT

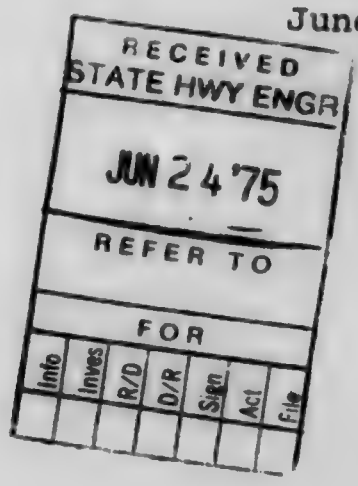
INTERGOVERNMENTAL RELATIONS DIVISION

240 COTTAGE STREET S.E. • • • • SALEM, OREGON 97310

ROBERT W. STRAUB
GOVERNOR

STAFFORD HANSELL
Director

June 17, 1975



Mr. George N. Hopkins
Project Development Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Hopkins:

Re: Skipanon River Bridge
Draft Environmental Impact Statement
PNRS #7505 4 070

Thank you for submitting your draft Environmental Impact Statement for State of Oregon review and comment.

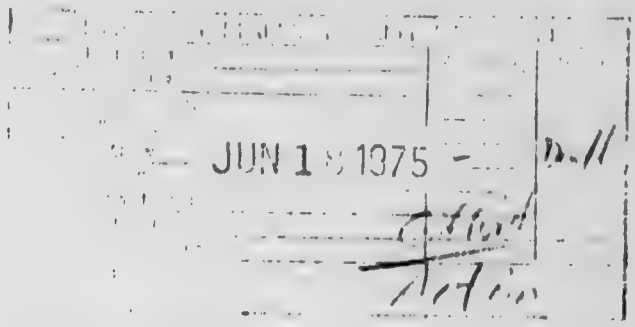
Your draft was referred to the appropriate state agencies. The State Water Resources Board and the State Wildlife Commission offered the enclosed comments which should be addressed in the preparation of your final Environmental Impact Statement.

We will expect to receive copies of the final statement as required by Council of Environmental Quality Guidelines.

Sincerely,

William H. Young
Administrator

June 24, 1975
cc: G. L. Green, FHWA
E. S. Hunter
R. L. Schroeder
J. H. Versteeg
Gary Potter
G. N. Hopkins, County-City
D. E. Swan
B. L. Gifford
E. L. Everton
C. O. Fredrickson



OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

Local Government Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Ph: 378-3732

MAY 22 1975

PNRS STATE REVIEW

Project #: 505 - 070 Return Date: JUN 9 1975

ENVIRONMENTAL IMPACT REVIEW PROCEDURES

1. A response is required to all notices requesting environmental review.
2. OMB A-95 (Revised) provides for a 30-day extension of time, if necessary. If you cannot respond by the above return date, please call the State Clearinghouse to arrange for an extension.

ENVIRONMENTAL IMPACT REVIEW
DRAFT STATEMENT

( ) This project does not have significant environmental impact.

( ) The environmental impact is adequately described.

(X) We suggest that the following points be considered in the preparation of a Final Environmental Impact Statement regarding this project.

( ) No comment.

- - - - - - - - - -

REMARKS

The Wildlife Commission staff concurs with and adopts as our own the Fish Commission of Oregon comments in a letter to Mr. J. H. Versteeg, April 14, 1975.

Additionally, impacts upon waterfowl and shorebirds would occur in the area above the present bridge location if migration and seasons of use are not considered.

Agency Wildlife Commission By Thomas Bethers 5/20/75
Environmental Management Section

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

Local Government Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Ph: 378-3732

LOCAL GOVERNMENT RELATIONS DIV
MAY 20 1975

PNRS STATE REVIEW

Project #: 505 4 070 Return Date: JUN 9 1975

ENVIRONMENTAL IMPACT REVIEW PROCEDURES

1. A response is required to all notices requesting environmental review.
2. OMB A-95 (Revised) provides for a 30-day extension of time, if necessary. If you cannot respond by the above return date, please call the State Clearinghouse to arrange for an extension.

ENVIRONMENTAL IMPACT REVIEW
DRAFT STATEMENT

( ) This project does not have significant environmental impact.

(✓) The environmental impact is adequately described.

( ) We suggest that the following points be considered in the preparation of a Final Environmental Impact Statement regarding this project.

( ) No comment.

- - - - - - - - - -

REMARKS

We would have no adverse comment providing Warrenton's water line would be relocated as indicated to the City's satisfaction.

RECEIVED
MAY 9 1975
STATE WATER RESOURCES BOARD

Agency Water Resource Bd By Lauretta Bowman

8651

8

UNITED STATES DEPARTMENT OF COMMERCE
The Assistant Secretary for Science and Technology
Washington, D.C. 20230

June 17, 1975

RECEIVED
STATE HWY ENGR
JUN 24 75
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

Mr. George N. Hopkins
Project Development Engineer
Oregon State Highway Division
Department of Transportation
Highway Building
Salem, Oregon 97310

Dear Mr. Hopkins:

The draft environmental impact statement Skipanon River Bridge Section Warrenton-Astoria Highway Clatsop County, which accompanied your letter of April 28, 1975, has been received by the Department of Commerce for review and comment. The statement has been reviewed and the following comments are offered for your consideration.

There is a tidal bench mark on the Skipanon River at Warrenton, Oregon. There are geodetic control survey monuments in the immediate vicinity of the proposed project area. If there is any planned activity which will disturb or destroy these monuments, the National Ocean Survey (NOS), of which the National Geodetic Survey is a part, requires not less than 90 days notification in advance of such activity in order to plan for their relocation. NOS recommends that funding for this project includes the cost of any relocation required for NOS monuments.

Thank you for giving us an opportunity to provide these comments, which we hope will be of assistance to you. We would appreciate receiving two copies of the final statement.

Sincerely,

Sidney R Galler

Sidney R. Galler
Deputy Assistant Secretary
for Environmental Affairs

STATE HIGHWAY DIVISION
8-28-75

June 24, 1975
cc: G. L. Green, FHWA
E. S. Hunter
R. L. Schroeder
J. H. Versteeg
Gary Potter
G. N. Hopkins, County-City
D. E. Swan
B. L. Gifford
E. L. Everton
C. O. Fredrickson

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

8651

Dant & Russell, Inc.

Pacific Coast Forest Products

CABLE "DANTRUS" PORTLAND
TELEX 36-0523
ALL CODES

1221 S. W. Yamhill Street
Portland, Oregon 97205

TELEPHONE
503-221-1644

NOTED
E. S. HUNTER

June 13, 1975

RECEIVED
JUN 17 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Oregon State Highway Division
Salem, Oregon 97310

Attention: Mr. Larry Rulien, Project Management Engineer
Project Management Section.

Reference: DEIS on Skipanon River Bridge Submitted to CEQ on May 2, 1975.

NOTED
E. S. HUNTER

Gentlemen:

Dant & Russell, Inc. is involved in logging and lumber operations and transportation of logs by water in the Clatsop County area and particularly in and adjacent to the Skipanon River and Channel. Dant & Russell, Inc. has two subsidiaries functioning in this area, D & R Timber Company and Warrenton Lumber Company. The company and its two subsidiaries, as of May 30, 1975, had 231 employees in the Warrenton area. In a heavy-use month, over 1,900 of our trucks per month have passed through the City of Warrenton and between 3,000 and 3,500 of our log and lumber trucks per month have passed across the Skipanon Bridge. The figures are shown in more detail on pages 1 and 2 of the Table attached hereto. D & R Timber Company operates a log rafting and letdown facility in the City of Warrenton upstream from the bridge. This facility in the past has been used by Boise Cascade Corporation and D & R Timber and its predecessors.

I. D & R Opposes Any New Bridge

As Table I of the Draft Environmental Impact Statement shows, there has been very little use of the Skipanon River above the Skipanon River Bridge by vessels requiring bridge openings. However, there has been extensive use of this portion of the river for log rafting purposes. During periods of heavy lumber and log demand, D & R Timber crews have worked as many as twelve hours per day, six days a week at this site.

Particularly in Oregon, log rafting must be considered legitimate navigation interest. Because of the size of the Skipanon River above the bridge, this navigation interest cannot exist if the Skipanon Bridge is opened and closed frequently. If sport navigation is encouraged and subsidized by construction of a new bridge, the commercial log rafting interest will be compelled to

cease operations permanently. The Draft Environmental Impact Statement in many places seems to imply that boats and vessels are the only navigation use. D & R Timber objects to this.

The only reason this company can find for making a change in the Skipanon Bridge at this time lies in the change of jurisdiction over bridges from the Corps of Engineers to the Coast Guard in the late 1960's. The Coast Guard apparently has a very narrow view of its statutory purpose and it appears to us to fail to consider the environmental impact of changing a situation that has been in effect at least thirty years. We believe that this kind of government decision-making is not in accord with the interests of the City of Warrenton nor with the National Environmental Policy Act and the Coastal Zone Management Act.

Water log rafting is cheaper from an energy consumption point of view than is trucking. As mentioned earlier, D & R has not been the only user of the rafting site. These users will be compelled to abandon the log letdown facility permanently if a fast-opening bridge results in significantly increased traffic. Abandonment of this facility will mean more energy consumption which appears to be against declared policies of both the President and Congress.

II. <u>If The Coast Guard Compels A New Bridge, Then D & R Favors Alternative I E</u>.

Alternative I E would provide clearance of 27 feet above the Skipanon River and would be a fixed structure. As such, no delays to log and lumber trucks would result from constant openings of the bridge. Many of the company's payload trips are from east of Astoria through Astoria, across the Young's Bay Bridge, across the Skipanon River Bridge and into the Warrenton mill. Our experiences with the constant openings that occur on the Young's Bay Bridge lead us to conclude that constant delays for bridge openings and closings should be avoided whenever possible.

Alternative I E would minimize air pollution from idling trucks during times of bridge openings and closings. Alternative I E would cause less congestion in the City of Warrenton from trucks being jammed up waiting for the bridge to open. It would minimize the loss of truck time. Dant & Russell, Inc. consequently supports a 27 foot, fixed-span bridge if any bridge must be built.

III. <u>If A New Bridge Must Be Built, Then The Old Bridge Should Be Used Pending Completion of Construction</u>.

As the figures in Table 1 of the Draft Environmental Impact Statement indicate, a float out span is all that is necessary during a required construction period. The present bridge will not interfere with the use of the river for log rafting as a navigation interest nor will it cause unconscionable log and lumber truck delays. Dant & Russell, Inc. opposes any temporary structure that would cause truck delays or re-routings through

congested downtown Warrenton or would result from long bridge-opening procedures.

The Draft Environmental Impact Statement indicates that a meeting was held on September 17th and 18th in 1974 regarding interim bridge plans. There was some indication that "navigation interests" were represented. Not all "navigation interests" were represented. D & R and its subsidiaries, as major users of the river, were not present to discuss the ramifications of the proposed interim measures.

IV. D & R Opposes Either A Temporary Or A Permanent Road And Crossing At Ninth Street.

Routing of additional log trucks through town to a road across the Skipanon River at Ninth Street as proposed in some of the alternatives, would create a danger to the truck drivers and to Warrenton shoppers. It would slowdown the haul to and from the Warrenton mill. It would cause difficult turns for the trucks. We oppose this alternative.

V. Conclusions.

D & R opposes any new bridge. If a new bridge must be built, then D & R favors Alternative I E, the 27 foot high fixed-span bridge. In building a new bridge, D & R opposes construction of any temporary structure and encourages continued use of the old bridge until any construction undertaken is completed. Finally, D & R opposes construction of a bypass on Ninth Street, either as a temporary or a permanent solution (Altermative 3).

We respectfully request to be kept advised of further meetings and documents prepared in connection with the bridge.

Yours very truly,

DANT & RUSSELL, INC.

By _____
President

WARRENTON LUMBER CO. AND D & R TRUCKS IN THE WARRENTON AREA

	Warrenton Lumber Co. loaded lumber trucks to dock (All cross the Skipanon Bridge; Estimated by Bd. Ft. shipped divided by 18,000 ft.)		Loaded Logging Truck into Warrenton Mill		Loaded Pu Log Trucks Crossing S River Brid returning
	D & R TRUCKS (Returning empty)	OUTSIDE TRUCKS (Coming to Mill empty - leaving full)	Crossing the Warrenton Bridge (and returning empty)	Through the City of Warrenton (One Way)	
	-1-	-2-	-3-	-4-	-5-
1972					
January	470	32	456	49	0
February	832	26	906	43	0
March	590	16	864	65	0
April	456	22	762	58	0
May	832	38	1638	142	0
June	860	40	1602	123	0
July	720	36	1448	110	0
August	942	52	2470	249	0
September	868	50	2172	92	0
October	812	44	1918	90	0
November	306	52	1446	23	0
December	822	54	410	22	0
1973					
January	844	92	1108	135	2
February	806	104	916	1342	24
March	980	122	1192	1903	140
April	916	118	1060	1329	294
May	772	114	1510	1293	0
June	730	104	1714	1166	112
July	634	42	1842	1133	0
August	1026	114	1910	1237	118
September	946	142	1350	1213	292
October	842	136	1586	724	130
November	792	170	1290	465	122
December	681	150	772	229	50

WARRENTON LUMBER CO. AND D & R TRUCKS IN THE WARRENTON AREA

enton Lumber Co. loaded lumber trucks to dock cross the Skipanon Bridge; Estimated by Bd. Ft. pped divided by 18,000 ft.)

D & R TRUCKS (Returning empty) -1-	OUTSIDE TRUCKS (Coming to Mill empty - leaving full) -2-	Loaded Logging Truck into Warrenton Mill Crossing the Warrenton Bridge (and returning empty) -3-	Through the City of Warrenton (One Way) -4-	Loaded Pulp Log Trucks Crossing Skipanon River Bridge & returning empty -5-	Total Trucks Crossing Skipanon Bridge, (Both ways Sum of 1, 2, 3, & 5
470	32	456	49	0	958
832	26	906	43	0	1764
590	16	864	65	0	1470
456	22	762	58	0	1240
832	38	1638	142	0	2508
860	40	1602	123	0	2502
720	36	1448	110	0	2204
942	52	2470	249	0	3464
868	50	2172	92	0	3090
812	44	1918	90	0	2774
306	52	1446	23	0	1804
822	54	410	22	0	1286
844	92	1108	135	2	2046
806	104	916	1342	24	1850
980	122	1192	1903	140	2434
916	118	1060	1329	294	2388
772	114	1510	1293	0	2396
730	104	1714	1166	112	2660
634	42	1842	1133	0	2518
1026	114	1910	1237	118	3168
946	142	1350	1213	292	2730
842	136	1586	724	130	2694
792	170	1290	465	122	2374
681	150	772	229	50	1653

WARRENTON LUMBER CO. AND D & R TRUCKS IN THE WARRENTON AREA CROSSING THE SKIPANON BRIDGE

	Loaded log trucks into WLC Mill crossing the Skipanon & returning empty	Loaded log trucks into WLC Mill crossing Skipanon & returning full to C.Z.	Loaded log trucks into WLC Mill thru City of Warrenton	Estimated Chip trucks crossing Skipanon to WLC Mill	Loaded Low Boy from D&R across Skipanon to WLC Mill	Loaded WLC Lumber trucks crossing the Skipanon & returning empty	Outside empt trucks into WLC Mill across the Skipanon & returning full
	-1-	-2-	-3-	-4-	-5-	-6-	-7-
1974							
JANUARY	758	112	736	40	96	818	114
FEBRUARY	1096	210	628	40	20	650	100
MARCH	846	282	518	40	-0-	812	114
APRIL	892	294	568	40	4	872	128
MAY	820	296	470	40	10	944	120
JUNE	1476	296	586	40	26	698	104
JULY	2412	126	442	40	4	472	92
AUGUST	2116	238	416	40	14	578	96
SEPTEMBER	2690	252	138	40	14	542	94
OCTOBER	1876	344	174	40	6	512	90
NOVEMBER	1468	346	30	40	10	498	90
DECEMBER	904	206	-0-	40	16	274	86
1975							
JANUARY	586	318	32	40	6	210	66
FEBRUARY	984	124	128	40	-0-	12	58
MARCH	1250	-0-	162	40	2	250	74
APRIL	2402	-0-	200	40	4	434	82
MAY	3152	-0-	192	40	12	516	90

WARRENTON LUMBER CO. AND D & R TRUCKS IN
THE WARRENTON AREA
CROSSING THE SKIPANON BRIDGE

Loaded log trucks into WLC Mill crossing the Skipanon & returning empty	Loaded log trucks into WLC Mill crossing Skipanon & returning full to C.Z.	Loaded log trucks into WLC Mill thru City of Warrenton	Estimated Chip trucks crossing Skipanon to WLC Mill	Loaded Low Boy from D&R across Skipanon to WLC Mill	Loaded WLC Lumber trucks crossing the Skipanon & returning empty	Outside empty trucks into WLC Mill across the Skipanon & returning full	TOTAL SUM OF COLUMNS 1,2,4,5,6, & 7
-1-	-2-	-3-	-4-	-5-	-6-	-7-	
758	112	736	40	96	818	114	1938
1096	210	628	40	20	650	100	2116
846	282	518	40	-0-	812	114	2094
992	294	568	40	4	872	128	2330
820	296	470	40	10	944	120	2230
1476	296	586	40	26	698	104	2640
2412	126	442	40	4	472	92	3146
2116	238	416	40	14	578	96	3082
2690	252	138	40	14	542	94	3632
1876	344	174	40	6	512	90	2868
1468	346	30	40	10	498	90	2452
904	206	-0-	40	16	274	86	1526
586	318	32	40	6	210	66	1226
984	124	128	40	-0-	12	58	1218
1250	-0-	162	40	2	250	74	1616
2402	-0-	200	40	4	434	82	2962
3152	-0-	192	40	12	516	90	3810

8651

June 13, 1975

Mr. Herbert G. Palmberg
Palmberg Construction Company
Post Office Box 448
Warrenton, Oregon 97146

Dear Mr. Palmberg:

We have your June 6 letter, a copy of which was directed to Patrick A. Randolph, Jr., and feel that a response is in order, particularly with regard to paragraph three of your letter.

As you state, the reason for the June 3 discussion between you and Mr. Sheldrake was to explore the possibilities of reaching an agreement relative to minimizing bridge openings during the interim period prior to completion of a new Skipanon River Bridge. As you know, we have already entered into an agreement with the Coast Guard for modification of the bridge opening regulations. Your conference with Mr. Sheldrake was an attempt to further accommodate your own needs so that, even under the modified schedule, necessary bridge openings would be kept at a minimum.

My understanding of your position with regard to an agreement was that the agreement should contain the following provisions:

(1) your requests for bridge openings could be reduced and/or limited;

(2) downstream moorage should be provided in lieu of moorage above the bridge; and

(3) the location and type of the alternate or detour route should be stipulated.

Relative to item 3 above, you stated that you would consider agreeing on the rest of the items discussed only when a detour route acceptable to you was established.

Mr. Sheldrake was not then, and is not now, in a position to discuss the alternate or detour route and repeatedly so stated June 3. He advised you that this latter point could only be spoken to sometime after the June 4-5 Corridor-Design Hearing results were known. The decision as to location of the alternate or detour route will be based upon a number of factors, including overall project costs and convenience of river and highway traffic. When the data necessary to make a decision on this question is all available, we may discuss with you again the question of an agreement on bridge openings.

Your continued interest is appreciated; I trust you will view this letter as a constructive response to your letter to Rear Admiral Price, U. S. Coast Guard.

Very truly yours,

F. B. Klabee, Administrator
and State Highway Engineer

bc: A. E. Johnson
E. S. Hunter
H. S. Coulter
D. H. Moehring (Att: Sheldrake)
Walter J. Hart
Walt Barrie (Att: Randolph)
C. O. Fredrickson (w/att.)
Eldon Everton (w/att.)

JWS:jl PAR:srb

8651

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RECEIVED
JUN 9 1975
LEGAL

PALMBERG CONSTRUCTION CO.

P. O. BOX 448 WARRENTON, OREGON 97146
PHONE 503-861-1542

June 6, 1975 RECEIVED

JUN 9 1975

NOTED
E. S. HUNTER

Office of
Assistant State Highway Engineer

6-9-75
orig to Sheldrake
R/D
cy Hunter Fredrickson

Mr. Robert I. Price, Chief of Office of Marine
Environment and Systems
U. S. Coast Guard Headquarters
Washington D. C. 20590

Re: Skipanon River Bridge at Warrenton, Oregon

Dear Sir:

STATE OF OREGON
STATE HWY ENGR
JUN 10 75
REFER TO
FOR
Init. | Date | R/W | D/B | Sign | Act | File

Reference is made to a letter dated June 3, 1975, from the U. S. Attorney, District of Oregon, to Patrick A. Randolph, Jr., Esq., Assistant Attorney General, State of Oregon Department of Justice, enclosing an "Agreement to Modify the Requirements for the Opening of the Oregon State Highway Bridge at Mile 0.9, Skipanon River, Oregon" and a letter dated May 7, 1975, from us to the U. S. Attorney, Portland, Oregon.

Navigation interests which have been contacted express concern that the said "Agreement ——" does not provide any temporary moorage facility on the downstream side of the said bridge for vessels which would have to wait for a scheduled opening to proceed upstream. There are no available moorages downstream from the bridge for vessels in transit upstream. Unless the State provides a temporary moorage (a site can be made available by the City), a vessel in trouble as dropping anchor with crew aboard for up to four days awaiting a scheduled bridge opening is not feasible.

At the request of the State, in an endeavor to minimize bridge openings during the interim period pending completion of the new bridge as presently scheduled, the undersigned, representing most current navigation interests, and Mr. John W. Sheldrake, representing the State, met to discuss the situation. Briefly, the outcome was encouraging in that a solution, with cooperation and good faith by both parties, was proposed. The proposed solution would eliminate most interim bridge openings thru the State providing 1) a tie-up facility downstream from the bridge for the dredge presently mooring upstream, 2) berthing slips in existing downstream moorages for up to four commercial vessels of less than 50-foot length, and 3) an alternate route bridge construction detour crossing the dam upstream from the bridge.

Navigation interests would suffer the costs and inconveniences of distant moorages. The State would more than offset the costs of tie-up and berthing slips by the reduced number of bridge openings. The State would also, by constructing the said alternate route, eliminate intangible costs of navigation interferences during the new bridge construction and costs of some probable navigation requirements in connection with the new bridge construction itself as well as with a detour bridge span at the site should such be considered. The result, since the cost of the alternate route based on reliable contractors' quotations is estimated at about one-half the cost of a bridge detour at the new bridge site (even without the intangible costs of navigation interferences) would be a substantial savings to the State. The alternate route would also be a permanent road improvement benefitting the community and serving future upstream navigation by providing access to moorages. It would also be an available quick detour route during any

NOTED
F. B. KLABO

PALMBERG CONSTRUCTION CO.

P. O. BOX 668 WARRENTON, OREGON 97146
PHONE 503-861-1843

future openings of the new bridge. Any funds expended for construction and removal of a temporary detour bridge would of course be a total waste.

There are enclosed for your advance information a statement and sketch submitted to the Oregon State Highway Division at its Public Hearing on the Draft Environmental Impact Statement for Skipanon River Bridge held at Warrenton, Oregon, June 5, 1975. Preponderance of the evidence at the Hearing supported a bascule span with closed vertical clearance of 20 feet above Mean Lower Low Water. All statements, written and oral, will of course be available in the record of the Public Hearing.

Very truly yours,

Palmberg Construction Co.

by_____
H. G. Palmberg

Encl. with original letter only

cc: Sidney I. Lezak
P. O. Box 71
Portland, Oregon 97207
Attn: Thomas O. Lee

Kyle E. Flint, Esq.
Land Division
Dept. of Justice
Washington, D.C. 20530

Lt. Jonathan Collum
U.S. Coast Guard Headquarters
Washington, D.C. 20590
Attn: Lt. Ingham

Capt. John E. Byrd, Jr.
13th Coast Guard District
618 Second Ave.
Seattle, Washington 98104

Robert E. Rutledge
Federal Highway Administration
Mohawk Bldg.
[illegible] S.W. Morrison
Portland, Oregon 97204

Norman D. Lynch, Commander
U.S. Coast Guard Headquarters
Washington, D.C. 20590

Fredrick A. Randolph, Jr., Esq.
211 State Highway Bldg.
Salem, Oregon 97310

City of Warrenton
Warrenton, Oregon 97146

Astoria, Oregon
Daily Astorian
(Cir. D. 8,036)

MAY 6 1975

RECEIVED
JUN 9 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Allen's P. C. B. Est. 1888

Palmbergs, businessmen face off once more

Upper Skipanon fight renewed Mon.

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—Bickering broke out again over the use of the upper Skipanon River when the Warrenton City Commission met Monday.

It again pitted the Palmbergs and their allies against businessmen opposed to increased boating above the big bridge dividing the waterway.

The Palmbergs feel the future of the river belongs to recreational navigation. To realize it, a slow-opening draw bridge must be eplaced and that's what they are after.

The businessmen, represented by Del Bodie and Jiggs Johnson, feel the future of the river belongs to commercial log rafting. In their view the bridge should remain as is or be replaced by an equally restrictive span.

Boaters don't believe a better bridge leading to increased upriver navigation would drive log rafters off the river.

But they aren't overly concerned about that because they believe log rafting on the river is doomed for a variety of other reasons, some economic, some environmental.

They foresee a second city mooring basin above the existing bridge if they can get it replaced with a span of sufficient clearance and opening capacity. They think it would have an economic impact far outweighing that of log rafting and related commercial activities.

They think the city and its business community could benefit by obtaining better road alignment, more roadway width and improved approaches to downtown.

Businessmen don't see it that way.

They believe boating would run the rafters off the river, injuring the traditional underpinning of Warrenton's economy. They further feel that heavy boat traffic through a quick-opening bridge would hinder the movement of auto traffic into downtown and damage city dikes.

They also don't like the fancy pricetag attached to the proposed bridge replacement project. They think the cost tips the balance against the idea of opening the upper river to recreational navigation.

At this point the Palmbergs appear to be winning.

The U.S. Coast Guard has ordered the State Highway Division to replace the present slow-opening span with one that will open upon demand for boaters and is enforcing its order in the courts.

The state is making progress on the project. It will offer a number of alternate designs to the city for consideration at a public hearing early next month with an eye to starting construction next year.

However, Herb Palmberg and his son Dave aren't satisfied. Neither are other navigation boosters, several of whom appeared at Monday's meeting.

They feel the state is dragging its feet and is planning on submitting unsuitable designs for city consideration next month. To force the issue, they have been prodding the state to open the old bridge at a cost of about $5,000 a crack lately.

That action seems to be what's setting off some of the community's businessmen again. And Monday they asked the city to settle the issue once and for all by polling the populace in an election.

Bodie suggested three bridge alternatives be places on the ballot. One would call for formally closing the upper river to navigation and leaving the bridge as is, one for giving boaters the quick-opening span they want and one for replacing the present bridge with a low fixed span that would effectively block upriver navigation.

The senior Palmberg protested vigorously, was refused the right to speak, spoke anyway in angry tones and finally stalked from the session.

The commission then took Bodie's suggestion under advisement.

Later in the session, Dave Palmberg sought city support in two matters related to increased navigational use of the upper river and was refused in both instances.

He first requested issuance of a city permit to drive piling to allow proper upriver moorage of a dredge owned by the family company. The city commission said it couldn't issue the permit because zoning ordinances and dike-protection ordinances prevented piling such as that proposed from being driven in dikes.

Palmberg then asked the city to relocate a newly installed gate that blocks private vehicular access to the dredge in question. The city commission declined to do so, again citing its ordinances.

Palmberg argued the recent installation of city fencing along the Skipanon dikes bordering Palmberg family holdings was designed deliberately as a harassment measure. The city said it wasn't, insisting it is only seeking to protect the dike from damage due to vehicular traffic.

The city plans to install more such fencing along the waterway's dikes and authorized the purchase of $810 worth of additional gates Monday.

8651

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
TRIAL DIVISION
[redacted]
SALEM, OREGON 97310
TELEPHONE: (503) 378-6313

211 State Highway Building

June 12, 1975

Department of Transportation
U. S. Coast Guard
Claims of Litigation Division
400 7th Street S. W.
Washington, D. C. 20590

NOTED
E. S. HUNTER

Re: Skipanon River Bridge

Attention: Lt. John Collom

Dear Lt. Collom

Pursuant to Tom Lee's letter of June 3, 1975, (attached) the Oregon Department of Transportation has approved and F. B. Klaboe, Administrator and State Highway Engineer, has executed the bridge schedule contract which your office prepared. Please have the contract executed by RADM Robert I Price and return an executed copy to us.

Please note that we have made some additions to the execution portion of the contract.

If you wish to have the final version prepared with more formality please return two copies of such formal version executed by the Coast Guard and I will ask Mr. Klaboe to sign again.

Sincerely

Patrick A. Randolph, Jr.
Assistant Attorney General

PAR:ch;hg
Attachment

cc: Thomas C. Lee
Myles E. Flint, Esq.
Norman B. Lynch, Commander
CPT John H. Byrd, Jr.
Herbert G. Palmberg
Robert B. Rutledge
E. S. Hunter
H. S. Coulter
Walter Hart
C. O. Fredrickson
John Sheldrake

RECEIVED
JUN 13 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

ADDRESS REPLY TO
"UNITED STATES ATTORNEY"
AND REFER TO
INITIALS AND NUMBER
74-5202
TCL:sdc

10 1366
Ellison
Bridge

RECEIVED
JUN 5 1975
LEGAL

To be delivered to Fredrickson tonight

United States Department of Justice

UNITED STATES ATTORNEY
DISTRICT OF OREGON
506 UNITED STATES COURTHOUSE
POST OFFICE BOX 71
PORTLAND, OREGON 97207

June 3, 1975

Patrick A. Randolph, Jr., Esq.
Assistant Attorney General
State of Oregon Dept. of Justice
211 State Highway Building
Salem, Oregon 97310

Dear Mr. Randolph:

After talking with you today, I remembered that the Coast Guard had requested that I forward their draft of an agreement to modify the requirements for the opening of the Skipanon River Bridge, which I am transmitting herewith. It is my understanding that you and the Coast Guard are already in accord on the basic points covered in this agreement, and I hope that you will find it acceptable as to form.

If you approve this agreement, please notify the Coast Guard in Washington, and they will have the original executed by the Chief of the Office of Marine Environment and Systems, RADM Robert I. Price. Admiral Price's predecessor, RADM William M. Benkert, signed the June 26, 1972 Order pertaining to the bridge.

Any questions you have respecting this agreement may be directed to LT Ingham (202)426-2245. Thank you again for notifying me of the scheduling for June 5, 1975, of the public hearing for corridor and design of the bridge. I am also inclosing a copy I received of a letter from Mr. Palmberg, dated May 7, 1975, which comments upon the state's Draft Environmental Impact Statement. I have spoken with Mr. Rutledge about the statement and informed him that I thought the Coast Guard's comments on the statement would be forthcoming shortly and that the only comment I would have is that as long as the Coast Guard has determined after public hearing that the Skipanon River should remain open to navigation, there would be no alternative, legally, to replacement of the bridge by a span that would permit navigation.

Sincerely,

SIDNEY I. LEZAK
United States Attorney

Thomas C. Lee

THOMAS C. LEE
Special Assistant U.S. Attorney

Enclosure

74-5202
TCL:sdc

cc: (w/inclosure)

Myles E. Flint, Esq.
L&NR Division
Department of Justice
Washington, D.C. 20530

Norman B. Lynch, Commander
U.S. Coast Guard Headquarters
Washington, D.C. 20590

CPT John H. Byrd, JR.
13th Coast Guard District
618 Second Avenue
Seattle, Washington 98104

Mr. Herbert G. Palmberg
Palmberg Construction Company
P. O. Box 448
Warrenton, Oregon 97146

Robert B. Rutledge
Federal Highway Administration
412 Mohawk Building
222 S.W. Morrison
Portland, Oregon 97204

8651

DEPARTMENT OF TRANSPORTATION

Pat Randolph
Legal Section

June 11, 1975

C. W. Reed
Commission Services

Shipsmen River Bridge

CONTRACTS and AGREEMENTS No. 5387

The attached agreement concerning the Shipsmen River Bridge at Warrenton was approved by Chairman Jackson on June 10, 1975, and has been signed by Mr. F. B. Kinboe.

It is our understanding that you will secure the U.S. Coast Guard signatures on this document.

CWR:js

cc: A. E. Johnson

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
TRIAL DIVISION
SALEM, OREGON 97310
TELEPHONE: (503) 378-6313
211 State Highway Building

NOTED
H. S. COULTER

June 10, 1975

F. B. Klaboe
Administrator & State Highway Engineer
140 State Highway Building
Salem, Oregon 97310

Re: Skipanon River Bridge

Dear Mr. Klaboe

The attached agreement has been drafted by the Coast Guard to implement the agreed upon modification in the opening schedule for the Skipanon River Bridge at Warrenton. Prior to this agreement the existing "float out" span bridge had to be opened on demand. There have been several recent open requests and each opening has cost us some $3,000 to $5,000. Under the agreement we will provide equipment to move the bridge but will only have to open it twice a week during non-peak traffic hours and then only if we receive notice 12 hours in advance. This schedule may be modified if legitimate river traffic increases. The Coast Guard agrees not to seek enforcement of the existing open on demand regulation so long as we conform to the modified schedule and show reasonable progress toward replacement of the bridge. The modified schedule will continue until a new bridge is completed. We presume the schedule will also apply to a detour bridge if one is built.

We already have the equipment in Warrenton to open the bridge in accordance with this agreement.

As you may know the corridor and design hearings for the bridge replacement were held in Warrenton last week and we appear to be adhering to our critical path schedule.

The contract is in order for Chairman Jackson's approval and your signature.

6-10-75
approved by Mr. Jackson
F. B. Klaboe

Sincerely

Patrick A. Randolph, Jr.
Assistant Attorney General

PAR:hg
Attachment

Warrenton
Skipanon Br

United States Department of the Interior

OFFICE OF THE SECRETARY
PACIFIC NORTHWEST REGION
P.O. Box 3621, Portland, Oregon 97208

June 9, 1975

ER-75/445

Mr. George N. Hopkins
Project Development Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Hopkins:

The Department of the Interior has reviewed the draft environmental statement for ER-75/445, Skipanon River Bridge, SR Highway 105, Warrenton, Clatsop County, Oregon.

General Comments:

The draft contains excellent descriptions of aquatic and terrestrial habitats in the project area and effects of the various project alternatives on these resources. The statement also satisfactorily considers secondary impacts of possible shoreline development upstream from the bridge.

The addition of graphics showing the relationships of the proposal to various elements discussed would be helpful to the reviewer. For instance, maps showing the major recreation areas discussed, (Fort Stevens State Park, Fort Clatsop National Memorial, and Cullaby Lake Recreation Area) and their relationship to the proposal would be useful.

Feasibility of providing bicycle facilities should be included in discussion of alternatives. Astoria is the designated Western terminum of "Bikecentennial '76." Bikecentennial is an effort to designate a transcontinental bike route from Astoria to Williamsburg, Virginia. This project is a recognized activity supported by the American Revolutionary Bicentennial Administration. In addition to Bikecentennial, a study is underway to designate a Pacific Coast Bicycle Route from

☑ ENGR. ☐ ASST. ☑ OE ☒ AE ■ UE
☑ UPE ☒ CE ☐ RE ☐ RPE ☐

cc. Hopkins - Salem
6-11-75

PROJECT MANAGEMENT SECTION

ROUTING	ACTION	INFO
P.M. ENGINEER		
REGL. DEV. ENGR.		
DIVISION ENGR.		
COUNTY-CITY	JUN 11 1975	Don H.
FEDERAL AID		
INVENTORY-NEEDS		
TRAFFIC CONTROL		
PROG. & SCHEDULE	Gifford	
REMARKS:	Potter	

Canada to Mexico. It will pass through Fort Clatsop National Memorial, and it is expected that numerous bicycle tourists will be camping at the various recreational areas in the region. This bicycle activity will create a need for additional cycle facilities, including alternate routes for travel from Astoria to Fort Stevens State Park.

The environmental statement says that soils in the project area "are severely limited in their suitability for roads" (p. 21) and mentions that "Construction in the streambed would consist of driving concrete piling into the riverbed" (p. 28). Pertinent detail on these aspects of engineering geology in relation to environmental impact, including safety of the proposed structures, should be provided following selection of a preferred alternative.

Summary

This document gives equal consideration to all alternatives without indicating a preferred plan and adequately describes the probable construction impacts of each alternative. This is a commendable procedure since it provides more latitude in plan selection, depending upon input from those reviewing the project proposal. From the standpoint of fish and wildlife resources, alternatives 1-A, 1-B, or 1-C would be least environmentally disruptive.

We appreciated the opportunity to review the draft statement.

Sincerely yours,

Roy H. Sampsel

Roy H. Sampsel
Special Assistant to the Secretary

Warrenton
Skipanon Br

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION X
1200 SIXTH AVENUE
SEATTLE, WASHINGTON 98101

REPLY TO ATTN OF: 10FA - M/S 623

June 9, 1975

Mr. George N. Hopkins
Project Development Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Hopkins:

We have reviewed your draft environmental impact statement, "Skipanon River Bridge Section Warrenton-Astoria Highway, Clatsop County, Oregon."

Our comments on this draft statement have been classified LO-1, LO (Lack of Objections) 1 (Adequate Information). The classification and the Environmental Protection Agency's comments will be published in the Federal Register in accordance with our responsibility to inform the public of our review on proposed Federal actions under Section 309 of the Clean Air Act.

Thank you for the opportunity to comment on this draft environmental impact statement.

Sincerely,

Walter D. Jaspers

Walter D. Jaspers
Director
Office of Federal Affairs

☑ ENGR. ☐ ASST. ☑ OE ☒ AE ■ UE
☑ UPE ☒ CE ☐ RE ☐ RPE ☐

cc: Dotson + Potter
6-11-75

PROJECT MANAGEMENT SECTION

ROUTING	ACTION	INFO
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[illegible] ITY-CITY	JUN 11 1975	
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INVENTORY-NEED		
[illegible] CONTROL		
[illegible] & SCHEDULE		
REMARKS:		

Potter

United States Department of the Interior

OFFICE OF THE SECRETARY
PACIFIC NORTHWEST REGION
P.O. Box 3621, Portland, Oregon 97208

June 9, 1975

ER-75/445

Mr. George N. Hopkins
Project Development Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Hopkins:

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General Comments:

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PROJECT MANAGEMENT SECTION
ROUTING | ACTION | INFO
JUN 11 1975
Draft
REMARKS

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Summary

This document gives equal consideration to all alternatives without indicating a preferred plan and adequately describes the probable construction impacts of each alternative. This is a commendable procedure since it provides more latitude in plan selection, depending upon input from those reviewing the project proposal. From the standpoint of fish and wildlife resources, alternatives 1-A, 1-B, or 1-C would be least environmentally disruptive.

We appreciated the opportunity to review the draft statement.

Sincerely yours,

Roy H. Sampsel

Roy H. Sampsel
Special Assistant to the Secretary

8651

105

Form 81.734.2030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: BR 11226A

Salem, Oregon

June 3, 1975

FROM: Jack L. Davis
Foundation Engineer

TO:

Mr. C. O. Fredrickson
Regional Engineer

SUBJECT:

Foundation Core and Drive Samples
Section: Skipanon River Bridge
Highway: Warrenton-Astoria
County: Clatsop

Forwarded to the Regional Geologist by separate carrier are foundation core samples and split tube samples for structures as listed below.

Samples should be forwarded to the Resident Engineer in charge of the project for inspection of the Resident Engineer and by prospective bidders on the project. Samples should then be retained under the control of the Division Engineer until the legal claim period for the contract has expired after completion of the project, at which time the samples may be disposed of. Please return empty core boxes to the Bridge Section Foundation Unit.

Birdge No.	Name	Boxes Drive Samples (No. Jars)	Boxes Core Samples
11226A	Skipanon River Br. (Test Hole No. 3)	1 (9)	

Forwarded: 6-4-75 (Date) To Bill Fretwell By Hand Carrier

JLD: dh

cc Walter J. Hart
J. H. Versteeg
~~Resident Engineer~~
Region Geologist Bill Fretwell

2 T
1 LK

RECEIVED
JUN 1975

8651.

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

REPLY TO ATTENTION OF:

NPPEN-EQ

21 May 1975

Mr. George N. Hopkins
Project Development Engineer
Oregon State Highway Division
Salem, Oregon 97310

Dear Mr. Hopkins:

This office has reviewed the draft environmental impact statement for the Skipanon River Bridge furnished by your agency's 28 April 1975 letter.

We have no comments to make with respect to the Corps of Engineers' areas of responsibility in navigation, flood control and hydropower.

We appreciate the opportunity to review and comment on the statement prepared by your agency.

5-27-75

Sincerely yours,

Patrick J. Keough
for L. J. STEIN
Chief, Engineering Division

cc: G. L. Green, FHWA
F. B. Klaboe
J. H. Versteeg
G. N. Hopkins, Co-City
D. E. Swan
B. L. Gifford
E. L. Everton
C. O. Fredrickson

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STATE HWY ENGR
MAY 27'75
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Info | Inves | R/D | D/R | Sign | Act | File

PROJECT MANAGEMENT SECTION
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TRAFFIC CONTROL
SCHEDULE
MAY 23 1975

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FORM 81-734-2030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

May 14, 1975

FILE: 104-1915

NOTED
H. S. COULTER

FROM: John W. Sheldrake
Maintenance Services Engineer

TO: H. S. Coulter
Asst. State Highway Engineer

SUBJECT: Skipanon River Drawbridge
Warrenton-Astoria Highway
U. S. Coast Guard Interim
Bridge Opening Procedure

The following comments on subject United States Coast Guard Procedure, attached to Special Assistant U. S. Attorney Thomas C. Lee's letter of May 1, 1975, are offered on the basis of a field trip inspection May 12, 1975, of the bridge site and environs and discussion with interested personnel toward equipping for a bridge opening solution.

These comments are in order of United States Coast Guard items presented in their Interim Solution:

Lead Paragraph: There is no reason whatever to believe that maritime commerce at this location consists of other than movement of Mr. Herbert G. Palmberg's dredge at this time. There is a very small probability that the activity of this craft would require two openings of the bridge per week. I would recommend that we prepare for not more than one opening per week on a 12-hour call basis only.

Item 1: No particular argument on condition. Tidally floating the removable span has little if anything to do with condition.

Item 2: No disagreement.

Item 3: Not necessarily. The state's boat "Westwind II" could move the right sized barge easily in slack water.

Item 4: Twice weekly openings should be staunchly opposed. Once weekly opening should be scheduled for Wednesday between 9:00 A.M. and 3:00 P.M., for example.

Item 5: Agreed, except alter this to once weekly.

Item 6: Agreed but that the State should have the legal right of the water line owner (probably City of Warrenton) to occupy the bridge reviewed and then request owner to promptly remove the line from the bridge (possible result).

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MAY 19 1975
Office of
Assistant State Highway Engineer

Item 7: No disagreement

Item 8: No disagreement

General Remarks: The position taken by the Coast Guard that the Highway Division should apply for a permit to construct a bridge over a naviable waterway prior to our knowing what kind of a bridge we will build is a clear example of pressure tactics. Application should follow in its own time in the orderly planning schedule, not solely to remove real or imagined pressures and demands or internal bureaucratic demands of another governmental agency.

From a view of the Palmberg property, the possible potential for marine-related development appears considerable. The property could be highly attractive to investment opportunity.

JWS:js
Attachment

5/16/75

E.L. Everton contacted City re berthing dredge downstream. Mr. Palmberg will be contacted on This proposal. Diswssed with E.S. Hunter and Pat Randolph on 5/19/75.

J.W. Stallcup

8651

DEPARTMENT OF JUSTICE

Memorandum

TO: THE FILE

DATE: May 15, 1975

FROM: Pat Randolph

SUBJECT: Skipanon Bridge

NOTED
E. S. HUNTER

Hal Snow, Warrenton City Attorney, together with the City Manager and the Mayor called today to discuss a further problem about the city's attitude toward the current bridge proposal.

The city would like to have a local election to determine what type of bridge should be constructed. They were calling to see what alternatives might be proposed at this election that would have a chance of meeting Coast Guard approval.

I explained that the Coast Guard regards itself as the protector of the public interest in this case and that I believe that no significant impediment to navigation will be acceptable to the Coast Guard unless a different policy approach is dictated to the Coast Guard by the United States Congress. All parties seem to agree that further congressional action is highly unlikely.

Within this framework, it would appear that Warrenton's only options are to seize upon one the proposals contained in the Environmental Impact Statement or to propose a new bridge that does not significantly impede navigation.

Warrenton apparently desires a lower fixed span bridge to be located in the same right of way as the present bridge. I stated that the Highway Division would be happy to consider such a proposal and that the appropriate time to ask for such consideration would be immediately, since it would be useful to know what the Coast Guard's reaction to the proposal would be prior to the Environmental Impact hearing in early June. The city council meets Monday night and I anticipate they will consider such a proposal at that time. I suggested that they ask Eldon Everton to attend the meeting so that we will be able to get a first hand report of what goes on.

PAR:kw;hg

cc - Ed Hunter
C. O. Fredrickson
Eldon Everton

RECEIVED
MAY 15 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

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MAY 16 1975
LEGAL

(G-LCL/81)

202-426-2245

5895
PSB #107-74

14 MAY 1975

Mr. Thomas C. Lee
Special Assistant U.S. Attorney
District of Oregon
506 U.S. Courthouse
Post Office Box 71
Portland, Oregon 97207

NOTED
E. S. HUNTER

Re: Bridge over Skipanon River
at Warrenton, Ohio

Dear Mr. Lee:

In accordance with your verbal authorization to Mr. Collom of my staff on 28 April 1975, LT Ingham of my staff spoke with Mr. Patrick Randolph of the Oregon Attorney General's office on 13 May 1975 regarding the subject bridge. LT Ingham and Mr. Randolph discussed two subjects -- the "interim solution" to the bridge problem and the long term solution of the problem.

With regards to an interim solution, LT Ingham advised Mr. Randolph that the Coast Guard still desired to initially have two openings scheduled each week, provided 12 hours advance notice is given before each opening. The Coast Guard is agreeable to avoiding any opening during peak traffic hours where the scheduled opening will conflict with those hours. Finally, the Coast Guard is agreeable to modifying this twice weekly opening requirement in the future if the public demand for openings does not necessitate two scheduled openings each week. Mr. Randolph indicated that the State does not believe more than one opening each week will be necessary as Mr. Palmberg did not believe he would require more than one opening each week. LT Ingham responded by stating that greater use of the waterway is anticipated by other navigation interests and recreational boaters once the public realizes it has access to the upstream waterway. Therefore, the Coast Guard would greatly prefer to begin with a twice weekly opening schedule and modify that schedule upward or downward as the public demand dictates in the future. Mr. Randolph stated that Oregon "has a line" on several appropriate landing craft to use to open the bridge but that he did not anticipate that a suitable craft would be acquired and in operation prior to late June. He stated that it may be necessary to open the bridge by the "old method" between now and late June. LT Ingham indicated that this would

NOTED
E. S. HUNTER

cc Macheney
Fredericksen
Plant.

RECEIVED
MAY 20 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Subj: Bridge over Skipanon River at Warrenton, Ohio

be agreeable to the Coast Guard. Mr. Randolph then stated that he would communicate the Coast Guard's position on the interim solution to his principal and advise LT Ingham by telephone of their response.

With regards to the long term solution, LT Ingham advised Mr. Randolph that all negotiations are to be conducted through Mr. Lee. The reason given for this stems from the fact that Mr. Lee and Mr. Rutledge, Regional Counsel for FHWA, must come to a consensus on what preliminary approval FHWA must give on the project before the State can settle on a final bridge design. LT Ingham advised that the Thirteenth Coast Guard District, as well as Coast Guard Headquarters, will have no basis for any discussion with the State regarding a long term solution until such time as the State submits a bridge permit application and one set of design plans to the Thirteenth Coast Guard District in accordance with 33 C.F.R. Part 115. Mr. Randolph now understands that a bridge permit application and plans will be expected by the Coast Guard at such time as Federal Highway has completed its administrative processes to the point of permitting the State to adopt one bridge design. At that time, an appropriate dialogue will be opened between the State and the Coast Guard.

Please call upon me or LT Ingham of my staff at (202)426-2245 if you have any questions regarding the above information. We will, of course, keep you advised of further negotiations on this matter.

Sincerely,

NORMAN B. LYNCH
Commander, U.S. Coast Guard
Chief, Claims & Litigation Division
By direction of the Commandant

Copy to:
G-WBR
CCGD13(d1)
CCGD13(oan)
Mr. Patrick Randolph, Oregon State Attorney General's Office

8651

9

NOTED
H. S. COULTER

DEPARTMENT OF JUSTICE

Memorandum

TO: THE FILE

DATE: May 14, 1975

FROM: Pat Randolph

SUBJECT: Skipanon Bridge

On Tuesday, May 13, 1975, I spoke with Lt. Ingham with the office of the Coast Guard General Counsel in Washington, D.C. Lt. Ingham informed me that the Coast Guard felt that it was necessary to require initially an opening schedule of two days per week but that, if it was apparent that there was insufficient demand for openings on this basis, the schedule could be further modified.

Lt. Ingham was amenable to restrictions on opening during peak traffic periods so long as some accommodation could be made when peak traffic and high tide coincided.

Lt. Ingham was also understanding about the problems involved in obtaining the necessary equipment to open the bridge on a regular basis and indicated that the Coast Guard did not require implementation immediately. I explained that we expected to have the necessary equipment by late June, and he indicated that this would be an acceptable starting date.

I have spoken to Ed Hunter and he has agreed that the Coast Guard's two day a week schedule would be acceptable with all of the conditions to which Lt. Ingham has agreed.

Until we obtain the necessary equipment I believe it will still be necessary to open the bridge if there is a legitimate demand. If the required bridge openings exceed one per week, or if there appears to be "harassment" request for opening, I should be contacted so that we can make some further arrangement with the Coast Guard.

PAR:kw;hg

cc - Ed Hunter
H. S. Coulter
Walt Hart
C. O. Fredrickson
Eldon Everton

RECEIVED
MAY 14 1975
Office of
Assistant State Highway Engineer

8651

9

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

May 13, 1975

~~FILE: 104-1915~~

NOTED
H. S. COULTER

ORIGINAL SIGNED BY JOHN W. SHELDRAKE

FROM: John W. Sheldrake
Maintenance Services Engineer

SUBJECT: Skipanon River Drawbridge
Warrenton-Astoria Highway

TO: MEMO TO FILE

On April 12, 1975, Messrs. Anderson, Read, Kuenzli and myself met with Eldon Everton and Darrel Bergerson of Bergerson Enterprises, Inc., in Astoria to review the situation as far as a method to open subject bridge weekly.

We inspected, at least superficially, a 14' x 52' converted L.C.M (Landing Craft-Medium) and two built-up pontoon sections owned by Bergerson. These are the units we were directed to purchase for an estimated cost of $38,000 to $40,000. It appeared to have been some time since the twin Gray Marine diesel engines had been overhauled; the hull appeared in fair shape but looked even better on the surface with a "$100" paint job applied.

We discussed with Mr. Bergerson the possibility of contracting the bridge opening. For a stipulated once per week opening, he estimated (not for publication) a base charge of $18,000 per year plus $1200 to $1500 per actual opening.

Base Cost:		$18,000
Openings :	52 x $1,200 =	$62,400
	Low Estimate	$80,400/year
	High Estimate	$96,000/year

The base cost would cover equipment capitalization and standby time on a 12-hour notice arrangement. Estimated costs could range from $18,000 per year for no openings to $96,000 per year for once per week opening. A contract could be prepared for bidding with two (2) items:

Item 1: Furnish all equipment and hardware to open the Skipanon River Drawbridge on a once per week schedule with 12-hour notice.

Lump Sum: $_____

RECEIVED
MAY 14 1975
Office of
Assistant State Highway Engineer

Re: Skipanon River Drawbridge
Warrenton-Astoria Highway

Item 2: Furnish all marine related labor, materials (jacks, cribbing, hard' ware, etc.) and open the Skipanon River Drawbridge on 12-hour notice from the Highway Division.

Lump Sum (Each Opening): $_____

Other factors apply: (1) State would have to maintain, certify and operate the L.C.M.; (2) State would have to provide berthing for both the barge and the L.C.M. These factors apply to purchase.

Under contract, State would provide barricading traffic control, and technical direction only. This would be provided if we opened the bridge also, so should be disregarded. If State opened the bridge, one full bridge crew day of bridge maintenance work would be forever lost for each opening. This is worth something.

5 men @ 100 $/day = $500 per opening

The Equipment Unit is investigating availability of T6 and T7 U.S. Navy pontoon sections that could be assembled into a properly sized barge that could be stored at the bridge for openings. This type of barge could be moved in slack water by the state's Westwind II.

Other items of discussion concerned the proposed new construction on the bridge section in Warrenton as regards the forthcoming Corridor-Design hearing, activities by Palmberg Construction Co., detour availability, standby fire protection in Warrenton, the domestic water main installed in the bridge, maneuver problems between the down-channel Burlington-Northern Railway draw span, the railroad span age and imbalance, and the estimated weight of our drawspan and necessary flotation displacement requirements.

We are at this time pursuing the pontoon matter seriously for possible second and third use capabilities after the new bridge is built, possibly by 1977 or 1978.

JWS:js

cc: E. S. Hunter
H. S. Coulter ✓
Howard Read

Cy Pat Rondulph
Fredrickson
Everton
Walt Hunt
5-16-75

8651

8

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

May 8, 1975

ROBERT W. STRAUB
GOVERNOR

RECEIVED
STATE HWY. ENGR
MAY 8 '75
REFER TO Hunter - Coulter
FOR
Info | Invest | R/D | D/R | Sign | Act | File
cy Wolfe 5-8-75

NOTE.
A. E. JOHNS.

District Engineer
Corps of Engineers
U. S. Army
Portland District
P.O. Box 2946
Portland, OR 97208

NOTED
E. S. HUNTER
cc Hart
Fredrickson
Potter
5-9-75

Att: A. J. Heineman, Chief
Navigation Division

Ref: PN 071-OYA-1-001836 (Skipanon River - Moorage)

Dear Sir:

The proposed project is located in a residential zone as designated by the City of Warrenton comprehensive land use plan. In this zone, floating docks for dredges and work boats are not allowed.

I request that the application be denied,

Sincerely,

Governor

RWS:kp

cc: Palmberg Construction Company
Division of State Lands
Fish Commission of Oregon
Oregon Wildlife Commission
U.S. Fish & Wildlife Service
City of Warrenton
Clatsop County
Oregon State Highway Division

RECEIVED
MAY 8 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

8

FORM 81-734-3080

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: ~~104-1915~~

Salem, Oregon

April ~~23~~ 5-5, 1975

FROM: T. W. Litchfield
REGION OPERATIONS ENGINEER

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway
City of Warrenton

TO: E. S. Hunter
ASSISTANT STATE HIGHWAY ENGINEER

5-6-75
REFER TO
Maintenance
BY ASST. STATE HWY. ENGR.

Please purchase
cy Hunter

Attached, for your review, is a March 21, 1975, letter from E. L. Everton, detailing the information for the rental, leasing or purchase of a barge for opening of the Skipanon River Bridge. Also attached is C. O. Fredrickson's letter to Pat Randolph, dated March 24, 1975.

As you review the information in Mr. Everton's letter, you will see that the economic solution to this problem would be to purchase the LCM for $35,000. With this type of barge, the span could be removed with no problem, and the barge could also be used for other purposes requiring access by water. Mr. Everton also advises that with the LCM he could complete an opening of the bridge in approximately one hour, once the procedure is smoothed out.

I recommend that the State purchase the LCM for $35.000.

RECEIVED
MAY 5 1975
Office of
Assistant State Highway Engineer

TWL/elk
Attach.

5-5-75
Scott Bartle.

I believe we should proceed w/ purchase and an application for a scheduled opening of one day a week. Everton was to work out opening schedule w/ Palmberg, etc. Shall you proceed w/ purchase?
Ed

RECEIVED
APR 23 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
SALEM, OREGON 97310
TELEPHONE: (503) 378-6368

211 State Highway Building

April 14, 1975

E. S. Hunter
Assistant State Highway Engineer-Design
Room 140
State Highway Building

Dear Mr. Hunter

As you know the Coast Guard has assigned the Skipanon file to Tom Lee, an Assistant U.S. Attorney now located in Portland. Mr. Lee has indicated on a number of occasions that he would like us to establish some interim bridge opening solution before he instructs the Coast Guard to accept our construction schedule as consistent with their order.

The Coast Guard has now referred our draft EIS to Mr. Lee and I am sure that when I talk with him he will want to know what we are doing with interim bridge openings. Last month Palmberg responded to my inquiry with a statement of his needs. A copy to you was indicated.

Could you fill me in on our status with respect to barge acquisition or other interim solutions.

Sincerely

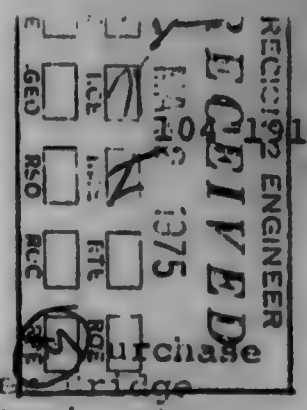
Patrick A. Randolph, Jr.
Assistant Attorney General

PAR:hg

RECEIVED
MAY 5 1975
Office of
Assistant State Highway Engineer

NOTED
E. S. HUNTER
rc Coulter
5-5-75

RECEIVED
APR 14 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER



Salem, Oregon
March 25, 1975

C. O. Fredrickson
REGION II ENGINEER

Pat Randolph
ASSISTANT ATTORNEY GENERAL

Barge Rental or Purchase
Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County

In response to your request for information on leasing or buying of a barge for opening of the Skipanon River Bridge Mr. Everton has written a letter detailing the information which he has been able to obtain for the rental leasing or purchase of this equipment. Mr. Everton has investigated this with local people and has determined his costs based on the equipment which would be necessary to satisfactorily handle this span removal.

Mr. Everton indicates that the leasing or purchase of an LCM would probably enable him to perform additional work with this equipment other than the removal of the Skipanon River Span. Please advise this office if additional investigation into this matter is necessary. A copy of Mr. Everton's letter to this office is attached.

COF:lb

cc: E. S. Hunter
Walt Hart
Eldon Everton

FORM 6-30 (REV. 10-63)

REGION 2 ENGINEER
RECEIVED
MAR 24 1975
U.E. G.E.O. R.S.O. R.C. I.F.E.

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Astoria, Oregon
March 21, 1975

From: E. L. Everton
District Engineer

To: Ted Litchfield
Region Operations Engineer

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway
City of Warrenton

Your request for information on leasing or buying of a barge for opening of the Skipanon Bridge for a three year period has been investigated and the following information is submitted.

The purchasing of a barge would be very difficult as there are just not any barges on the market at this time, according to the three local sources that I contacted. I was advised that if an individual has a lot of time to look and shop around, that one might be able to be picked up. The estimated cost for a used barge would be approximately $30,000.00 to $35,000.00. If one was not able to shop around and had to get one immediately, I was informed that the cost would more likely be anywhere from $60,000.00 to $80,000.00.

In regard to ~~licensing~~ leasing a barge for our use 24 hours a day, seven days a week, for a three year period, the lease figures I received was from $600.00 a month to $750.00 a month.

The $600.00 a month estimate was for a barge only. The $750.00 a month figure was for a LCM that is self-propelled.

The LCM is currently owned by Bergerson Enterprises and they advised me that it was 52' long, 28' wide with pontoons and self-propelled with two 671 GMC engines. This type of barge could move the structure with no problem and could also be used for the placement of rip rap around various water piers. It could also be used as a work barge for working on pier protection and such from the water. This LCM could be leased for $9,000.00 a year or it could be purchased for $35,000.00.

The barge that would lease for $600.00 a month was a barge only, and a boat would have to be made available to move the barge any time an opening or barge movement was necessary. There are tug boats in the area that are available on short notice and these will rent for approximately $50.00 per hour, operated.

I realize that there is quite a varience in the estimates that I have submitted; but, this was the best information that I could obtain from all of the local people who are oriented along this type of activity.

ELE:lh

8651

ADDRESS REPLY TO
"UNITED STATES ATTORNEY"
AND REFER TO
INITIALS AND NUMBER
74-5202
TCL:gw

United States Department of Justice

UNITED STATES ATTORNEY
DISTRICT OF OREGON
506 UNITED STATES COURTHOUSE
POST OFFICE BOX 71
PORTLAND, OREGON 97207

May 1, 1975

RECEIVED
MAY 1 9 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

RECEIVED
MAY 5 1975
LEGAL

Patrick A. Randolph, Jr., Esq.
Assistant Attorney General
State of Oregon Dept. of Justice
211 State Highway Building
Salem, Oregon 97310

NOTED
E. S. HUNTER

Dear Mr. Randolph:

The Coast Guard has reviewed the schedules which you submitted for the replacement of the Skipanon River bridge. Inasmuch as the State's project calls for replacement of the bridge, compliance with the authorization procedures of 33 C.F.R. Part 115 will be necessary. The Coast Guard is of the view that a prompt application by the State for approval of the plans for the new bridge would demonstrate the State's good faith in moving the project forward.

Once the application is submitted, the Coast Guard will coordinate their procedures with those of the Federal Highway Administration pursuant to the Memorandum of Understanding of October 26, 1972, on Coordinating the Preparation of the Environmental Impact Statements. It is my understanding from our recent conversation that the State Highway Division might have difficulty specifying a final design for the bridge, in view of the necessity to follow the public hearing requirements, but these requirements should not, in the opinion of the Coast Guard, be the occasion for any delay in submitting the application for approval under their regulations. Plans for the proposed bridge should be submitted to the Commander, Thirteenth Coast Guard District, 915 Second Avenue, Seattle, Washington 98174.

Finally, the Coast Guard has formulated a proposal for an interim bridge opening procedure, which is enclosed. Essentially, the procedure would allow for bridge openings on Tuesday and Friday evenings during the high tide cycle, provided 12 hours prior notice is given by those wishing to navigate through the bridge. I am forwarding a copy of your response of April 28,

5-2-75
cy DHM
COE
Comments
5-7-75 Pls
Coast
Guard
Your comments
please.
ESH
cc Hunt.

Ed. — I think comments from Randolph encl. info in shell dtd May 13 memo covers my thoughts. Basically we should continue for the least expensive way of providing openings until a new structure is built. —

RECEIVED
MAY 7 1975
NOTED
E. S. HUNTER
State Highway Engineer

RECEIVED
MAY 6 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

1975, which provides for a bridge opening one day a week, to the Coast Guard; and you shall have their response shortly.

Sincerely,

SIDNEY I. LEZAK
United States Attorney

Thomas C. Lee

THOMAS C. LEE
Special Assistant U.S. Attorney

Enc.

cc: Myles E. Flint, Esq. (w/enc.)
L&NR Division
Dept. of Justice
Washington, D.C. 20530

Lt. Jonathan Collom (w/ltr. 4/28/75)
U.S. Coast Guard Headquarters
Washington, D.C. 20590
Attn: Lt. Ingham

Capt. John H. Byrd, Jr. (w/enc.)
13th Coast Guard District
618 Second Avenue
Seattle, Washington 98104

Mr. Herbert G. Palmberg (w/enc.)
Palmberg Construction Company
P. O. Box 448
Warrenton, Oregon 97146

Robert B. Rutledge (w/enc.)
Federal Highway Administration
412 Mohawk Building
222 S.W. Morrison
Portland, Oregon 97204

PROPOSED INTERIM SOLUTION TO BRIDGE OBSTRUCTING THE SKIPANON RIVER PENDING COMPLETION OF REPLACEMENT BRIDGE

The Coast Guard believes that the immediate needs of navigation on the Skipanon River require that the subject bridge be capable of opening two times each week for the passage of maritime commerce. In order to minimize the impact of this requirement upon local traffic and in order to minimize the financial impact of this requirement on the State of Oregon, the Coast Guard makes the following proposal:

1. The Coast Guard realizes that the existing structure is old and in a somewhat deteriorated condition. Therefore, we believe that the best method of opening this bridge consists of floating out the center span during high tidal cycles.

2. In order to float out the removable bridge section, the State of Oregon must provide a barge with cribbing necessary for the support of the bridge span. In all probability it will be necessary to leave the cribbing on this barge and utilize the barge solely for this purpose until such time as the new bridge is completed.

3. In order to manuever the barge into position, the State of Oregon will be required to engage the services of an appropriate tug to move the barge into and out of position under the bridge.

4. The Coast Guard proposes that the State of Oregon float out the bridge span twice weekly at such times as the State chooses in order to minimize the impact upon local traffic. For example, we envision that the bridge would be opened on Tuesday and Friday during either the nighttime or daytime high tidal cycle.

5. The Coast Guard proposes that the State of Oregon will only be required to actually float out the bridge span if a request to do so is received by the State, or the State's agent, more than 12 hours before the scheduled time for opening on Tuesday or Friday. If no request for an opening is made prior to 12 hours before the scheduled opening, the State of Oregon, or its agent, will not be required to float out the bridge.

ENCLOSURE(7)

6. The Coast Guard proposes that the State of Oregon permanently remove the water line on the subject bridge and any other obstruction which would inhibit the "floating out" operation.

7. The Coast Guard proposes that the State of Oregon post appropriate notices on the bridge and in local periodicals advising the public of the schedule of openings and procedures for passing through the bridge.

8. The Coast Guard proposes that the interim solution to the navigation problem created by the subject bridge shall be subject to review and modification in the event the needs of navigation change to the extent that the scheduled openings prove to be inadequate.

8651

8

Robert W. Straub
XXXXXXXXXX

May 1, 1975

Division of State Lands
1445 State Street
Salem, OR 97310

Gentlemen:

Re: 071-0YA-001836
Palmberg Construction Company Moorage
Skipanon River

This is in reference to the permit application by the Palmberg Construction Company for a moorage on Skipanon River approximately one-half mile upstream from the bridge carrying the Warrenton-Astoria Highway traffic across the Skipanon River. In commenting on this, we feel it is appropriate to bring you up to date on our plans to replace this bridge. A report is enclosed along with the Draft Environmental Impact Statement explaining the events which led to our decision to replace the bridge, and the activities remaining in our planning for implementation of the project.

The Highway Division does not oppose the construction of the moorage. We are very concerned, however, about the adverse impact that the operation of the moorage prior to construction of the new bridge could have on the users of the highway. Presently, the bridge is opened by removing the float-out span with a barge during high tide, which takes at least 3 hours to complete. A prior notice of several days is necessary to obtain the equipment needed for the opening of the bridge.

The proposed moorage has the potential of generating considerable river traffic, which could require frequent openings of the bridge. This increase in openings could cause a great amount of inconvenience to highway traffic over the bridge. The present average daily traffic over the bridge is 2,700 vehicles and during the summer months (the time of greatest activity at the moorage),

the highway traffic is in excess of 5,000 vehicles per day. This amount of traffic could back up from 3 to 5 miles in each direction when the highway is closed due to opening of the bridge. The present condition has not presented any major problems to either the highway or river traffic because of the infrequency of the openings requested.

As mentioned before, we are planning to replace the float-out bridge with one that will be responsive to navigation on the Skipanon River. It is anticipated that the bridge will be placed in operation during 1978. It would be appreciated if you would consider very strongly the impact of the moorage on the present float-out span -- in particular, the probability of more frequent openings.

Very truly yours,

A. E. Johnson
Deputy State Highway Engineer

Enc.

bc F. B. Klaboe
E. S. Hunter
Victor D. Wolfe
Walt Hart (enc)

WNH/WHT:mc ja

File

SKIPANON RIVER BRIDGE
WARRENTON-ASTORIA HIGHWAY
CLATSOP COUNTY

The existing Skipanon River structure has a nonconforming floatout span that requires prior notification for opening to allow time to provide the necessary equipment. As of April 17, 1975 there have been only 10 openings since 1955. The original permit for the structure was issued in 1916 for a drawbridge. The approved plans provided for a manually operated single-leaf bascule span having a horizontal clearance of 33 feet, 3 inches. Construction under direction of Clatsop County is assumed to have substantially conformed to the permit although documentation is not available.

In 1933, while still administered by the County, the bridge was widened and the drawspan was replaced with a timber floatout span. In 1946 jurisdiction for the highway and the bridge was transferred from the County to the State Highway Department. The Highway Department replaced the timber floatout span with a steel beam floatout span in 1965, this being the present structure.

In 1972 the U. S. Coast Guard notified the Highway Division (formerly the State Highway Department) that the bridge had to be restored to the original approved plans or an alternative provided that would allow similar freedom of navigation. This action was subsequent to a complaint by Mr. H. G. Palmberg, Palmberg Construction Company, that the highway bridge is not maintained and operated in accordance with the location and plans approved by the Secretary of War in 1916.

For some time, the Highway Division has been involved in the planning procedures to implement a Skipanon River Bridge project that

would satisfy the Coast Guard and the interests of the local community and other interested parties. A public hearing is tentatively scheduled for the first week in June, at which time two alternate plans within the corridor occupied by the existing bridge will be presented. These alternates are (1) a fixed-span structure with 27 feet of vertical clearance at low tide, and (2) a double-leaf bascule span structure with 16 feet of clearance at low tide in the closed position.

The Highway Division plans to proceed according to the attached schedule which represents the minimum times allocated for the remaining activities. Assuming the proposal is developed according to schedule, it is probable that the bridge contract could be awarded in the summer of 1976 with completion of the construction in 1978.

Further information on the proposal as well as a detailed discussion of the planning for the Skipanon River Bridge is contained in the Draft Environmental Impact Statement which is attached.

SCHEDULE OF EVENTS

SKIPANON RIVER BRIDGE PROJECT
WARRENTON-ASTORIA HIGHWAY
CLATSOP COUNTY, OREGON

Activity	Time to Process
Public Hearing	5 weeks
Complete investigations and prepare final EIS	19 weeks
Secure Federal Highway Administration design approval	9 weeks
Program right of way and construction funds with Federal Highway Administration	3 weeks
Right of way appraisal and acquisition	23 weeks
Construct bridge	80 weeks
Total	139 weeks

4/25/75

DIVISION OF STATE LANDS
502 Winter Street N.E.
Salem, Oregon 97310

WE'VE MOVED!
OUR NEW ADDRESS:
1175 STATE STREET
SALEM, OREGON 97310

Date: April 8, 1975

Attached is a copy of a Public Notice received from the Portland District, Corps of Engineers, on April 8, 1975.

Permit request submitted by: Palmberg Construction Company

Descriptive File No.: 071-0YA-1-001836 Skipanon River - Moorage

Please return your comments to the Division of State Lands by: April 30, 1975

Application involves: ( ) Fill ( ) Easement ( ) Certified Riprap (x) Moorage
( ) Removal ( ) Public Rights Investigation ( ) Lease

c/r: Division of State Lands' No. no removal/fill permit required.

We have reviewed the above Corps Notice and offer the following comments:

( ) We do not believe the project would have an adverse effect.

( ) We believe the effects of this project, although measurable, would be acceptable.

( ) We believe the project would be acceptable if methods of construction were altered as listed below.

( ) We would attend a conference with the applicant to seek project alternatives.

( ) The project is unacceptable as proposed (explained below)

( ) We have no basis for comment as explained below.

RECEIVED
STATE HWY ENGR
APR 10 '75
REFER TO Hunter
FOR
Info | Invest | R/D | D/R | Sign | Act | File
| | | | | X |

Explanations and Comments

Date:

HOTEL
A. E. JOHNS

NOTED
E. S. HUNTER
Waiting for supply.

RECEIVED
APR 14 1975

Agency _____ By _____

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

REPLY TO ATTENTION OF: NPPND-RF-1

7 April 1975

PUBLIC NOTICE
071-OYA-1-001836
MOORAGE
SKIPANON RIVER MILE 2.6 - AT WARRENTON, OREGON

Interested parties are hereby notified that application has been made for a Department of the Army permit for work in navigable waters of this Engineer District under Section 10 of the River and Harbor Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403) as follows:

Name of Applicant: Palmberg Construction Company, P. O. Box 448, Warrenton, Oregon 97146.

Character and Purpose of Work: To construct a private moorage facility consisting of 4-piles, two 9' X 17' floats, one 8' X 8' float, two 3' X 28' floats and a 3' X 24' access ramp as shown on the attached drawing marked 001836 (Skipanon River - Moorage) for the purpose of mooring company dredges and/or boats.

Additional Information: Additional information may be obtained from David E. Palmberg, Vice President, Palmberg Construction Company, P. O. Box 448, Warrenton, Oregon 97146.

The requested permit, if issued, will be subject in part to the following conditions:

1. All construction debris will be disposed of on land in such a manner that it cannot enter into the waterway.

2. All piling and lumber treated with creosote or other protective material will be completely dry before use in or near the waterway.

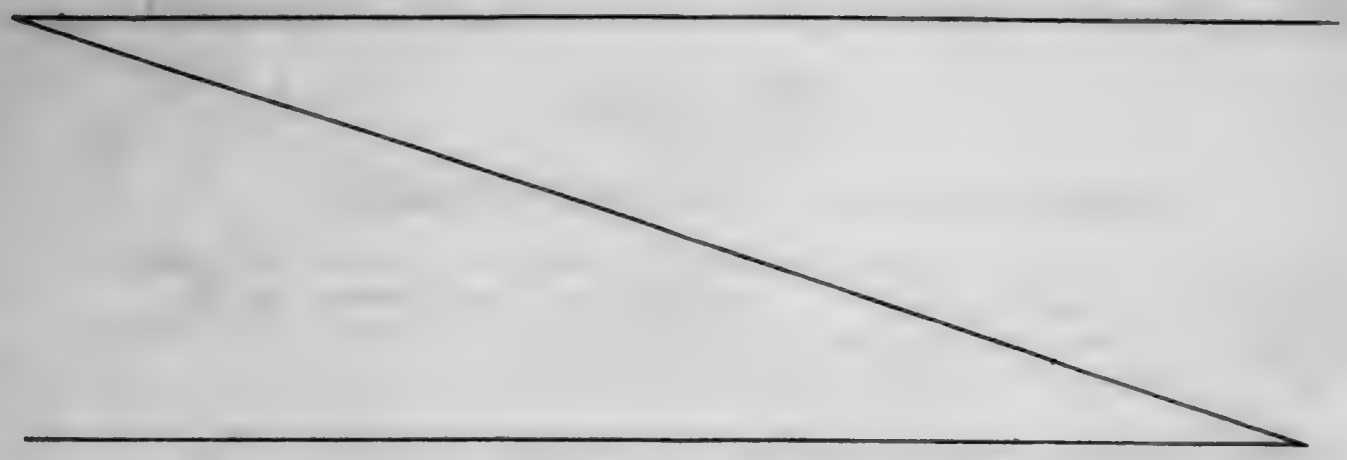
3. Care will be taken to prevent any petroleum products, chemicals or other deleterious materials from entering the water.

4. Work in the waterway will be done so as to minimize turbidity increases in the water which tend to degrade water quality and damage aquatic life.

5. The attachment of any floats, ramps, walkways or other nonmotorized appurtenances not specifically authorized by this instrument (and shown on the drawings attached hereto) or the modification of any authorized features will not be permitted without the prior written approval of the District Engineer.

(908)

NPPND-RF-1
RE: 071-OYA-1-001836
(Skipanon River - Moorage)



Additional Requirements: State law requires that leases, easements or permits be obtained for certain works or activity in the described waters. These state requirements must be met where applicable and the Department of the Army permit obtained before any work waterward of the ordinary high water line may be accomplished. Similarly, the governing county, city and/or other local governmental agencies may also have ordinances or requirements which must be satisfied before the work is accomplished.

Interested parties are requested to submit in writing any comments or objections they may have to the proposed work.

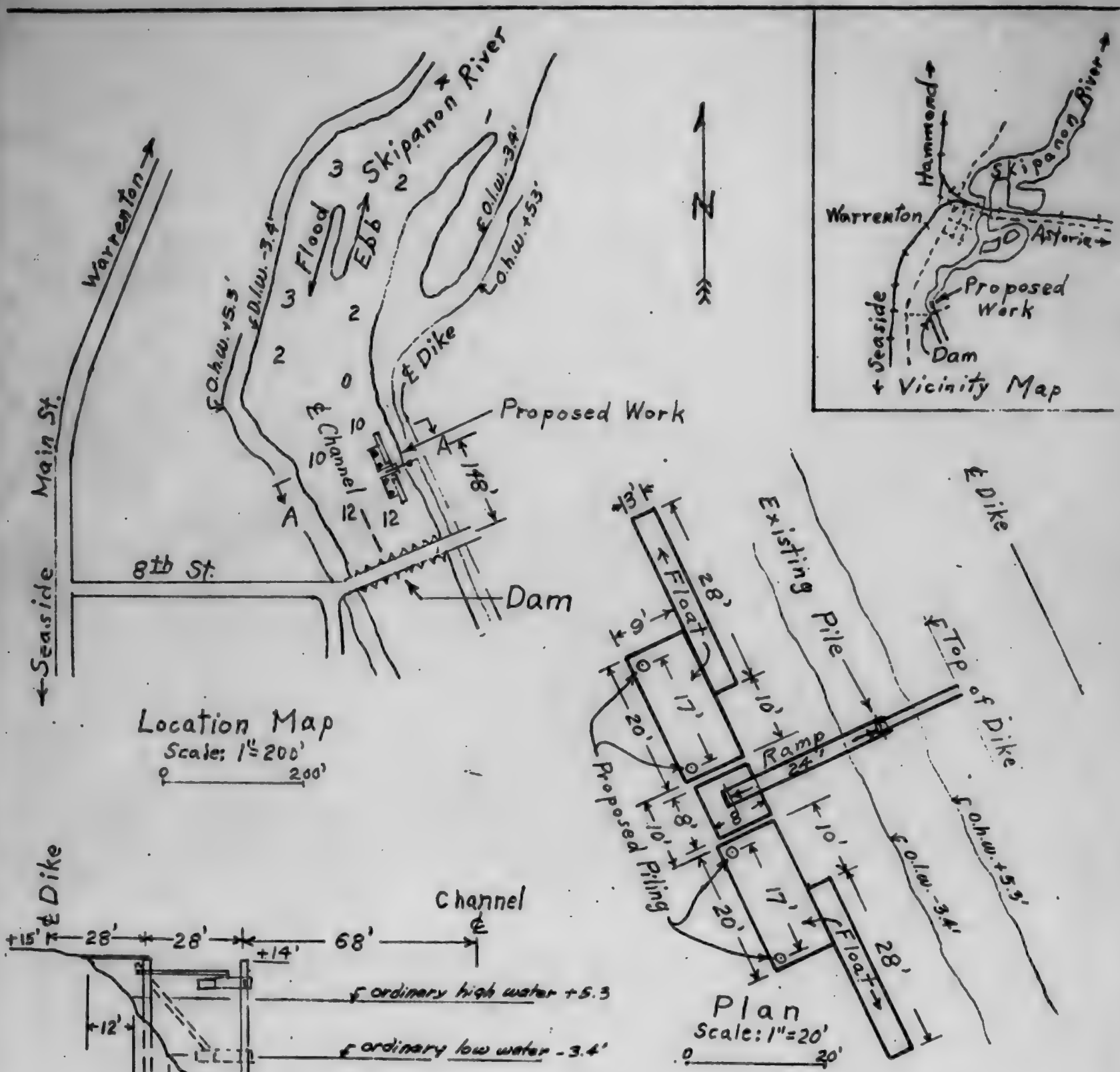
The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

A preliminary determination has been made that an environmental impact statement is not currently required for the proposed work.

Replies to this notice should be mailed to reach this office not later than 7 May 1975.

A. J. HEINEMAN
Chief, Navigation Division

001836 (Skipanon River - Moorage)



Proposed
Piling, Ramp & Floats
in Skipanon River
at Warrenton
County of Clatsop, State Ore.
Application by Palmberg Const. Co.
March 13, 1975 Date

8651

9

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
XXXXXXXXXXXXXXXXXXXXXXX
SALEM, OREGON 97310
TELEPHONE: (503) 378-6368

211 State Highway Building

May 1, 1975

NOTED
E. S. HUNTER

Commander (oan)
13th Coast Guard District
Permits Division
Federal Building
915 Second Avenue
Seattle, Washington 98174

RECEIVED
MAY 2 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Re: Skipanon River Bridge at Warrenton

Gentlepersons

The Oregon Highway Division is contemplating replacing the existing bridge over the Skipanon River at Warrenton. The attached notice of hearing on the environmental impact statement indicates that the Division is well along the planning stage for this project. We have already forwarded copies of the environmental impact statement to the Coast Guard, but I am enclosing another copy with this letter for your convenience.

The Coast Guard has shown some concern about the slow progress on this project during preceding years. I am now in contact with Mr. Tom Lee, United States Attorney, in Portland, who tells me that the Coast Guard desires that we commence proceedings for a permit request as quickly as possible.

As the notice and accompanying environmental impact statement indicate, the Highway Division cannot and will not commit to a particular bridge design or in fact, any construction work at all, until the environmental impact has been thoroughly reviewed as called for by the National Environmental Policy Act. I have so informed Mr. Lee, and he tells me that the Coast Guard would still appreciate the "initiation" of permit proceedings at this time.

I am therefore writing to request what, if anything, can be done to expedite eventual permit procedures in light of the uncertainty which will exist until after environmental proceedings have been completed. We are interested in cooperating with the Coast Guard in any way we can and I am anxious to hear any suggestions you may have.

Sincerely

Patrick A. Randolph, Jr.
Assistant Attorney General

PAR:clh;hg
cc - Tom Lee
Ed Hunter
Walt Hart

8651

OREGON STATE HIGHWAY DIVISION

Robert W. Straub
GOVERNOR

F. B. KLABOE
Administrator of Highways

HIGHWAY BUILDING • SALEM, OREGON • 97310

April 30, 1975

Mr. Ernest E. Sligh, Director
Environmental Impact Division
office of Environmental Programs
Federal Energy Administration
New Post Office Building
12th and Pennsylvania Avenue N.W.
Washington, D.C. 20461

SUBJECT: Draft Environmental Statement
Section Skipanon River Bridge
Highway Warrenton-Astoria
County Clatsop

Dear Mr. Sligh:

In accordance with the National Environmental Act of 1969 (Public Law 91-190) attached are five copies of the Draft Environmental Statement for your review and comment.

Your reply upon receipt of this Environmental Impact Statement will be anticipated within the 45-day period established by the Federal Council of Environmental Quality Guidelines. If no response is received within this period, it will be assumed that you have no comments.

If you need additional information on this project, please contact the Project Management Section, 207 State Highway Division, Salem, OR 97310. Phone 378-6563.

Very truly yours,
ORIGINAL SIGNED BY
L. W. RULIEN
L. W. Rulien
Project Management Engineer

BLG:ljt
Attachment

cc: G. L. Green, FHWA
F. B. Klaboe
Gary Potter
D. E. Swan
B. L. Gifford

RECEIVED
STATE HWY ENG.
APR 30 '75
REFER TO
FOR
NOTED
MARIE STEPHENS
Info | Invest | R/D | D/R | Sign | Act | File

8651 Skipanon River (Warrenton) 1977
Br. Sec. of Warrenton-Astoria Hwy.
(Grade, pave, struc, sign & illum) #4

8651

9

bc: A. E. Johnson
Ralph Sipprell
E. S. Hunter
Victor D. Wolfe

WNH:jp srb

April 30, 1975

The Honorable Bill Wyatt
State Representative
State Capitol
Salem, Oregon 97310

Dear Bill:

936 K

This is in reference to your request for current information on the Skipanon River Bridge project at Warrenton.

There has been a great deal of controversy relative to the present nonconforming Skipanon River Bridge and to the various proposals calculated to satisfy navigation and local demands. At the present time the Highway Division plans to hold a public hearing on the proposal the first week of June; at which time we will present two alternate plans within the corridor occupied by the existing bridge. The bridge alternates are:

1. A fixed- span structure with 27 feet of vertical clearance at low tide; and

2. A double-leaf bascule span structure with 16 feet of clearance at low tide when in the closed position.

If no further problems are encountered and if one of these alternates proves acceptable, we plan to proceed according to the attached schedule. Time allotted for the activities is the bare minimum; however, if the schedule is not thwarted by unforeseen obstacles, the bridge contract may be awarded in the summer of 1976 with a completion date for the construction early in 1978.

Further information on the proposal, as well as the past history relating to the project, is contained in the draft EIS included herewith. This statement discusses a number of alternates in addition to those above.

If you have further questions, please let me know.

Sincerely,

F. B. Klaboe, Administrator
and State Highway Engineer

Atts.

HOME ADDRESS
WILLIAM W. WYATT
RT. 1, BOX 3028
WARRENTON, OREGON 97146

CLATSOP, WASHINGTON AND
COLUMBIA COUNTIES
DISTRICT 2

COMMITTEES
VICE CHAIRMAN:
STATE AND FEDERAL AFFAIRS
MEMBER:
AGING COMMITTEE
AGRICULTURE/NATURAL
RESOURCES

HOUSE OF REPRESENTATIVES
SALEM, OREGON
97310

April 18, 1975

Fred Klaboe
State Highway Engineer
140 Highway Building
Salem, Oregon 97310

Dear Fred,

I have received several communications from Warrenton residents, the Chamber of Commerce, and particularly Herb Palmberg relating to the construction of the Skipanon River bridge. I would be most appreciative if you could bring me up to date on this project, and the likelihood of future action.

Thanks again.

Sincerely,

Bill Wyatt
State Representative

BW:ss

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STATE HWY ENGR
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FOR
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Wolfe
R/D status report
Eastbank path. critical
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APR 22 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

18651

9

Robert W. Straub
xxxxxxxxxxx

April 30, 1975

Mr. Ernest E. Sligh, Director
Environmental Impact Division
office of Environmental Programs
Federal Energy Administration
New Post Office Building
12th and Pennsylvania Avenue N.W.
Washington, D.C. 20461

SUBJECT: Draft Environmental Statement
Section Skipanon River Bridge
Highway Warrenton-Astoria
County Clatsop

Dear Mr. Sligh:

In accordance with the National Environmental Act of 1969 (Public Law 91-190) attached are five copies of the Draft Environmental Statement for your review and comment.

Your reply upon receipt of this Environmental Impact Statement will be anticipated within the 45-day period established by the Federal Council of Environmental Quality Guidelines. If no response is received within this period, it will be assumed that you have no comments.

If you need additional information on this project, please contact the Project Management Section, 207 State Highway Division, Salem, OR 97310. Phone 378-6563.

Very truly yours,

L. W. Rullen
Project Management Engineer

BLG:ljt
Attachment

cc: G. L. Green, FHWA
F. B. Klaboe
Gary Potter
D. E. Swan
B. L. Gifford

8651

8

xxxxxxxxxxxxxxxxxx

211 State Highway Building

April 28, 1975

Tom Lee
Special Assistant U. S. Attorney
506 United States Courthouse
Post Office Box 71
Portland, OR 97207

NOTED
E. S. HUNTER

Dear Mr. Lee

Enclosed are the Environmental Impact Statement we have prepared and the letter from the Coast Guard refusing to consider further activities until you have reviewed the Environmental Impact Statement. I have spoken to Mr. Colum in Washington and he did not seem to be inclined to work on this file, indicating that his office had turned everything over to you. However, when I indicated that I was calling him at your suggestion he did agree to take to his principals our proposal for a bridge opening schedule. To reiterate our proposal it is as follows:

> We will purchase equipment sufficient to move the bridge and will station that equipment in Warrenton. One day a week we will open the bridge at certain fixed times during the day but would not open it between 7:30 and 9:30 am or 4:30 to 6:30 pm in order to avoid conflict with peak traffic flow on the highway.

As I have indicated to you I will send a letter to the Coast Guard in the Seattle office indicating that we are proceeding with an Environmental Impact Statement on the bridge replacement and are interested in doing whatever we can to expedite consideration of a permit request consistent with the requirement that we not commit a particular bridge design until completion of environmental analysis and public hearings.

Mr. Colum indicated he would be getting in touch with you to work out who is really responsible for this project from the federal standpoint.

Sincerely yours

Patrick A. Randolph, Jr.
Assistant Attorney General

RECEIVED
APR 29 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

PAR:hg
Enclosures
cc - E. S. Hunter
H. S. Coulter
C.O. Frederickson
Eldon Everton
Walt Hart

8651

8

ROBERT W. STRAUB
GOVERNOR

F. B. KLABOE
Administrator of Highways

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

April 28, 1975

TO Executive Department
Federal Aid Coordination Unit

Clatsop-Tillamook Intergovernmental Council
P.O. Box 486
Cannon Beach, OR 97110

FROM George N. Hopkins
Project Development Engineer

SUBJECT Draft Environmental Statement
District No. 1
Federal Aid Secondary Rural
Skipanon River Bridge Section
Warrenton-Astoria Highway
Clatsop County

NOTED
E. S. HUNTER

In accordance with the National Environmental Act of 1969 (Public Law 91-190) attached are copies of the Draft Environmental Statement for your review and comment.

Your reply upon receipt of this Environmental Impact Statement will be anticipated within the 45-day period established by the Federal Council of Environmental Quality Guidelines. If no response is received within this period, it will be assumed that you have no comments.

If you need additional information on this project, please contact Mr. Gary Potter, Environmental Section, State Highway Division, Salem, Oregon 97310. Phone 378-8486.

RECEIVED
APR 29 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Attachments

BLG:pr

cc: G. L. Green, FHWA
E. S. Hunter
R. L. Schroeder
J. H. Versteeg
Gary Potter
G. N. Hopkins, County-City
D. E. Swan
B. L. Gifford
E. L. Everton
C. O. Fredrickson

A DIVISION OF THE DEPARTMENT OF TRANSPORTATION

8651

~~PRO 6-1~~

Robert W. Straub
xxxxxxxxxx

April 25, 1975

TO Mr. G. L. Green, Oregon Division Engineer
Federal Highway Administration

FROM L. W. Rulien
Project Management Engineer

SUBJECT Draft Environmental Impact Statement
No. FHWA-OR-EIS-75-03-D
Skipanon River Bridge Section
Project RS-599(-)
Warrenton-Astoria Highway (FAS 605)
Clatsop County

In compliance with FHPM 7-7-2 we are submitting eighteen (18) copies of the Draft EIS relative to the subject project.

DES:ljt

Att.

cc: F. B. Klaboe
A. E. Johnson
E. S. Hunter
R. L. Schroeder
J. H. Versteeg
George Hopkins, County/City
D. E. Swan
B. L. Gifford

FHWA-OR-EIS-75-03-D

SKIPANON RIVER BRIDGE
STATE SECONDARY HIGHWAY 105
WARRENTON, CLATSOP COUNTY, OREGON

ADMINISTRATIVE ACTION

DRAFT
ENVIRONMENTAL IMPACT STATEMENT

U.S. DEPARTMENT OF TRANSPORTATION

Federal Highway Administration
and
Oregon State Highway Division

SUBMITTED PURSUANT TO 42 U.S.C. 4332(2)(C), 23 U.S.C. 128(a) AND (WHEN APPLICABLE) 49 U.S.C. 1653(f) AND 16 U.S.C. 470(f).

4/16/75
Date

R. J. Schroeder
Assistant State Highway Engineer

4/18/75
Date

Division Engineer, FHWA

SUMMARY
of
DRAFT ENVIRONMENTAL IMPACT STATEMENT

for

SKIPANON RIVER BRIDGE
STATE SECONDARY HIGHWAY 105
WARRENTON, CLATSOP COUNTY, OREGON

1. Federal Highway Administration
Administrative Action Environmental Statement
(X) Draft ( ) Final
( ) Section 4(f) Statement Attached

2. The following individuals may be contacted for further information concerning the subject proposal and the contents of this environmental statement:

Mr. Glen Green
Division Engineer
Federal Highway Administration
Post Office Box 300
Salem, Oregon 97308
Phone: 378-3845

Mr. C. O. Fredrickson
Regional Engineer
Oregon State Highway Division
205 East Salem Highway Building
Salem, Oregon 97310
Phone: 378-2626

Mr. Gary A. Potter
Environmental Manager
Environmental Section
Oregon State Highway Division
Salem, Oregon 97310
Phone: 378-8486

Mr. Larry Rulien
Project Management Engineer
Project Management Section
Oregon State Highway Division
Salem, Oregon 97310
Phone: 378-6563

3. The proposed project will remodel or replace the Skipanon River Bridge at Warrenton. The United States Coast Guard has ordered the Oregon State Highway Division to take the subject action. The existing bridge, containing a floatout span, has been found to be in violation of the original 1916 federal permit which required a fast-opening bascule bridge, opening on demand. The purpose of this project is to comply with the Coast Guard order to remove the existing bridge or replace it with a structure that provides acceptable waterway clearances.

4. Alternatives considered:

   a. Alternative 1--Harbor Street

      This alternative would utilize the existing corridor. Seven bridge design alternates are considered for this corridor: five of these designs would involve remodeling or reconstructing of the existing bridge, and two designs would require new structures.

   b. Alternative 2--Second Street Connection

      This alternative consists of constructing a new, fixed span bridge in a new southerly corridor. The fixed span would have a vertical clearance of about 34 feet from mean sea level.

   c. Alternative 3--Ninth Street Connection

      This alternative involves construction of a new, fixed span bridge in a corridor further south of the existing bridge. This bridge would be constructed above the established navigational limits of the Skipanon River.

   d. Alternative 4--No Bridge

      This alternative would result if the Highway Division took no action to comply with the United States Coast Guard order. The existing bridge would be removed, thus allowing no highway crossing of the Skipanon River at Warrenton.

5. Environmental Impacts

   a. New corridors would cross the flood plain of the Skipanon River.

   b. Soils in the area are limited in their suitability for roads.

   c. The project would involve repeated disturbance to the river streambed during construction.

   d. Aquatic impacts anticipated to occur are the following: (1) temporary increases in turbidity; (2) bottom siltation; (3) release of toxic

materials, including sulfides and other oxygen-demanding substances; (4) local eddies adjacent to piers and footings; and (5) long-term alteration of upstream river use patterns, with potential for increased water pollution from boating and development activities.

e. Estuarine wildlife habitat would be reduced.

f. A fast-opening bridge may increase the use of the river upstream and encourage shoreline residential development because of water-based recreational amenities.

g. A fast-opening bridge may result in frequent delays to highway traffic if opening "on demand" for navigation is required by the Coast Guard.

h. Land use patterns would be affected significantly by two of the alternatives.

6. Agencies and organizations receiving copies of the draft statement:

Federal Agencies:

Department of Agriculture
Department of Commerce
Department of Health, Education and Welfare
Department of Housing and Urban Development
Department of the Interior
Bureau of Outdoor Recreation
Bureau of Sport Fisheries and Wildlife
Environmental Protection Agency
Federal Aviation Administration
Federal Highway Administration
National Oceanic and Atmospheric Administration
National Park Service
Soil Conservation Service
U.S. Army Corps of Engineers
U.S. Coast Guard

State and Local Agencies:

Executive Department, Intergovernmental Relations Division
Department of Environmental Quality
Department of Justice
Oregon Environmental Council
Oregon Fish Commission

State and Local Agencies - continued

Oregon State Library
Oregon State Wildlife Commission
Clatsop-Tillamook Intergovernmental Council
Clatsop County Board of Commissioners
City of Astoria
Port of Astoria
City of Warrenton
Warrenton Chamber of Commerce

This Draft Environmental Impact Statement was made available to the Council on Environmental Quality and the public on MAY 2 1975.

To insure their inclusion in the Final Environmental Impact Statement, comments should be received no later than forty-five days from the date above.

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I. LOCATION AND PURPOSE OF PROJECT

Location of Project

The Skipanon River Bridge is located at mile point 0.17 on Oregon State Highway 105, the Warrenton-Astoria Highway, in the northwest corner of both the state of Oregon and Clatsop County. The bridge is in the city of Warrenton, near the city center (Figures 1 and 2). Within the city limits of Warrenton, the state highway is called East Harbor Street. Astoria is about four and one-half miles northeast of the bridge. Hammond, further out on the point between the Columbia River and the Pacific Ocean, is about four miles northwesterly.

Purpose of Project

The purpose of this project is to comply with the United States Coast Guard's requirements relative to the original 1916 Federal permit issued to Clatsop County for the Skipanon River Bridge at Warrenton. The plans approved by the Secretary of War made provision for a manually operated, single-leaf bascule drawbridge with a horizontal clearance of approximately 33 feet in the open position. In a closed position, the vertical clearance of the bridge at extreme low tide was approximately 15 feet. (Extreme low tide in the Skipanon River is -5.8 feet below mean sea level. See Table 2 in the "Alternatives" section for tidal datum explanation.) The original drawbridge was opened by a hand crank mechanism. In summary, the original permit provided for a fast-opening bridge which opened on demand for vessels using the Skipanon River.

Subsequent to the issuance of the original permit, the Skipanon River Bridge was structurally modified. In February, 1933, while still under Clatsop County jurisdiction, the roadway was widened and the drawspan

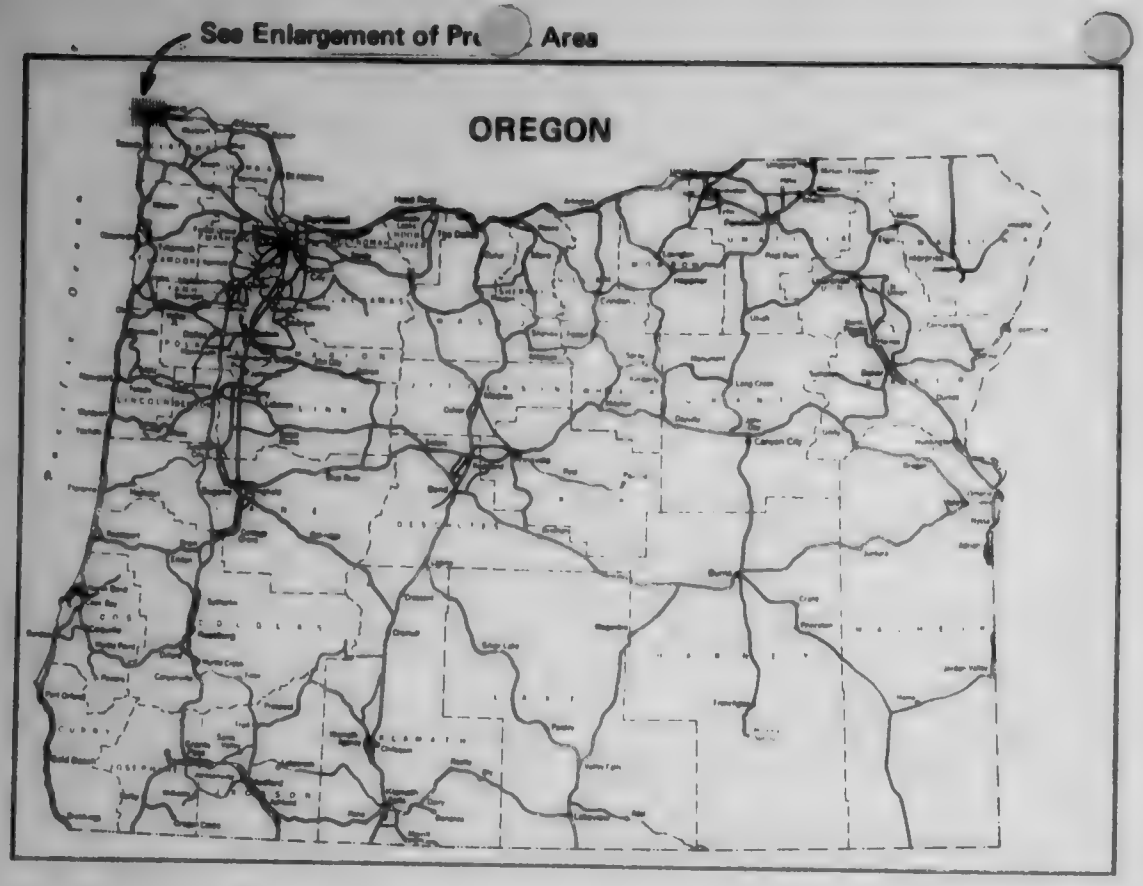


Figure No. 1

PROJECT VICINITY MAP

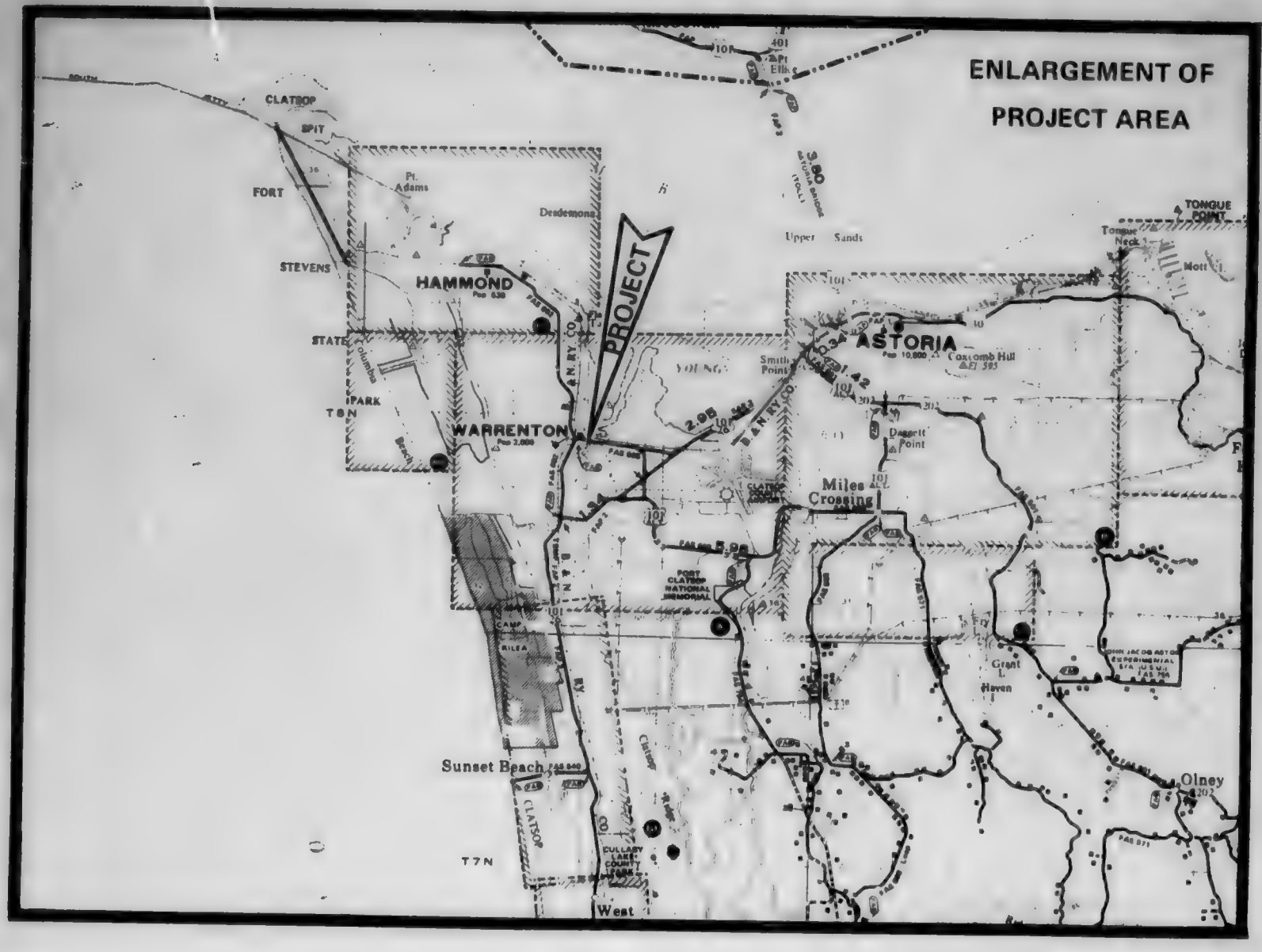


Figure No. 2

CITY OF

WARRENTON

CLATSOP COUNTY, OREGON

was replaced with a timber A-frame floatout span. In addition, a city of Warrenton domestic water pipeline, which had previously been laid on the bottom of the river, was attached to the superstructure of the bridge. The water pipe therefore had to be uncoupled when the floatout span was removed.

In December, 1946, the Warrenton-Astoria Highway, including the structure, was transferred from Clatsop County to the state of Oregon and made a part of the state highway system. In the interest of safety, the Highway Division replaced the timber A-frame span in 1965 with a steel beam, floatout span.

Attachment of the water pipe to the bridge and the conversion of the drawbridge to a floatout span contributes to delay and difficulty in opening the structure. There are no records of federal permit approval for these deviations from the original 1916 permit for the bridge.

The United States Coast Guard, Department of Transportation, acting on behalf of the local Warrenton navigational interests who desire to make frequent passages through the Skipanon River Bridge, notified the Oregon State Highway Division on June 26, 1972, that the bridge was illegal. The Coast Guard contended that the existing highway bridge is operated and maintained in violation of Section 117.740 of Title 33, Code of Federal Regulations, which requires that the bridge be opened on demand. The Coast Guard ordered the Oregon State Highway Division to either restore the bridge to the originally approved plans and operate the drawspan in accordance with appropriate federal regulations or to implement alternatives which would otherwise achieve the same results (including removal or reconstruction). If the structure were neither restored nor removed as ordered, the Highway Division would be subject to fines for noncompliance.

The Oregon Highway Division, acting in good faith upon the United States Coast Guard notice, has proceeded with planning for elimination of the noncomplying structure. (Refer to Appendix A for a detailed history of the Skipanon River Bridge project planning process.)

Project Need

The need for a new structure across the Skipanon River at Warrenton is based on failure to comply with the original federal permit, which indicated that a drawbridge would be constructed. Presumably, this drawbridge was readily opened for navigational traffic. The Highway Division, however, recognizing its obligations to the Coast Guard and the public, is considering alternative solutions to the present legal problem.

Present and projected vehicular traffic volumes, as well as the physical condition of the structure in themselves, neither indicate nor justify immediate replacement. The design capacity of the existing bridge, calculated to be 5,800 vehicles per day, will remain adequate for many more years. During 1974, the average daily traffic for this section of the Warrenton-Astoria Highway was 3,800 vehicles. The projected 1994 average daily traffic is 6,500 vehicles. (The projected 1994 volumes assume normal growth for the area, based on past growth trends and assume that travel is unrestrained.) For eight months of 1969 and for the period from January 1, 1970 through December 31, 1973, the accident rate for this section of highway was 2.6 accidents per million vehicle miles of travel. This compares to a statewide rate for similar types of highways of 3.0 accidents per million vehicle miles. The present Skipanon River bridge is inspected twice yearly. The latest inspection reveals the bridge to be in satisfactory condition. Since 1965, only minor and routine repairs have been required on the bridge.

Highway Division records since 1946 indicate that the Skipanon River bridge has not been opened frequently (Table 1). In the past, the number of boats, dredges, and other craft going through the bridge has been small. Log rafts, stored in the river above the highway bridge, do not require the opening of the bridge. Records show an overall total of 29 openings for the period 1947-1974, an average of one a year. However, in the last twenty years (1955-1974), the average has been about one opening per two-year period. Several years lapsed when no requests for opening were received.

When requests for opening are received, a barge is placed under the movable span, which is lifted on the rising tide, cleared for water traffic, and refitted into the original position on the outgoing tide. Concurrent with this action is the disconnecting and reconnecting of the water pipeline.

TABLE 1

Record of Skipanon River Bridge Openings

Year	No.	Year	No.
1947	2	1962	1
1948	4	1963-1967	0
1949	2	1968	1
1950	2	1969	1
1951	2	1970	0
1952	4	1971	1
1953	2	1972	0
1954	2	1973	3
1955-1960	0	1974	1
1961	1		
Total No. of Openings (28-year Period) =			29

The total time required for opening the floatout span fluctuates with tide schedules and the equipment utilized. However, the average period is 2 to 6 hours. Roadway users must take an alternate route which requires 1.5 miles of additional travel. The latest opening, on May 8, 1974, cost the Oregon State Highway Division approximately $5,000 for manpower, equipment, and barge contracting. About 48 hours notice is required before the bridge can be opened.

II. ALTERNATIVES

The Oregon State Highway Division, in response to the United States Coast Guard order of June 26, 1972, conducted an extensive study of alternate corridors and designs. From the study, four feasible alternatives have been developed:

ALTERNATIVE 1--HARBOR STREET

ALTERNATIVE 2--SECOND STREET CONNECTION

ALTERNATIVE 3--NINTH STREET CONNECTION

ALTERNATIVE 4--NO BRIDGE

Each of these alternatives, including seven design alternates for the Harbor Street corridor alternative, are discussed in detail in this section. All alternatives require relocation of the municipal waterline presently attached to the superstructure of the existing bridge. This relocation work would be conducted concurrently with the bridge remodeling, replacement, or removal.

All alternatives are under consideration by the Oregon State Highway Division, and a specific alternative will be selected following the formal corridor-design public hearing on this project. The hearing is presently scheduled in June, 1975, at Warrenton. A final environmental

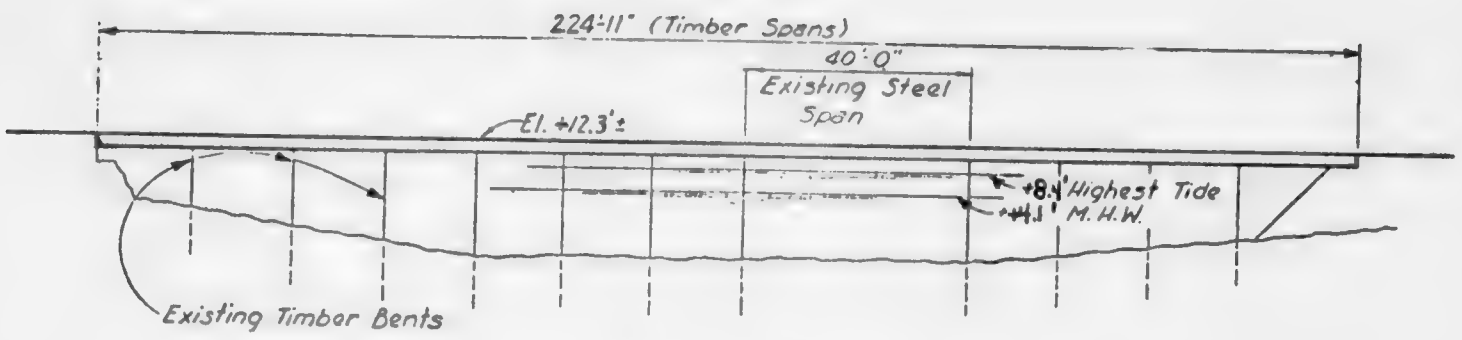
impact statement will be prepared for the selected corridor and design. Contract bid letting for a remodel or replacement structure is scheduled for 1976.

Before proceeding with discussion of the four alternatives, it appears useful for comparison to consider briefly the existing bridge. The timber trestle, floatout span bridge (Figure 3) is approximately 225 feet long with a roadway width of 26 feet 9 inches. The typical section has two twelve-foot travel lanes and a two-foot nine-inch shoulder on the southerly side. There is a four-foot wooden sidewalk on the northerly side, or downstream. The steel beam floatout span is 40 feet long, allowing a horizontal clearance of about 37 feet when the span is removed. The existing structure, when in the closed position, allows a vertical clearance of 15.4 feet from the bottom of the superstructure at extreme low tide level. (Extreme low tide in the Skipanon River at the bridge site is -5.8 feet below mean sea level.)

Since water navigation through and under the bridge is the key issue in this bridge project, measurements of vertical clearance require some explanation. The Skipanon River, being near the Pacific Ocean, is influenced by tidal fluctuations in water level. Therefore, the amount of vertical clearance under the bridge varies with time of day, tide schedule, and so on. Vertical clearance measurements in this statement are based upon tidal prediction data from U.S. Department of Commerce, Coast and Geodetic Survey. According to this data, the elevations of various tidal planes are as follows in Table 2:

Figure No. 3

EXISTING SKIPANON RIVER BRIDGE, WARRENTON, OREGON



SLIDE VIEW

TABLE 2

Skipanon River (Warrenton) Tidal Elevations

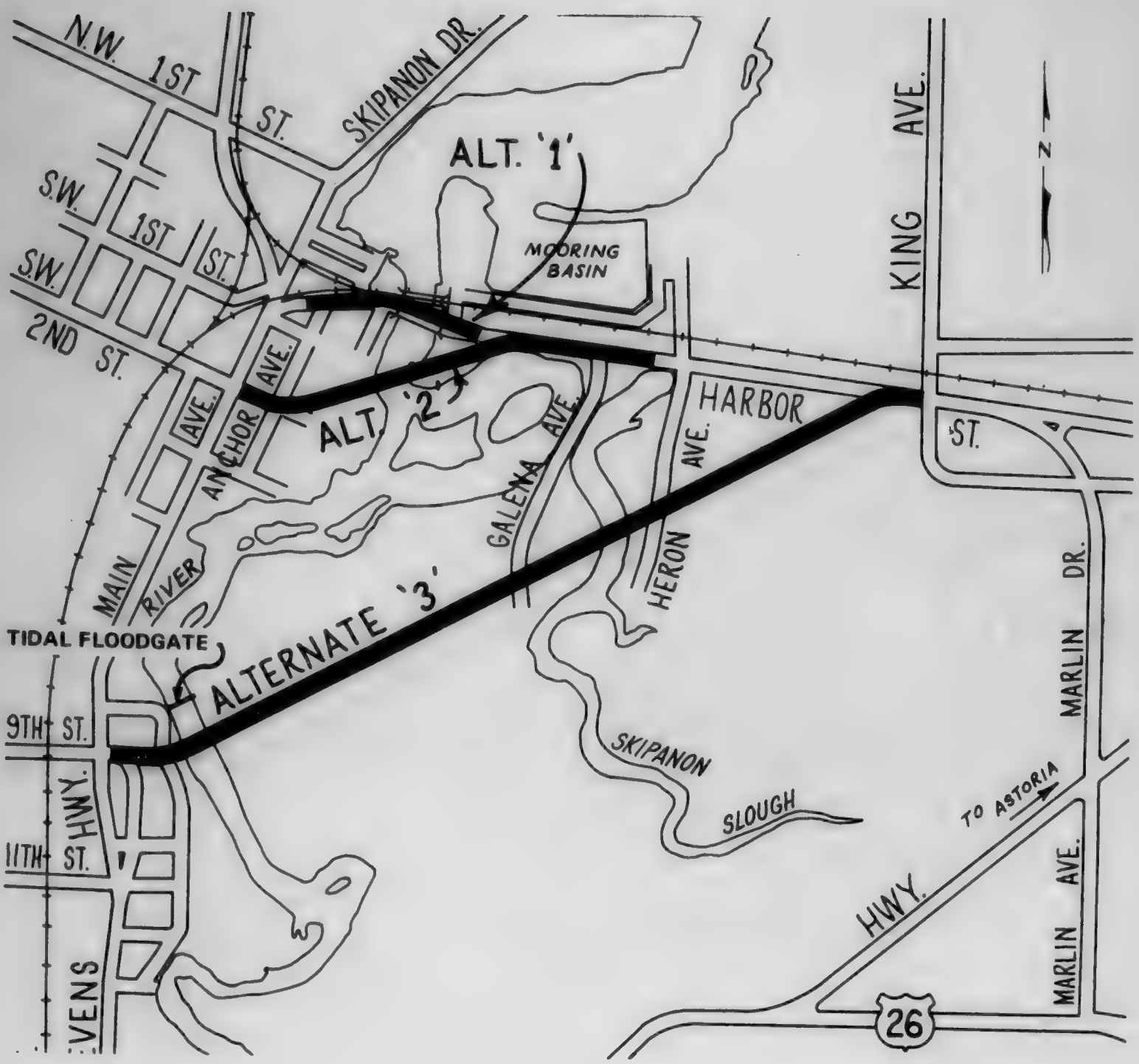
Elevation	Feet
Highest tide, estimated	+8.4
Mean higher high water (M.H.H.W.)	+4.7
Mean high water (M.H.W.)	+4.1
Half tide level (H.T.L.)	+0.85
Mean sea level (M.S.L.)	0.0
Mean low water (M.L.W.)	-2.4
Mean lower low water (M.L.L.W.)	-3.6
Extreme low tide	-5.8
Lowest tide, estimated	-6.6

Source: U.S. Dept. of Commerce, Coast and Geodetic Survey, Tidal Bench Marks (with 1947 adjustment), Warrenton, Skipanon River, Oregon.

As can be noted from the figures in Table 2, the Skipanon River at the existing bridge site in Warrenton has a tidal fluctuation range of 8.3 feet (mean higher high water to mean lower low water). The range increases, accordingly, if highest and lowest estimated tides are considered. Half tide level (0.85 feet) is a plane midway between mean high water and mean low water. The rise of high water above sea level is generally not exactly the same as the fall of low water below sea level, and hence, half tide level and mean sea level generally differ by 0.85 feet. The Skipanon River under the bridge has a maximum depth of about 10 feet below mean sea level. Therefore, at extreme low tide (-5.8 feet), the depth of navigable water in the river is about 4 feet.

Figure No. 4

ALTERNATE CORRIDORS



Alternative 1--Harbor Street

The Harbor Street alternative would utilize the existing corridor (Figure 4).

Within this corridor, the Oregon State Highway Division has identified and investigated seven bridge design alternates: five designs (Design Alternates 1-A through 1-E) would involve remodeling or reconstruction of the existing bridge, and two designs (Design Alternates 1-F and 1-G) would require new structures.

Design Alternate 1-A: Single-Leaf Bascule Span

This remodel design (Figure 5) is a single-leaf bascule span with towers added and a 33-foot 3-inch span lifted by cables and a motor. The length of the construction would be about 92 feet. The maximum grade and roadway section of this design would remain the same as the existing structure. Horizontal clearance in the opened position would be 33 feet 3 inches. The vertical clearance (in the closed position) would be the same as the existing bridge, about 15 feet at extreme low tide level (-5.8 feet). Average delay to roadway users each time the remodeled bridge is opened after completion would be 10 to 15 minutes. No additional right-of-way would be required. A detour structure would be required. Total construction time would be about nine months. The estimated total cost for this design alternate would be $675,000.

Design Alternate 1-B: Double Bascule Span

This remodel design (Figure 6) is a double bascule span. The added beam depth of the structure would require raising the existing grade approximately two feet to provide the required vertical clearance (about 15 feet at extreme low tide, -5.8 feet). Horizontal clearance in the opened position would be 34 feet. After completion of this structure, roadway users

would experience an average delay of 10 to 15 minutes per bridge opening for normal waterway traffic. This design alternate would require remodeling for the total length of the existing structure (225 feet). A small amount of right-of-way (less than 1.5 acres) would be required. Total construction time would be about twelve months. A detour structure would be required. Total estimated cost of this design alternate would be $1,240,300.

Design Alternate 1-C: Unbalanced Swing Span

This remodel design (Figure 7) is an unbalanced swing span. The added beam depth of the new structure would require raising the existing grade three and one-half feet to give the required vertical clearance (about 15 feet at extreme low tide, -5.8 feet). Horizontal clearance in the opened position would be 34 feet. Delay to roadway traffic after completion of this design would be 10 to 15 minutes. This alternate would require remodeling for the total length of the existing structure (225 feet). Additional right-of-way required for this design would be less than 1.5 acres. A detour structure would be required. Approximately 5,000 cubic yards of embankment material and 500 tons of surfacing material would be required. A materials source has not been determined. Total construction time would be about twelve months. Total estimated cost of this design alternate would be $1,170,000.

Design Alternate 1-D: Bascule Span with Hydraulic Lift

This remodel design (Figure 8) is a single-leaf bascule span, opened by a hydraulically-powered system. The present grade line would be maintained. When the span is opened, part of the counterweight would be below the waterline. The horizontal clearance in an opened position would be 33 feet 6

inches. The vertical clearance in the closed position would be about 15 feet at extreme low tide, -5.8 feet. Roadway traffic delay during opening would be 10 to 15 minutes. Approximately 100 feet of the existing structure would be removed and rebuilt. No additional right-of-way would be needed. A detour structure would be constructed. Total construction time for this design would be about 9 months. Total estimated cost would be $1,430,000.

Design Alternate 1-E: Rolling Lift Span

This remodel design (Figure 9) has two spans of movable steel girders and would require a truck at each end of the span and a four-man crew to open the bridge. One truck, with hoist, would lift the end of the bridge for removing the bearing supports. The remaining truck would pull the girder spans to the open position. This bridge could be opened and closed in approximately one-half hour. The present grade line would be maintained, so vertical clearance in the closed position would not change from the existing situation. The horizontal clearance in an opened position would be 33 feet 6 inches. Approximately 120 feet of the existing structure would be removed and rebuilt. No additional right-of-way would be required. A detour structure would be built. Total construction time would be about six months. Total cost of this design is estimated at $800,000.

Two design alternates (1-F and 1-G) for new bridge replacement structures in the existing corridor have been investigated: an opening, double bascule span and a fixed span. Either design would ease navigation of the Skipanon River above the bridge site, due to the increased vertical clearance. Also, either design would improve the roadway alignment by reducing the severity of the existing curve in the roadway at the bridge site. The location of the new bridge alternates, due to the improved alignment of the

roadway, would be slightly downstream from the existing bridge. The westerly terminus of the corridor is near the intersection of the Warrenton-Astoria Highway (Harbor Street) and the Fort Stevens Highway (Main Avenue) in the city center of Warrenton. The easterly terminus is near Galena Road, a north-south street bounding the eastern portion of an elbow in the Skipanon River. The length of roadway improvement, including bridge construction, would be approximately 0.25 mile. Both new bridge designs would be 44 feet wide between guardrails, including two 12-foot travel lanes and 10-foot shoulders. The shoulders would be adequate for pedestrian and bicycle traffic.

Design Alternate 1-F: Bascule Bridge

This new bridge design (Figure 10) is a double-leaf bascule bridge with prestressed concrete approach spans on each end. The new bridge would be about 290 feet long and about 49 feet in width, out to out. The opening span would require a four percent maximum roadway grade. In the closed position, the bascule bridge would provide approximately 16 feet of vertical clearance at extreme low tide (-5.8 feet below mean sea level). The vertical clearance in the opened position would be limited only by overhead utility lines. The maximum horizontal clearance between piers in the closed position would be approximately 44 feet. Due to the lift angle and dimensions of the lift spans, the horizontal clearance of the bridge in an opened position would be 34 feet. The bascule spans would be lifted by two twenty-five horsepower electric motors. An opening would delay roadway traffic for 10 to 15 minutes, the normal time needed for river traffic passage. A small bridge operators control house would be required.

The construction of the bascule span would involve four stages: (1) construction of a temporary detour structure and roadway connections upstream

from the existing bridge and relocation of the waterline, (2) rerouting of traffic from the old structure to the detour structure and removal of the present bridge, (3) construction of the new bridge, and (4) rerouting of traffic to the new bridge and removal of the temporary detour. Present planning indicates that the detour bridge would have a floatout span. Thus, during the period of construction of this bridge, upstream navigation would not be blocked. The bascule bridge design alternate would require approximately 5,000 cubic yards of embankment material and 6,500 tons of surfacing material.

The additional right-of-way required for the bascule span design would be about one-half acre. This design would change the access for the charter service on the southeast side of the bridge. Also, the Bay Avenue access north of the highway would be severed. No other access points would be affected. Right-of-way would displace an unoccupied house on the corner of Ensign Avenue and Harbor Drive and a fuel storage tank on the southwest side of the bridge. The normal construction time for this type of bridge and related roadwork would be eighteen months. The estimated cost of this alternative is $2,000,000. [This estimate does not include operating costs (energy, manpower, maintenance, and so on) for opening the bridge.]

Design Alternate 1-G: Fixed Span

A fixed span bridge (Figure 11) would be about 680 feet long and 49 feet wide, outside edge to outside edge. The fixed span would require a five percent maximum roadway grade and would provide approximately 27 feet of vertical clearance at extreme low tide elevation (-5.8 feet). The maximum horizontal clearance between bridge piers in the river channel would be approximately 54 feet.

Figure No. 5

DESIGN ALTERNATE 1-A

(Remodel Bridge Design)

SINGLE-LEAF BASCULE SPAN

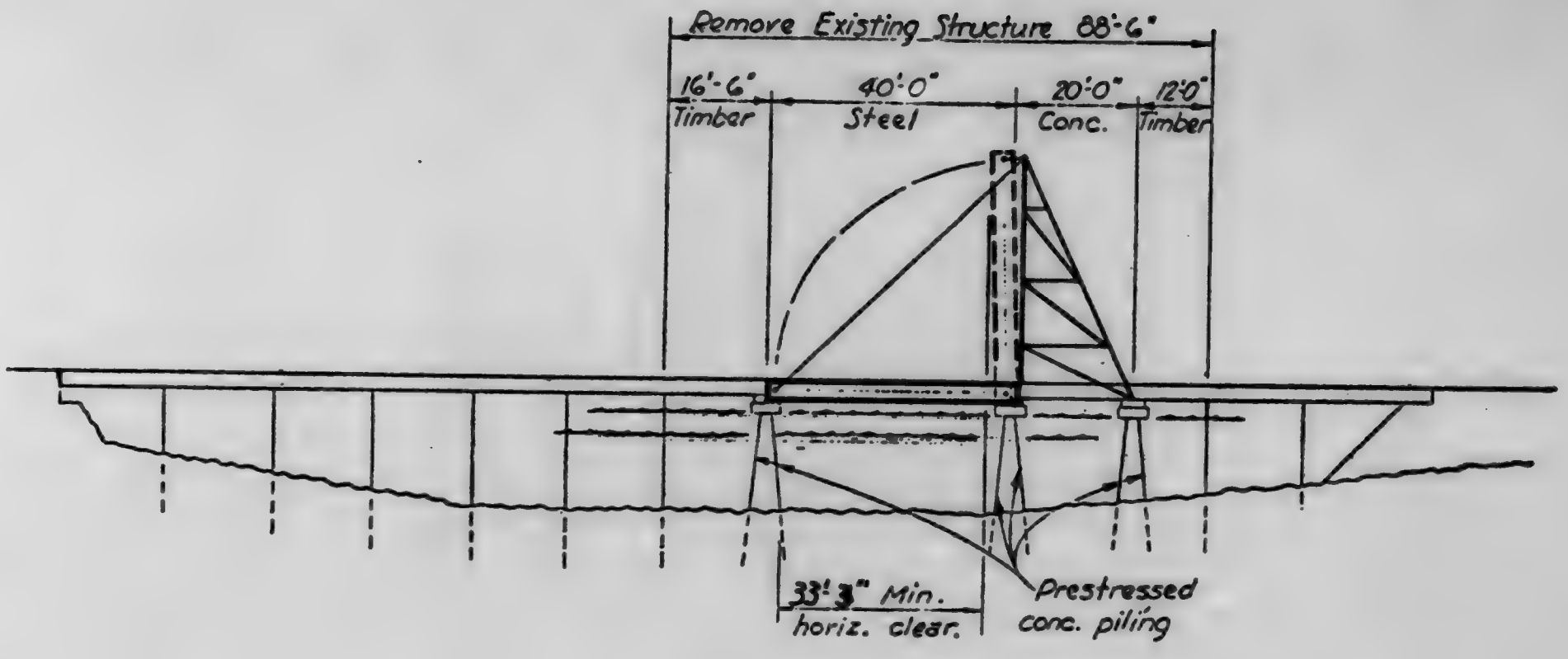
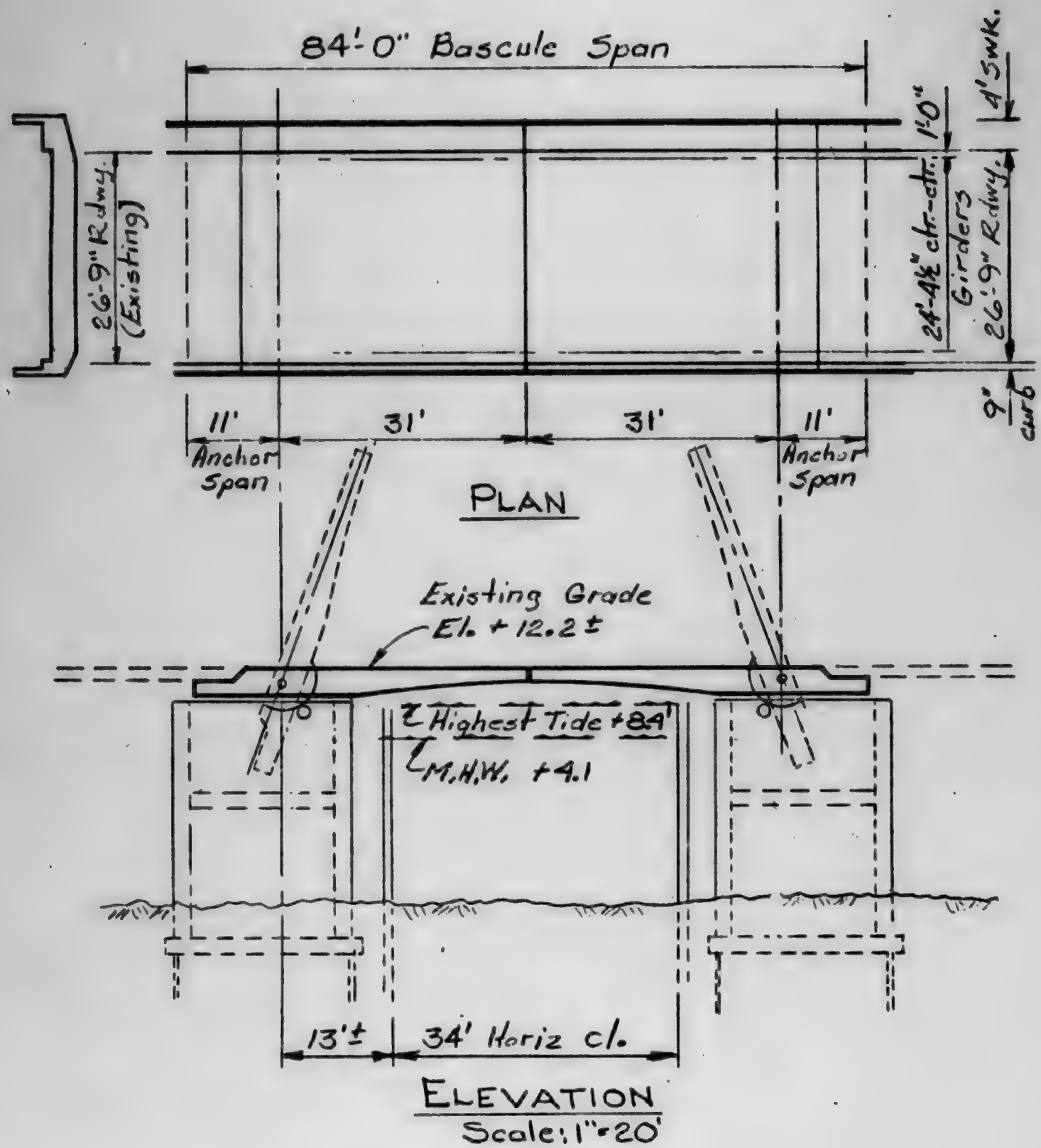


Figure No. 6

DESIGN ALTERNATE 1-B

(Remodel Bridge Design)

DOUBLE BASCULE SPAN



ELEVATION

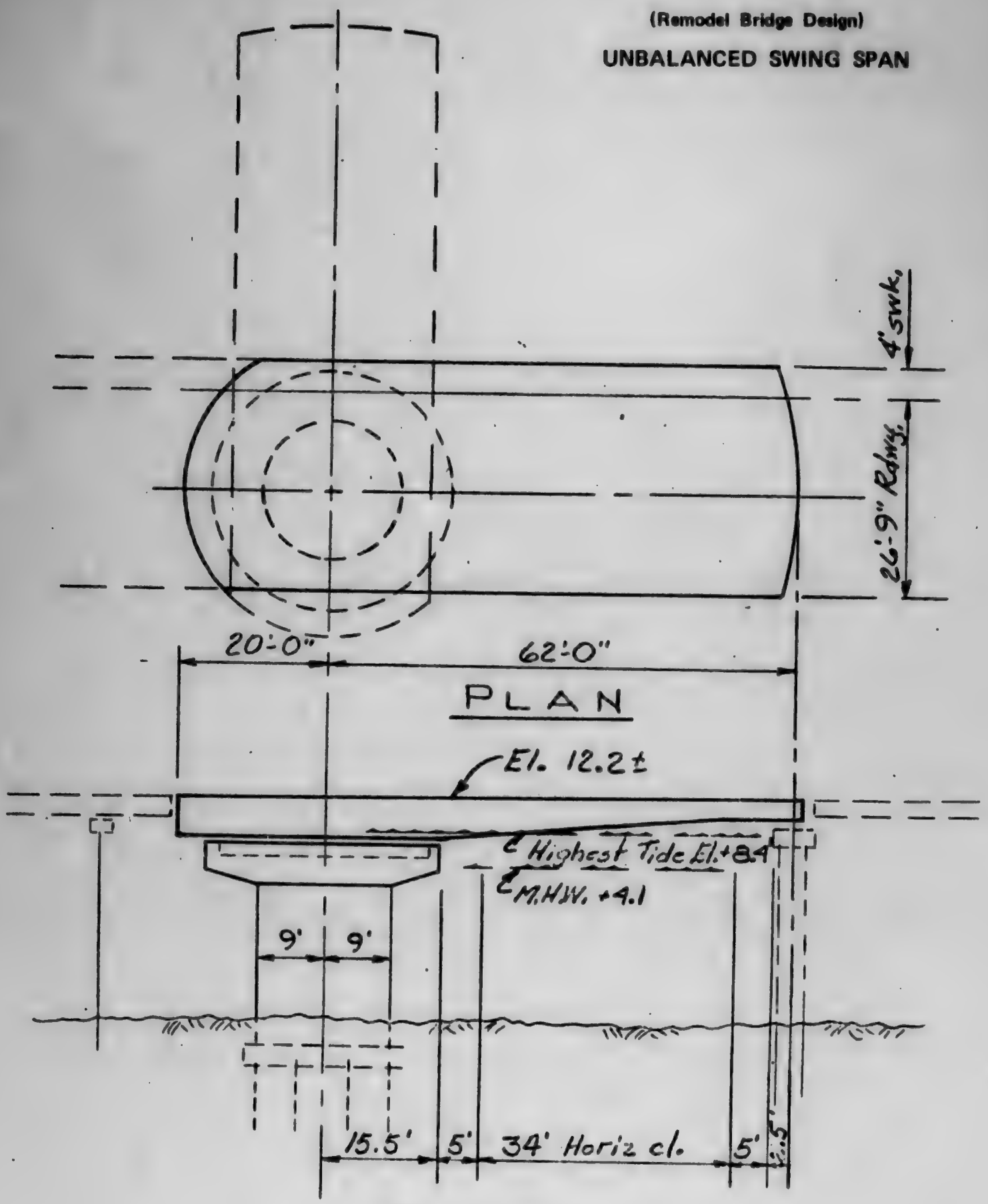
Scale: 1" = 20'

Figure No. 7

DESIGN ALTERNATE 1-C

(Remodel Bridge Design)

UNBALANCED SWING SPAN



ELEVATION

Scale: 1" = 20'

Figure No. 8

DESIGN ALTERNATE 1-D

(Remodel Bridge Design)

BASCULE SPAN WITH HYDRAULIC LIFT

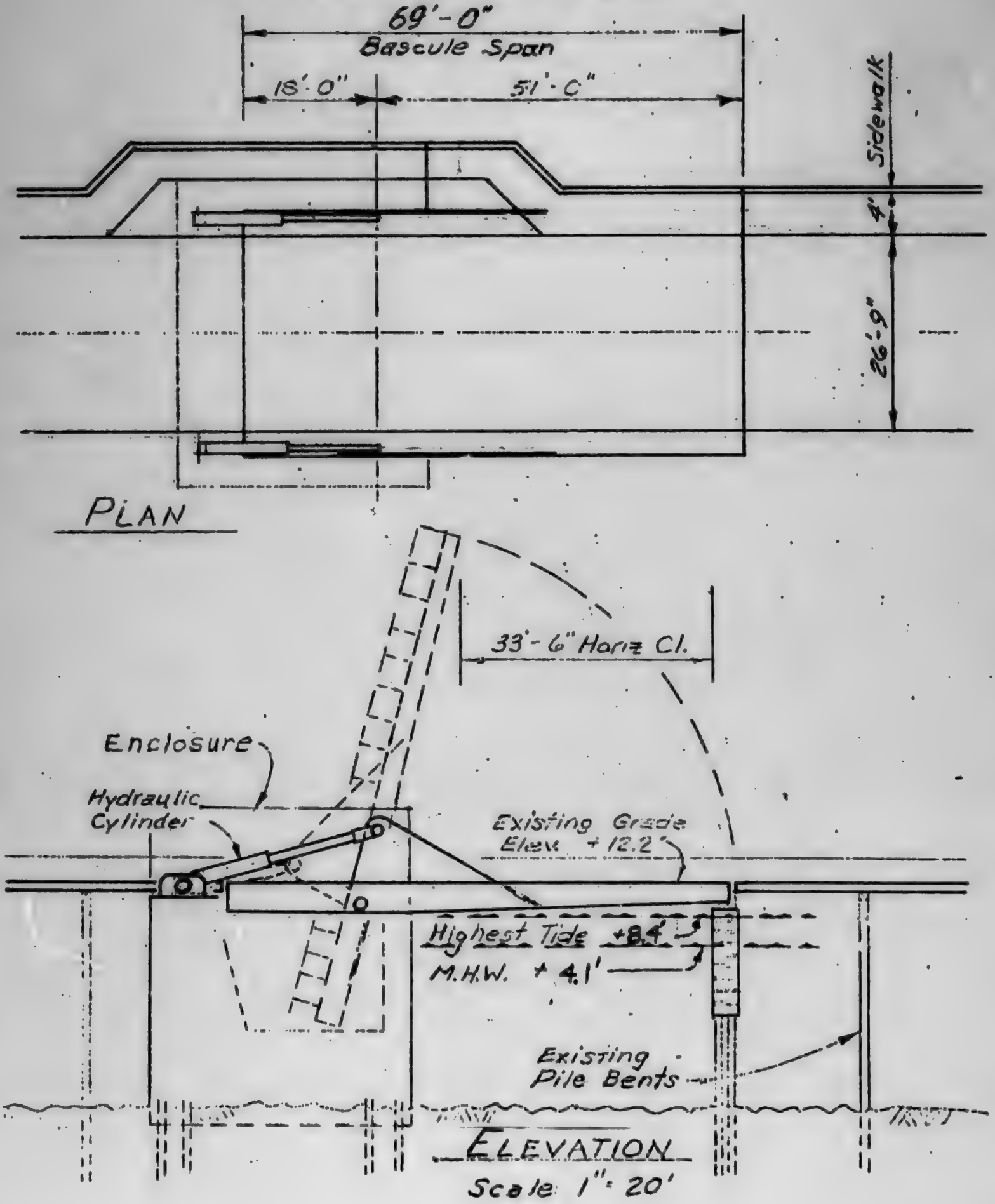
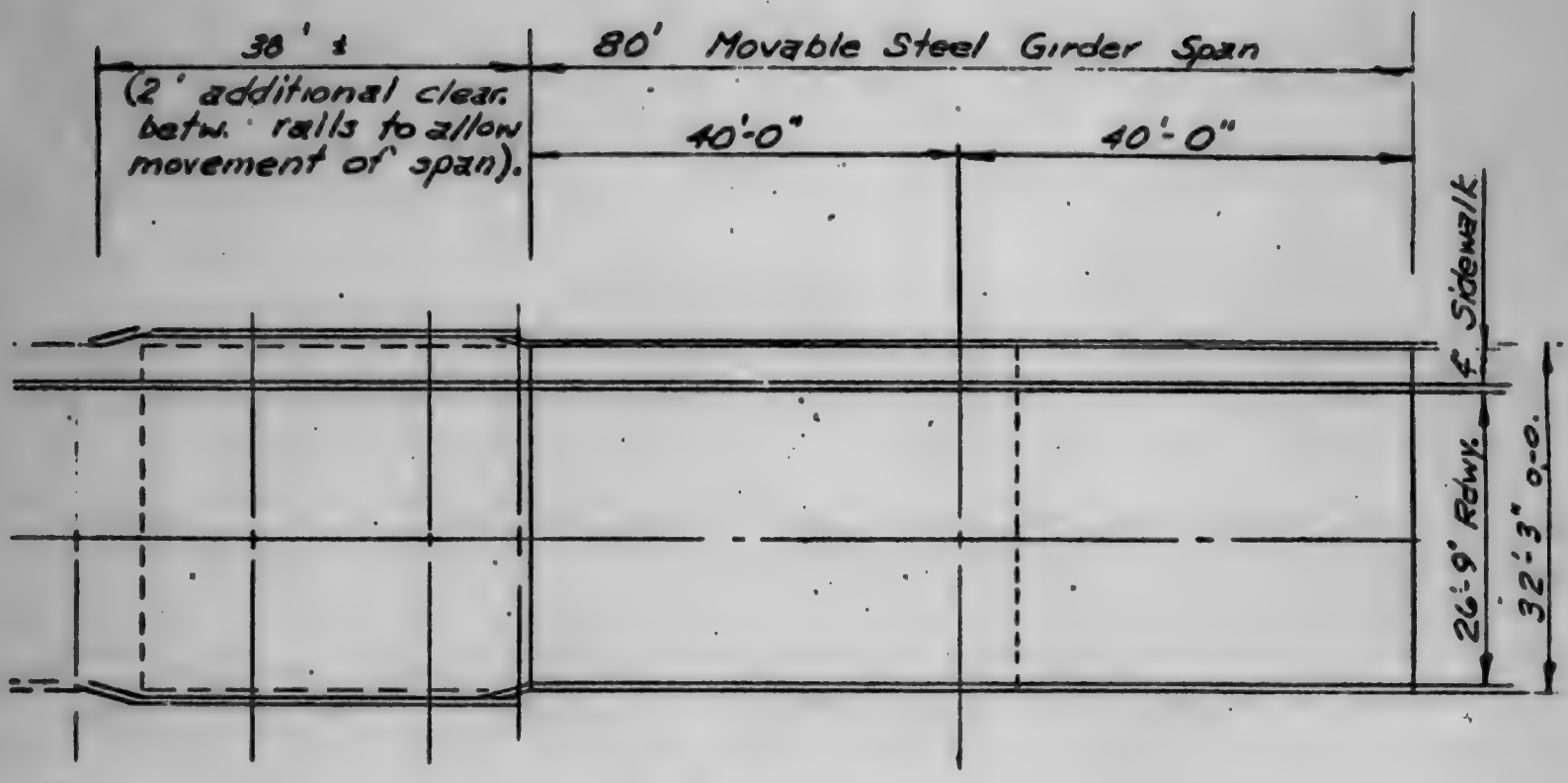


Figure No. 9

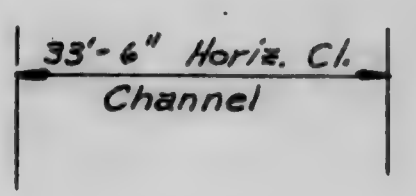
DESIGN ALTERNATE 1-E

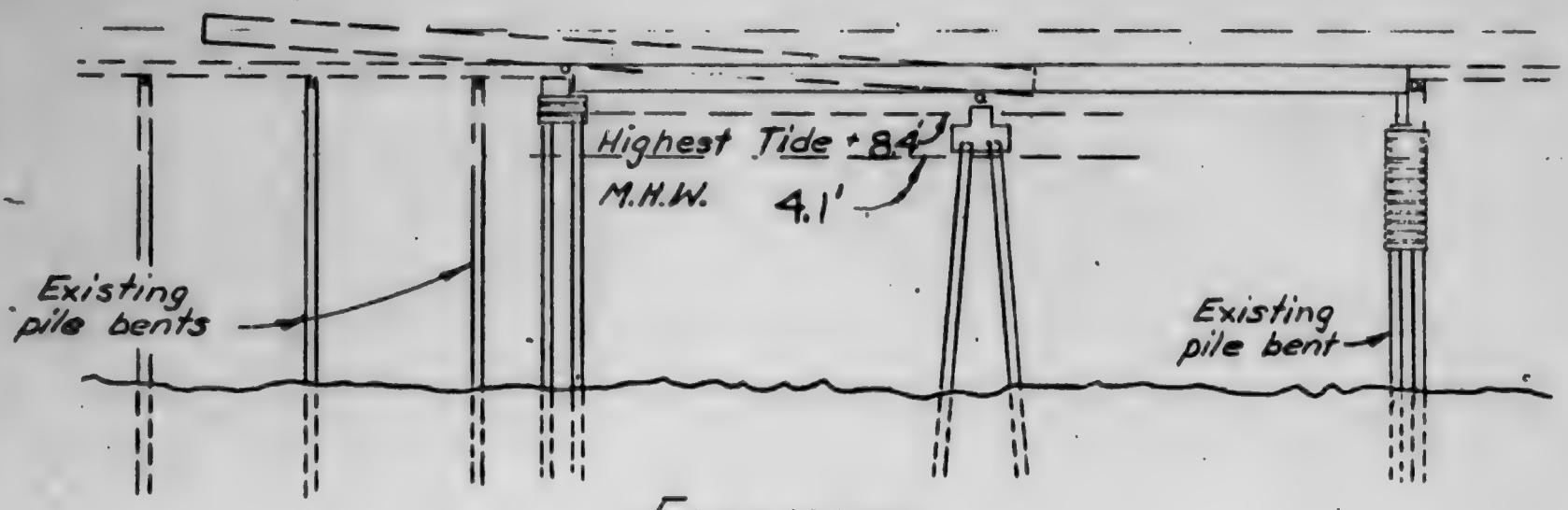
(Remodel Bridge Design)

ROLLING LIFT SPAN



PLAN





ELEVATION

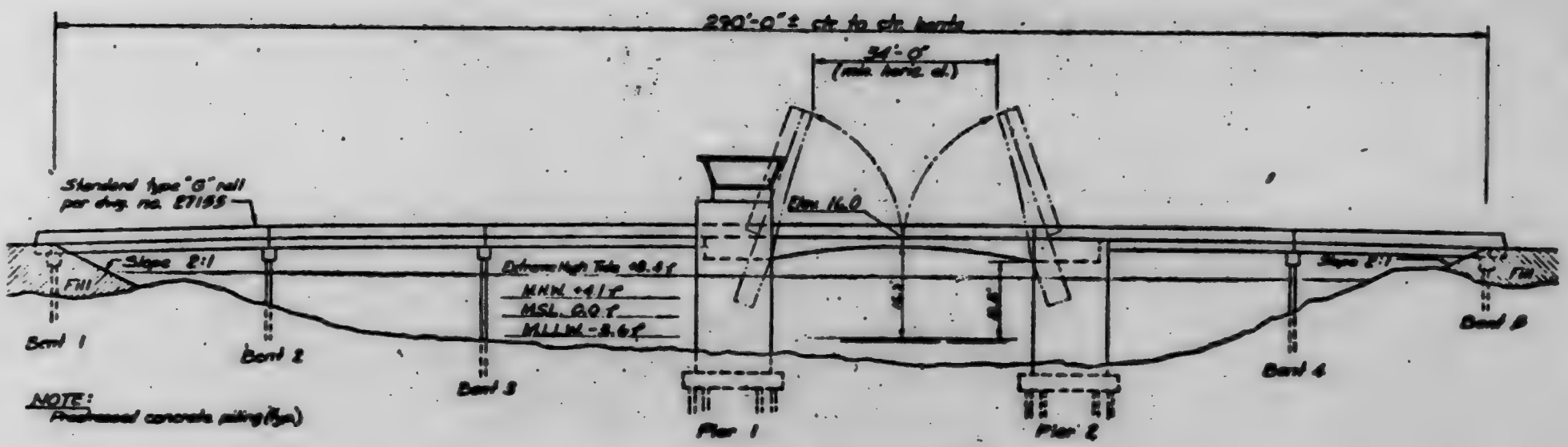
Scale: 1" = 20'

Figure No. 10

DESIGN ALTERNATE 1-F

(New Bridge Design)

BASCULE BRIDGE



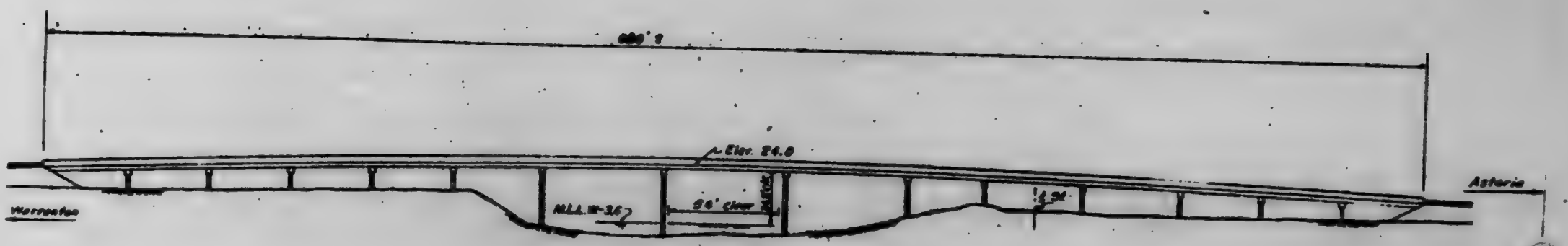
ELEVATION

Figure No. 11

DESIGN ALTERNATE 1-G

(New Bridge Design)

FIXED SPAN



ELEVATION

The fixed span bridge would be constructed in three stages: (1) construction of approximately one-half of the new bridge (the northerly or downstream side) and relocation of the waterline; (2) rerouting traffic to new half-structure, removal of old structure, and construction of the southerly half of the new bridge; and (3) opening of the completed new bridge. Thus, with the fixed span, the present bridge would be used as a detour structure, and no temporary detour bridge would need to be constructed. The existing bridge would remain a floatout span during construction of the new bridge.

The fixed span would require approximately 6,500 cubic yards of embankment material and 4,500 tons of surfacing material.

The fixed span would require approximately one acre of additional right-of-way, mainly on the north and south sides of the easterly approach to the bridge. The right-of-way would displace the fuel storage tank immediately west and south of the bridge and an unoccupied house at the corner of Ensign Avenue and Harbor Street. Due to the raised grade of the new bridge, the existing access road to the city of Warrenton moorage basin would be severed. A new access road would be created off the south side of the highway. The design would sever access to Bay Avenue, crossing the Burlington Northern railroad tracks on the north side of the highway. No other access points would be changed. The total estimated cost of the fixed span would be $1,500,000. The normal construction time for this type of bridge and related roadwork would be eighteen months.

Alternative 2--Second Street Connection

This alternative consists of constructing a new, fixed span bridge in a new corridor (Figure 4).

This route would begin at the intersection of the Fort Stevens Highway (Main Avenue) and S.E. Second Street and would connect immediately west of Heron Street on the Warrenton-Astoria Highway (Harbor Street). The length of construction would be about 0.5 mile. Most of the corridor would involve new alignment with only about one-fourth of the corridor aligned with existing streets. Additional right-of-way would be about 1.6 acres. Seven residences and one commercial office would require relocation. Of that part of the corridor not containing existing streets, about one-fourth passes through a dense stand of willows on the west side of the river, one-fourth includes the river, and the remainder passes across a peninsula, already developed with a parking lot and the charter fishing service office. The roadway in this corridor would have a maximum curve of ten degrees and a maximum grade of five percent. The typical roadway section would be 44 feet.

The new bridge would be a fixed span with a vertical clearance of about 30 feet above mean high water (+4.1 feet). No detour and structure would be required since the existing route and bridge could be utilized. The existing bridge would be removed after completion of construction. Cul-de-sacs and barricades would be constructed on Harbor Street. Construction in this corridor would require approximately 88,000 cubic yards of embankment material and 6,500 tons of surfacing material. This alternative would cause no delays to water or highway traffic. Total construction time would be nine months. Estimated total cost is $1,815,000.

Alternative 3--Ninth Street Connection

This alternative involves a new corridor further south of the Second Street Connection alternative (Figure 4).

The easterly terminus of this corridor, involving about 1.0 mile of new construction, is at the intersection of King Avenue and the Warrenton-Astoria Highway (Harbor Street). Heading in a southwesterly direction, it crosses the Skipanon Slough and the Skipanon River about one-half mile south of the present bridge. The river crossing would be upstream a few hundred feet from the floodgate installation. The corridor aligns with S.E. 9th Street to the intersection with the Fort Stevens Highway (Main Avenue). The roadway would cross the Skipanon Slough either with an embankment and culverts or by a full structure. This longest corridor would utilize existing streets in Warrenton west of the river. This corridor would require about 14 acres of additional right-of-way. Four, possibly five, residences would be displaced by this alignment. The roadway alignment would involve a maximum curve of ten degrees and a maximum grade of two percent. The roadway section width would be 44 feet. Construction in this corridor would require approixmately 167,000 cubic yards of embankment material and 25,000 tons of surfacing material.

The Skipanon River structure on this route would be a fixed span, providing a channel 40 feet wide. This river crossing would be upstream of the earth dam and tidal gate which marks the effective limits of navigation in the Skipanon River; therefore, no consideration was given to vertical clearance for the passage of waterborne traffic.

No detour structure and route would be required, since the existing bridge and roadway could serve as a detour. The existing bridge would be removed after construction of the new bridge and roadway. Cul-de-sacs and barricades would be constructed on Harbor Street. Total construction time would be about twelve months. Total estimated cost for this alternative is $1,963,000.

TABLE 3

COMPARATIVE SUMMARY OF CORRIDORS AND DESIGNS

SKIPANON RIVER BRIDGE

CORRIDOR ALTERNATES	HARBOR STREET, Alternative 1							2nd STREET CONNECTION, Alternative 2	9th STREET CONNECTION, Alternative 3
Design Alternates	1-A	1-B	1-C	1-D	1-E	1-F	1-G		
Bridge Design	Single-leaf Bascule Span	Double Bascule Span	Unbalanced Swing Span	Bascule Span with Hydraulic Lift	Rolling Lift Span	Bascule Span	Fixed Span	Fixed Span	Fixed Span
Bridge Project	Remodeled	Remodeled	Remodeled	Remodeled	Remodeled	New	New	New	New
Horizontal Clearance (in opened position)	33 feet 3 inches	34 feet	34 feet	33 feet 6 inches	33 feet 6 inches	34 feet	54 feet Non-opening	Not Determined	Not applicable, bridge above navigational limits
Vertical Clearance (in closed position at extreme low tide,- 5.8 feet)	Same about 15 feet	Same about 15 feet	Same about 15 feet	Same about 15 feet	Same about 15 feet	16 feet	27 feet	39 feet	Not applicable, bridge above navigational limits
Bridge Opening Time (in minutes)	10 to 15	10 to 15	10 to 15	10 to 15	30	10 to 15	Non-opening	Non-opening	Non-opening
Detour Construction	Required	Required	Required	Required	Required	Required	Not Required	Not Required	Not Required
Corridor	Same	Same	Same	Same	Same	Same	Same	New	New
Alignment	Same	Same	Same	Same	Same	Improved	Improved	Maximum Curve 10^0	Maximum Curve 10^0
Length of Construction	92 feet	225 feet	225 feet	100 feet	120 feet	0.25-mile	0.25-mile	0.5-mile	1.0-mile
Roadway Section	Same	Same	Same	Same	Same	44-foot	44-foot	44-foot	44-foot
Maximum Grade	Same	Raised 2 Feet	Raised 3½ Feet	Same	Same	4%	5%	5%	2%
Materials[1]	None Required	None Required	Required	None Required	None Required	Required	Required	Required	Required
Right-of-Way	None	Less than 1.5 acre	Less than 1.5 acre	None	None	0.50 acre	1.0 acre	1.6 acres	14 acres
Construction Time (in months)	9	12	12	9	6	18	18	9	12
Total Estimated Cost[2]	$675,000	$1,240,300	$1,170,000	$1,430,000	$800,000	$2,000,000	$1,500,000	$1,815,000	$1,963,000

1 Materials source has not been determined.

2 Total estimated cost includes estimates for grading and paving, the structure, the detour, right-of-way, and relocation of the waterline attached to the existing bridge.

Alternative 4--No Bridge

The fourth alternative, which would result if the Highway Division took no action to replace or remodel the bridge, is the removal of the existing crossing of the Skipanon River at Warrenton. As stated in the Coast Guard letter of June 26, 1972, "Should the Oregon State Highway Department elect not to restore the bridge to the originally approved location and plans or elect not to propose an acceptable alternate to restoration to the original plans the bridge shall be removed in its entirety down to the natural bottom of the waterway to the satisfaction of the Commander, Thirteenth Coast Guard District."

Vehicular traffic now using the existing bridge and route would be required to travel out of direction south to the Skipanon River crossing on Highway 101. This alternative would restore the total channel at the highway bridge site for navigation. The municipal water line, presently attached to the bridge, would be relocated.

III. ENVIRONMENTAL IMPACTS

NATURAL ENVIRONMENT

Topography (Lowland Flood Plain)

The topography is coastal lowland and flood plain of the lower Columbia River estuary. The Skipanon River, a tributary of the Columbia, empties into the Columbia at approximately Columbia River mile 11.

The landforms of the Skipanon drainage are of three types. To the southeast, low lying uplands (local maximum elevation 370 feet) of eroded oligocene-miocene sandstone drain into Cullaby Lake, the source of the Skipanon River. To the west and paralleling the Oregon coast are a series of linear sand dunes and beach ridges in various stages of vegetation

stabilization. Lakes and ponds occur in the depressions between these dunes. The elevation of the dunes is usually 25 to 50 feet, with a few as high as 75 feet. Between the southeast uplands and in the coastal dunes is a low lying depositional plain. The Skipanon River meanders northward through these plains, commonly called the Clatsop Plains. The Clatsop Plains extend for 15 miles from Seaside to the Columbia River and vary in width from about 1 mile near Seaside to 2 miles near Warrenton.

The Skipanon River watershed covers an area of approximately 16.5 square miles, or 10,480 acres, in Clatsop County. The flood plain area of the watershed consists of about 11 percent of the total, or 1,175 acres. The flood plain area is a series of moderately narrow depressions containing wet organic or peat soils. These have developed as a result of the impounding of surface drainage by the narrow ridges of sand which extend intermittently in a north-south direction through the bottomland area.

As the variation in elevation is less than 10 feet between the headwaters of the Skipanon River and the Columbia River, the land bounding the shore has been subject to flooding. The Skipanon River channel was formerly kept open for use in transporting logs from the Cullaby Lake area to downstream mills. When logging use of the upper reaches of this stream was stopped in the mid-1920's, the channel was no longer maintained and became clogged with logging debris and brush. This contributed to the inability of the river to carry flood flows and caused frequent flooding around Cullaby Lake and along the Skipanon River.

Flooding from the Skipanon River is now controlled by structural measures including a tidal flood gate and earth dam (located about one-half mile upstream of the highway bridge), a Cullaby Lake spillway, and channel improvements. The flood control structures were installed by Clatsop

County and the Warrenton Dune Soil Conservation District (Soil Conservation Service, Department of Agriculture) in 1962. The chief purpose of the floodgate upstream from the highway bridge is to provide temporary floodwater storage within the banks of the Skipanon River and to provide for orderly evacuation of the floodwater during ebb tide. The top elevation of the dike is 11.3 feet above mean sea level. A fish ladder was incorporated between the bays of the structure to facilitate passage of fish which migrate during the summer, such as silver salmon and cutthroat trout. All benefits from the project would occur in a narrow band along the stream generally to the west between the floodgate and the marsh area south of Cullaby Lake.

Due to the low average elevation of Warrenton (8 feet above mean sea level), dikes have been constructed along the boundaries of the Skipanon River channel to protect adjacent flood plain lands from periodic inundation during high tides. These dikes or levees were originally built by hand by imported Chinese laborers in the late 1920's under U.S. Army, Corps of Engineers supervision. These dikes are now maintained and operated by the Warrenton Diking Districts 1 and 2, city of Warrenton.

Impacts. The tidal gate installation and city of Warrenton dikes along the Skipanon River channel control flooding in the adjacent area. None of the alternatives under consideration would adversely affect the tidal gate installation or the dikes. No changes to the Skipanon River channel or shoreline are anticipated by either dredging, channelizing, or widening.

Alternatives 2 (2nd Streer Connection) and 3 (9th Street Connection) are new corridors which would cross the flood plain. Alternative 1 (Harbor Street) and Alternative 4 (No Bridge) would have little or no impact.

Any of the alternates could change the use of the Skipanon River, by allowing navigation in the river above the existing bridge. More intensive use of the river by boats of various sizes would increase the erosion of the dikes by "lapping" from wake action. Subsequently, more frequent maintenance work on the dikes would be required.

A secondary impact of this project would be to encourage residential and recreational development along the river above the existing bridge, due to the water-based amenities. This development might occur, however, without the stimulus of this bridge project. Development could alter the flood plain and ground water levels.

Mitigation of Adverse Impacts. Any right-of-way from the dikes or easements to construct on the dikes will require a permit from the city of Warrenton, with concurrent approval from the U.S. Army Corps of Engineers.

Soils

There are two soil associations present in the project area. (A soil association is a group of defined and named soil units, such as soil series, which are geographically associated in a defined propotioned pattern.) The associations are Coquille-Tidal Marsh (Fresh)-Clatsop Association and the Brallier-Warrenton Association (Soil Conservation Service, 1973). Though there may be some overlap, the Coquille-Tidal Marsh (Fresh)-Clatsop Association is generally found on the east side of the Skipanon River and the Brallier-Warrenton Association is found on the western side. The Coquille-Tidal Marsh (Fresh)-Clatsop Association consists of very deep, very poorly drained silty clay loam over silty clay tideland soils. The Brallier-Warrenton Association consists of very deep, very poorly drained, nearly level fibrous peat soils, and poorly drained fine sand soils. The groundwater table throughout the project area is

six feet or less from the ground surface during the wet season. (Oregon Department of Geology and Mineral Industries, 1972; Warrenton Dune Soil Conservation District and Clatsop County, 1960).

The Oregon State Highway Division has drilled two test holes near the site of the existing bridge. The tests showed 16 to 18 feet of very soft organic silt and sand, underlain by dense to very dense clean coarse sand. A five-foot layer of silt or silty clay was encountered in both holes at about -50 feet. This should not have any harmful effects on piling driven into the dense overlying sand.

Impacts. Both soil associations are severly limited in their suitability for roads and streets because of their poor drainage characteristics and because of the high organic matter content in the Brallier-Warrenton Association.

Mitigation. Landscaping, including grading, seeding, and mulching will return the project area to a natural condition and will prevent erosion and siltation from newly constructed slopes.

River Hydrology

The hydrological characteristics of the Skipanon River differ above and below the tidal gate installation. Upstream or south of the tidal gate, when the system is functioning properly, the maximum discharge of the river is about 900 cubic feet per second. Control of the river is maintained at elevation -3.5 (below mean sea level) during low-flow periods; at times of maximum discharge, water reaches elevations of 5 feet (above mean sea level), with velocities ranging from 2 to 3 feet per second. Without flood control, combinations of heavy runoff and high tide have reached an elevation of 6.7 feet at times during the past 40 years, and waters reach 6.5 feet approximately every 4 to 5 years.

Downstream of the tidal gate, the Skipanon River is not controlled. The tidal fluctuations are those described in Table 2 in the "Alternatives" section of this statement. Water velocities in this part of the Skipanon River are different than those above the tidal gate because of tidal movements.

Impacts. The hydrology of the Skipanon River is not expected to be adversely affected by any of the alternates. The existing bridge spans the Skipanon River with minimal impediment to the water flow. A new or remodeled bridge would span the river channel in its entirety with fewer in-stream piers and bents than the existing bridge has. Temporary changes would result during construction of a new, remodeled, or detour bridge and during removal of the existing bridge and detour bridge (where appropirate). However, these changes are not anticipated to have long-term effects.

If a causeway is used to cross the Skipanon Slough (Alternative 3-Ninth Street Connection), circulation patterns of that area will be altered. In particular, tidal flushing of a section of the slough will be greatly restricted. If a structure is used to cross the slough, circulation will be unimpeded.

A hydraulic study of the effects of the selected corridor and design on flood patterns, flood plain encroachment, and river hydraulics will be made.

Aquatic Environment (Water Quality)

Field studies were conducted in 1972 and 1973 by researchers from the Environmental Section, Oregon State Highway Division, to investigate the general physical and chemical characteristics and the level and diversity of aquatic life of the Skipanon River and the Skipanon Slough (immediately east of the river above the highway bridge).

Estimation of water quality in terms of dissolved oxygen levels, acid-alkali balance (pH), turbidity, and sulfide concentrations are discussed below. With the exception of sulfide levels in the Skipanon Slough, measurement of these parameters indicates that the river and slough are suitable for many estuarine species. Of the parameters measured in the river and slough, Department of Environmental Quality special water quality standards for estuarine waters are presently being met, even though the water appears to be quite polluted since it is highly colored by organic acids. Also, it should be noted that pH values drop below the specified Department of Environmental Quality level of 7.0 at low tide because of the influx of slightly acid waters from the bogs adjacent to the Skipanon River. The acid-alkali balance (pH) of the river was observed to be slightly acid during low tide (pH: 6.5) and slightly alkaline during high tide (pH: 7.6). These variations are within the normal range for estuarine systems. Cyclic fluctuations such as these may be a requirement for certain species, although this subject is still under study (Goner and Hedgepeth, 1970).

High dissolved oxygen values were observed in the area, probably due to tidal action and to the turbulence produced by the tidal gate. (A high dissolved oxygen value means that organisms requiring oxygen are well supplied.) No drop in oxygen concentration was observed in samples taken beneath a log raft located near the existing bridge. On June 12, 1973, water quality samples were taken while the movable span was being floated out. At this time, the oxygen level was found to be 7 milligrams per liter (mg/l). This figure exceeds the oxygen level required to support fish and is above Department of Environmental Quality water standards for estuaries.

Daily variations in turbidity were observed. The maximum value was observed during tidal ebb, when tidal velocity was estimated to be at its daily maximum.

Salinity was observed to vary with depth and tidal stage. At the highway bridge, the salinity of bottom samples ranged from 0.2 parts per thousand (ppt) at low tide to 2.0 ppt at high tide. This aquatic environment is classified as brackish (intermediate between fresh and marine), as 0.5 parts per thousand (ppt) is the accepted minimum value for brackish water (Haertel, 1970). In this salinity range, freshwater and brackish water species predominate. At the salinity levels observed, the aquatic community is composed of freshwater species which are at the upper range of their tolerance for salinity and of brackish species which can tolerate large salinity fluctuations.

The bottom waters of the Skipanon Slough were also sampled in June, 1973, and a measureable amount of hydrogen sulfide (0.3 mg/l) was present. The presence of this gas indicates that anaerobic conditions exist only a few inches or less below the surface, and that the gas is diffusing upward into the lower water column, where it is quickly converted to sulfates by oxidation. Concentrations of less than 1 mg/l hydrogen sulfide (H_2S) are considered to be toxic to many aquatic species (Bella, 1970). Any process which will disturb quantities of river or slough bottom sediments or increase the organic content of the bottom sediment will cause an undetermined, although probably small, increase in H_2S concentrations in the water. River currents and tidal flushing will act to quickly dissipate released H_2S. The Department of Environmental Quality will be consulted during construction regarding allowable levels of this potentially harmful substance. If a causeway is built across the slough (Alternative 3), further decreasing communication with the Skipanon River, water quality conditions in the southerly portion of the slough will deteriorate since the water exchange between the slough and river, aided by tidal action, is needed in order to keep oxygen

concentrations at satisfactory levels and to prevent alteration of part of the slough into a stagnant body. Before the Highway Division undertakes a project in this area, the productivity of the slough must be more thoroughly investigated.

The physical composition of the streambed, which was exposed at low tide varies from sandy silt to silty sand. In the vicinity of the log raft previously mentioned, large amounts of wood fiber and debris were contained in the bottom samples.

Although the water, because of its color, may appear to be unproductive, this estuary supports a well-developed and diversified biological community. The brownish color is characteristic of acidic bog water. The productivity of this estuary can be most easily explained by a few simplified statements about the "food chain." Plankton are the base of the food chain. Plankton samples taken indicate the presence of at least six species of zooplankton in the river. Maximum numbers of these food organisms were observed during low tide. The amount and types of species present indicate that this estuary is indeed productive and can support a significant population at higher levels of the food chain.

Benthic invertebrates which consume plankton were found in bottom samples and on rocks and included amphipods, isopods, and polychaeta and non-segmented worms, as well as the shells of freshwater clams (corbicula). Local fishermen report the prsence of crayfish in the river. Heavy deposits of log debris in the bottom sediments, particularly near the bridge sites, have probably reduced the number of organisms there.

The Oregon State Wildlife Commission has stated that coho salmon and sea-run cutthroat trout move up the river. Local fishermen also report the presence of carp, starry flounder, smelt and chub. These fish are

heavily dependent upon invertebrates as a food source for most of their life cycle.

In summary, the water quality of the Skipanon River and Slough is within state and federal water quality standards.

Impacts. Five impacts are anticipated to occur in the aquatic environment, regardless of the bridge design or corridor selected. These impacts include temporary turbidity increases; bottom siltation; release of toxic materials, including sulfides and other oxygen-demanding substances; local eddies adjacent to piers and footings; and long-term alteration of upstream river use patterns.

Turbidity will be increased primarily during construction. Turbidity causes abrasion of gills in fish and mechanical filter feeders at high concentrations, decreased visibility which makes prey species less visible to predatory species, and reduced light penetration which reduces the maximum depth for photosynthesis. Turbidity results from introducing foreign materials during the processes of grading and filling, from removal of vegetative cover, and from work in stream beds occurring during highway construction (particularly during water pipe relocation and pile driving activities). Turbidities generated during construction will be considerable, but will occur in much smaller quantities on the long term. Coffer dams or underwater dikes will be used, and the Department of Environmental Quality will be consulted during construction activities. Negative effects of turbidity on aquatic organisms will be minimal if turbidity is adequately confined during construction.

Small amounts of material, primarily sediments, will be inadvertently deposited in the bed of the river during construction. Deposition of sediments smothers benthic organisms and may alter the substrate composition enough to alter the community structure. Meadows (1964) found that

alterations of the sand substrate of two species of amphipods (an important fish food) made that substrate unattractive to the organisms. However, no commercially harvested species will be directly affected.

The net effect of construction activities and subsequent development of the area on the benthos will be moderately severe. While mitigation measures can and will be taken to minimize deposition of sediment during construction, adverse effects on the benthos from future development will be less well controlled. Methods of minimization will include the use of underwater dikes or coffer dams, land storage of removed bottom materials, and seeding and mulching of denuded bank and fill areas to minimize erosion.

Substances trapped in subsurface sediments will be released into the water, primarily during water line relocation and pile driving activities. Some of these substances, such as hydrogen sulfide, are toxic, even at very low concentrations. Sublethal concentrations have important, although at present, unquantified long-term effects on population growth and/or reproduction. Organic material which is not fully oxidized will also be released with the trapped sediments. This material produces a biochemical oxygen demand, making less oxygen available for most forms of aquatic life. Since circulation in the Skipanon River is good due to river currents and tidal flushing, the effects of toxic substance release will be minimal, particularly if construction activities are properly confined. Adverse effects in the Skipanon Slough will be more pronounced, as circulation there is much more restricted.

Where new piers and footings are constructed, local eddies and other current modifications will develop. Current modifications have not only a negative impact by causing local scouring, but also a positive impact by helping to maintain the high level of oxygen presently found in the river.

Finally, use of the river upstream will change. Possible developments include channel dredging and maintenance and the development of moorage facilities for recreational boats and commercial fishing vessels. With easier access, vessel traffic would increase. Pollution associated with boating activities (including gas and oil spillage and disposal of vessel sewage) and near shore construction facilities such as docks and piers would affect the productivity of the lower Skipanon River. The degree of this effect cannot be determined at this time without definitive development plans.

Of the four alternatives, the No Bridge Alternative (Alternative 4) would have the least adverse effects on the aquatic environment, since riverbed disturbance would occur only during the removal of the existing bridge and the burying of the water pipeline. It will, however, generate three of the five main adverse impacts discussed above.

Alternative 2 (Second Street Connection) and Design Alternate 1-G (Fixed Span) of Alternative 1 (Harbor Street) would have little additional adverse effects on the Skipanon River streambed beyond those described for the No Bridge alternative, since the fixed span bridges would require no detour structures. Construction in the streambed would consist of driving concrete piling into the riverbed. Riverbed disturbance would occur during three periods--construction of the new bridge, burying of the water pipeline and removal of the existing bridge. Adverse effects will be temporary and minimal if adequate mitigation measures are taken.

The design alternates for remodeling the existing bridge (Alternates 1-A through 1-E) and the new bascule bridge (Alternate 1-F) all require detour structures; any of these would therefore, increase the instream work. Work in the streambed for most of these designs would be required on five

occasions--building the detour bridge, removing all or a portion of the existing bridge, burying the waterline, building the new bridge or remodeling the existing bridge, and removing the detour structure. Due to the weight of the lifting machinery of Alternate 1-F (bascule span), large piers are required to support the structure. Construction of these piers would cause more riverbed disturbance.

The third location (Alternative 3--Ninth Street Connection) will have substantially greater impacts on the aquatic environment than the other two corridors. This corridor would require instream construction at two sites--one in the Skipanon River above the tidal gate and the other in the Skipanon Slough. High flow velocities and turbulence at the floodgate (making the effects of suspended solids on aquatic life more severe) and the necessity to cross the Skipanon Slough are factors contributing to these aquatic impacts. If a structure is used to cross the slough, the first three general adverse impacts discussed previously will occur in the slough in addition to negative impacts in the river. Impacts in the slough will be slightly more severe due to poor circulation in this area, although little scour will occur around piles for the same reason. If a causeway is constructed through the slough, a significant percentage of the total slough area will be obliterated when fill is laid there. Aquatic organisms, especially the benthos, will suffer significant attrition during this operation. Also, circulation in a portion of the slough will become extremely restricted, probably to the point of near stagnation. If this alternative is selected, a more thorough study of the aquatic resources of Skipanon Slough should be conducted, and further assessment of the value of these resources should be made.

Mitigation of Adverse Impacts. Construction procedures for working in a live stream are governed by the Oregon Transportation Commission's Standard Specifications for Highway Construction. The contractor is required to conform with the applicable sections of ORS Chapter 449, laws thereof, and all regulations of the Department of Environmental Quality, and other federal or state agencies, as well as ordinances or resolutions enacted or adopted by local authorities.

Pertinent sections of the standard specifications pertaining to water and air pollution control (Section 107.08), protection of fish and shellfish (Section 107.10), deposits in and bridges over navigable waters (Section 107.11) are reproduced in Appendix B. Monitoring of water quality in the Skipanon River will be conducted by the Oregon Department of Environmental Quality as part of their surveillance of the condition of state water features.

The Oregon State Highway Division has already informed the Oregon Fish Commission and Oregon State Wildlife Commission of this project. Further coordination with these commissions will be conducted after design and corridor selection.

Terrestrial Habitat

The project area is in the lower Columbia River estuarine ecosystem. As such, it exhibits both the high productivity of the system and also the extreme vulnerability of such a system. These marshlands are valuable for many reasons. First, these areas are permanent habitat for aquatic fauna. Second, these areas offer alternate sources of food and resting sites for shore and marsh birds during extended periods of inclement weather. In addition, they supply nesting habitat for shorebirds, marshbirds, and songbirds. Human use of these areas is already high, because

people are attracted for many recreational activities. Unfortunately, these areas are extremely vulnerable because they are of limited size, and the natural processes tend to reduce their size.

The terrestrial habitat in the project area has evolved in response to two dominant physical features--depth of the water table and physiographic relief. Bogs and marshes occur in the central plain along the entire course of the Skipanon River. These wet areas are dominated by perennial association of bullrush-rice cutgrass, mixed with sedge, cattail, cordgrass and paintgrass. On areas of better drainage, dense stands of Hooker willow and alder dominate. The vegetative understory consists of evergreen blackberry, snowberry and wild strawberry. The bogs and marshes are ideal for waterfowl and other birds such as songbirds. Mammals residing in this environment include beaver and mink.

The Skipanon drainage is excellent for wildlife: sparse cultural development, a diverse mixture of habitats, and the relative isolation of the area by marshlands provide ideal conditions for a wide variety of species.

Impacts. The primary impacts on wildlife habitat would be less severe than the secondary impacts. Construction activities associated with the bridge replacement would disturb local wildlife. Several habitually selected nesting sites of local songbirds, shorebirds, and resident waterfowl would be destroyed by the construction activities.

The secondary effect of the project, facilitating development upstream, would continue to alter existing plan and animal communities. As acreage is taken out of low grass and scrub brush land and is developed, opportunities for indigenous plant and animal species are reduced. As many animal species require a minimum range area and freedom from disturbance, piecemeal removal of land might be as effective as modification of all habitat in destroying the area for established animal communities.

Development in the area would preclude or reduce the use of the marshland by species requiring freedom from harassment.

Since Alternative 1 (Harbor Street) involves using the existing corridor, the primary impact on the terrestrial environment would be minimal, with the exception of a small area south of the west approach to the bridge. The affected area is entirely urbanized. However, habitat suitable for a limited variety of species remains in drainage ditches, vacant lots, and around culverts. These limited areas are inhabited by small mammals, songbirds, and occasional waterfowl. Wildlife use patterns have already changed because of the disturbing effects of the existing highway. Nonetheless, further alteration of the corridor will decrease the suitability of the habitat for wildlife.

In Alternative 2 (Second Street Connection), the terrestrial environment would be more greatly disturbed than in construction within the existing corridor. Although the land in this corridor supports a greater living community, it is close to or within developed or modified land. New traffic patterns would disturb some terrestrial populations.

Construction in Alternative 3 (Ninth Street Connection) corridor would affect the terrestrial environment most seriously. This corridor would require the most extensive alteration of existing physical habitat, and, more importantly, it would destroy the seclusion for wildlife which now exists throughout portions of this corridor lying east of the river.

The No Bridge Alternative (Alternative 4) would least affect the terrestrial environment. These effects would be temporary and would result from removal of the existing bridge.

CULTURAL ENVIRONMENT

Economics

The city of Warrenton was founded in 1870, platted in 1891, and incorporated in 1899.

Warrenton's present population is 1,896. In 1960, the Bureau of the Census recorded 1,717 people; in 1970, the population of Warrenton was 1,825, for a +6.3 percent change (U.S. Bureau of the Census, 1970, and Bureau of Business Research, 1973).

Warrenton is situated approximately four miles southwest of Astoria, the principal employment center in the county. Major economic activities in this center include manufacturing, wholesale and retail trade, and services. The city of Warrenton has strong regional ties to Astoria, and, to a lesser degree, to Seaside and Gearhart. In addition, Warrenton and Hammond, an adjacent community to the northwest, have a strong economic relationship.

The production of lumber, fish processing, and other manufacturing activities constitute the less diversified economic base of the Warrenton-Hammond area. A majority of the employment opportunities here lie along the Columbia River, west of the Skipanon basin. The major plants include a lumber mill, three fish processing plants, and a chemical processing company. The city of Warrenton contains approximately 16 square miles. Consequently, most of these plants lie within the city limits. These companies provide a large percentage of the employment opportunities for the residents of Warrenton and Hammond.

Recreation and tourism constitute a rapidly expanding industry in the area. Attractions include sight-seeing, beach activities, fishing, hunting, and boating. Major facilities in the area include Fort Clatsop National Memorial, Fort Stevens State Park and Cullaby Lake Recreation Area. Fort Stevens State Park, located within the city limits of Warrenton,

is the most heavily used overnight camping facility in the state park system. Fort Clatsop National Memorial is three and one-half miles southeast of Warrenton. Cullaby Lake Recreation Area, maintained by Clatsop County, is approximately five miles south of the Skipanon River Bridge at Warrenton.

Two large marine basins and nine charter fishing boat services are located in the Warrenton-Hammond area. Most of these facilities are located in the lower Skipanon River channel, or Skipanon waterway, with easy access to the Columbia River, and are protected from storms. This harbor is in a competitive position for fishermen, since it is the most protected harbor and is closest to the mouth of the Columbia River in Oregon. Only one facility, the Warrenton Mooring Basin, is located on the eastern shore of the Skipanon waterway. This basin, with berths for approximately 300 recreational boats of various sizes, is operated by the city and has been filled to capacity in recent summers.

Future economic growth or expansion in the Warrenton-Hammond area is dependent in part upon developments in the traditionally established timber, fisheries, and recreation industries. However, the area has been seeking diversification in the economic base. Port expansion has been considered to be one of the main foundations for future growth in the area. The U.S. Army Corps of Engineers has investigated sites suitable for maritime-related development of deep water ports and has found several large important waterfront areas, including Tanzy Point, between the mouth of the Columbia River and the Port of Astoria.

Impacts. Replacement or remodeling of the existing bridge in the Harbor Street corridor (Alternative 1) would have minimal economic effects on Warrenton. The spatial economic structure of the community has evolved

with the corridor as a main arterial. The estimated tax loss to the community from conversion of taxable property to highway use would be minimal, since the maximum right-of-way requirement in this corridor is less than two acres. However, the property value is high in this area due to the proximity to the river and commercial center.

Potential traffic interruption due to a fast-opening bridge might discourage additional commercial development east of the river. Commercial carrier users of the Warrenton-Astoria Highway would experience dollar losses due to delays during bridge openings. However, the fast-opening span may tend to increase residential development south of the bridge because of water-based recreational amenities. If residential development were to occur, property values and the resulting property taxes to the city would increase. However, the net gain to the city would be offset by demands for services--sewage, water, utilities, city streets, fire protection, and so on.

Realigning the Warrenton-Astoria Highway (Alternatives 2 and 3) south of the present route would contribute to increased pressure for commercial and residential development in a presently undeveloped area of Warrenton. These alternatives would, in essence, bypass the existing commercial city center of Warrenton and would encourage commercial development south and east of the city center.

Alternative 4 (No Bridge) would effectively divide the east side of Warrenton from the west side of Warrenton, with the Skipanon River acting as the dividing line. The Warrenton Moorage Basin, some commercial businesses and residences east of the river would be accessable from the city center of Warrenton only by lengthy out of direction travel. The quality of Warrenton based emergency services (fire, police, and so on) would be lessened for those businesses and residences on the east. To have no crossing of the

Skipanon River at Warrenton might initially retard growth and development east of the river. Residents in this area would be encouraged to use Astoria for community services.

Land Use

Historically, land development within the city has been hindered by severe natural constraints. Topography, soil conditions, and natural features (beach dunes, minor waterway acquifers, marshes, etc.) have tended to limit development to a linear north-south corridor bounded on the east by the Skipanon River and on the west by Fort Stevens State Park.

The Pacific Ocean and the Columbia River, with its estuary, have influenced and focused the economy of the area. This, in turn, has also affected land development decisions to the point that an excellent boat mooring basin area has been developed on the Skipanon River very near the eastern edge of the Warrenton city center commercial district. This moorage basin is the base of a successful fishing industry.

Finally, the past history of land subdivision within the city has exerted and will continue to exert a strong influence in the pattern of land use change and land development within the city. The major portion of the city has been plated into small parcels with dedicated streets (see Figure 12), most of which have never been developed. This condition, if not corrected by selective resubdivision, could have a negative effect on future desirable community development.

The comprehensive plan for the Warrenton area is predicated upon the establishment of coherent development patterns throughout the city, consistent with the ability of the community to provide the necessary services to support such development at reasonable cost (Warrenton Comprehensive Plan, 1973). It may be impossible to develop the vacant land in a comprehensive manner to provide the required community services, to design an

adequate circulation system to meet the needs of the community, or to allow for alternative forms of development which could be more economical.

Existing Land Use. The existing land use in the project area is focused upon a city center commercial district, centered at the intersection of Harbor Street and Main Avenue. It encompasses five square blocks and is comprised of a diverse array of retail, service, banking, finance, office, institutional and cultural uses. The comprehensive plan states that this area is intended to be a compact, intensively used area, catering primarily to the pedestrian. This last characteristic--catering to the pedestrian--will be increasingly difficult to accomplish as more and more traffic is routed through the city center. The existing circulation system is extremely detrimental to achieving this goal.

The city center commercial district is surrounded on three sides by residential, industrial and marine commercial uses. The primary residential areas of Warrenton are south and west of the city center. Industrial (mostly marine and timber oriented) land uses are located north of the city center. A marine commercial area is located northeast of the city center, utilizing the Skipanon River. The southeast sector of the city is "open space" undeveloped wetlands with a few scattered areas of residential use.

At present, Warrenton has a limited amount of land suitable for development that is served by municipal services. This condition can lead to severe pressures for development in selected areas within the city limits. In order to eliminate what could become a potential detrimental situation to the whole community, an intermediate growth concept was developed in the comprehensive plan. This concept designates the eastern portion of Warrenton as the area where future residential and commercial growth should occur. This area is bounded by Harbor Street, Highway 101, S.E. 14th Street, and

the east bank of the Skipanon River. Development of this area is scheduled to follow development of an area bounded by N.W. 8th Street, the railroad tracks, N.W. 1st Street, and Gardenia Avenue extended, which is currently served by the existing sewer system.

Development of the intermediate growth area (Harbor Street, Highway 101, S.E. 14th Street and the Skipanon River) is predicated on the availability of municipal services, as well as improvement of the street systems to accommodate new growth. Furthermore, the soils in this area generally consist of silty clay loam which are not very suitable for building foundations and roadbeds. Consequently, developments in this area will have to be carefully controlled to insure that soil studies are performed and that foundations are engineered properly to account for the adverse soil conditions. The comprehensive plan recognizes the fact that this area is not the most favorable for development by usual planning standards, because of the severe physical constraints. However, taking the available land area in the city as a whole (with consideration of other factors), this area becomes the most logical choice as the one where future growth should occur. With careful control and guidance, successful development of this area can be possible.

Proposed Land Use. Warrenton's land use plan is contained in Volume II, Community Plan, Warrenton Comprehensive Plan adopted August 19, 1974. The city has recently prepared a proposed zoning ordinance which complements the comprehensive plan.

The Warrenton land use plan map (Figure 12) shows that the area north of Harbor Street and east of Skipanon River is classified marine commercial. This is consistent with the existing land use, except for the residences between the River and Heron Avenue. The land south of Harbor

Figure No. 12

WARRENTON LAND USE PLAN

- Low Density, 1-2 D.U./Acre
- Intermediate Density, 2-4 D.U./Acre
- Medium Density, 4-8 D.U./Acre
- High Density, 8-25 D.U./Acre
- City Center Commercial
- Marine Commercial
- Sub-Regional Commercial
- Light Industrial
- General Industrial
- Industrial Park
- Restricted
- Public Use
- Park
- Greenway / Buffer
- Viewpoint
- Primary Access
- Secondary Access

DENOTES EXISTING ACCESS
DENOTES PROPOSED ACCESS

Source: Warrenton Comprehensive Plan, Vol. 11, Community Plan

Adopted August 19, 1974

Street is planned for various densities of residential use. There are no conflicts with this designation and existing land use, except for one or two highway commercial uses. The soils in this southeast part of Warrenton will make residential development difficult. These are the only identified conflicts between existing and proposed land use in the study area.

Impacts. Harbor Street (Alternative 1) serves as the boundary between the planned marine commercial district and residential uses south of Harbor Street. West of the Skipanon River, Harbor Street bisects the city center commercial area. The direct land use impacts would be minimal for this alternative and generally in conformance with local land use planning. The only exception would be the continued impediment to the unified development of the city center commercial area. However, a decision to build in a southerly corridor would also require relocation of the railroad tracks that parallel Harbor Street to overcome this impact and provide an undivided city center commercial zone.

The significant impact, although secondary in nature, would result from construction of a fast-opening bridge or a fixed span with sufficient vertical clearance to allow river navigation further upstream. The anticipated increase in navigation will result in pressure for water-oriented residential development along the Skipanon River shoreline. The area is presently sparsely populated and, in effect, "open space" wetlands. Some local interest has been shown in developing the two small islands located in the Skipanon River immediately southeast of the existing bridge. This use is not reflected in the comprehensive plan. Subsequent resolution of the appropriate use will need to be locally determined.

Alternatives 2 (Second Street Connection) and 3 (Ninth Street Connection), are not recognized by the adopted land use plan for Warrenton

and are, therefore, not consistent with it (in the strictest sense). These alternative would have both positive and negative impacts on land use. The replacement of the point of ingress and egress into the city center commercial district, provided by Alternative 2, would tend to encourage intensified development of the area north of S.W. 2nd Street, including the area now utilizied by Harbor Street west and east of the Skipanon River. The residences, south of S.W. 2nd Street, will undergo pressure for transition and possible replacement by commercial uses. This expansion of the city center commercial district would be contrary to the stated city policy of a compact pedestrian oriented retail center.

On the east side of the Skipanon River, the area from the river to the point of intersection of Harbor Street and Alternative 2 (including the land now used by Harbor Street) will be available for redevelopment as back-up land for the marine commercial district. The small business, just east of the river and south of Harbor Street, would be required for right-of-way. The conversion to residential use of the open area south of Harbor Street and east of the river would continue as outlined in the comprehensive plan, limited only by the natural characteristics of the land itself.

Alternative 3 (Ninth Street Connection) will provide a similar opportunity for redevelopment of the land south of Harbor Street on the west side of the river. As heavy traffic conflicts are rerouted, land will be put to new uses. City policies and plans would have to be altered to accommodate these actions. Of the three alternatives, Alternative 3 is least compatible with the comprehensive plan. If Alternative 3 were selected, the point of its intersection with Main Avenue would develop pressure for conversion to commercial uses, thus altering the character of that residential area. East of the Skipanon River, Alternative 3 could provide the

catalyst for the resubdivision of this sector and thereby encourage the development, as foreseen in the comprehensive plan. However, this may happen sooner than planned, and the city would receive pressure to extend services to this area before it is financially feasible. This alternative would provide additional land east of the river along Harbor Street to the point of intersection with eastern terminus of this corridor. As with Alternative 2, this land could be redeveloped for marine commercial back-up facilities.

The No Bridge alternative would be the most destructive to land uses of all the alternatives. The removal of the link between east and west Warrenton would isolate many people from their place of work. Commuting time to Astoria would increase, as would out of direction travel. The impact on land use would be to initially focus all development on the west side of the river. Then, over time, the development of parallel and duplicative commercial services on the east side of the river would occur.

Mitigation. The impacts of the project on land use would, generally, be minimal. Close attention should be given to development along the river and dikes, so as to not preclude public access and use. The proposed zoning ordinance and comprehensive plan will guide land use changes in Warrenton.

Alternative 3, the Ninth Street Connection, will cause the greatest impacts of the build alternatives. To mitigate its influence, it would be necessary for the city to perform subarea analysis to outline detailed policies of development regarding timing, extent and type of land use conversions.

Right-of-Way and Access

None of the alternatives would affect any land from a publicly owned parkland, recreation area, wildlife or waterfowl refuge of local, state or

national significance. Furthermore, no historic sites or properties included in or eligible for inclusion in the National Register of Historic Places are affected. (Refer to historic site determination letter in Appendix C.)

Impacts. The additional right-of-way required for Alternatives 1 (Harbor Street) and 2 (Second Street Connection) would be minimal. In Alternative 1, design alternates 1-A, 1-D, and 1-E would require no additional right-of-way. Design alternates 1-B and 1-C would require less than 1.5 acres each. Design alternate 1-F (the new bascule bridge) would require approximately 0.5 acre; design alternate 1-G (the new fixed span bridge) would require approximately 1.0 acre of additional right-of-way. None of the alternates for remodeling the bridge (1-A to 1-E) would require any commercial facility or residential displacement. Design alternates 1-F and 1-G, which call for new structures in the existing corridor, would necessitate the removal of a fuel storage tank southwest of the bridge and an unoccupied residence on the corner of Harbor Street and Ensign Street. Since the house is unoccupied, no residents would be displaced or relocated.

The alternates for remodeling the bridge would not affect any existing street accesses. Design alternates 1-F and 1-G would require some access changes. With both designs, the Bay Avenue access would be severed. The impact of severing this street would result in no traffic inconvenience. The fixed span (alternate 1-G), due to the greater clearance, requires a long span. Consequently, the existing entrance road to the Warrenton Moorage Basin would be changed. A replacement access road would be created off of the roadway on the south side and would pass under a span of the fixed bridge. The underpass under the bridge for the new access road would allow a vertical clearance of 14 feet for vehicles and trailers. The majority of

additional right-of-way for this design alternate is for creating this new entrance to the moorage. These design alternates would affect slightly the parking at Joy's Charter Service, south of Harbor Street. Neither design alternate 1-F or 1-G would affect the parking facilities for the moorage basin.

The additional right-of-way for Alternative 2 (Second Street Connection) would be approximately 1.6 acres. Seven residences and one commercial office would require relocation under this alternative.

Alternative 3 (Ninth Street Connection) would require the most additional right-of-way, approximately 14 acres. As many as five residences would require relocation.

Alternative 4 (No Bridge) would require no right-of-way. The Harbor Street would be blocked by barricades at the bridge site and cul-de-sacs would be constructed.

Mitigation of Adverse Impacts. Minimization of right-of-way impacts would include purchasing all properties at a fair market value. The Oregon State Highway Division provides relocation counseling service and other benefits.

Highway Traffic and Circulation

In 1974, the average daily traffic at the Skipanon River Bridge on the Astoria-Warrenton Highway was 3,800 vehicles. Approximately 7.3 percent of these vehicles were trucks. The maximum daily traffic is 6,100 vehicles, of which truck traffic constitutes only one percent. The posted speed across the bridge is 25 miles per hour.

The design capacity of the existing bridge is calculated to be 5,800 vehicles per day. The projected 1994 average daily traffic is 6,500 vehicles with the same 7.3 percent truck mix. Local logging companies, however, have suggested increased truck use in the future. The projected

1994 volumes assume normal growth for the area, based on past growth trends, and assume that travel is unrestrained.

As this bridge is situated near the Oregon Coast and its recreational amenities, the traffic volumes have large seasonal and weekend variation. The Warrenton-Astoria Highway is the primary route for access to Fort Stevens State Park from Astoria. An estimated 60 percent of all visitors to Fort Stevens State Park are generated from the north and east via Astoria and would cross over the subject bridge.

West of the bridge, the Warrenton-Astoria Highway terminates at its intersection with the Fort Stevens Highway in the center of Warrenton. The majority of the commercial and residential development lies south of this intersection. North and west of the intersection, settlement is less dense, and commercial establishments are few. Since more than 90 percent of Warrenton's residents are located west of the Skipanon River, the only commuters driving over the Skipanon River Bridge in Warrenton are residents of Warrenton-Hammond working in the Astoria area and residents of Astoria employed in Warrenton-Hammond. Commuter movements would appear to be a small percentage of the total traffic volumes. East of the bridge, traffic volumes do not greatly decrease, due to the minimal development in this area. The principal attraction in this area, other than a few private residences, is the Warrenton Moorage Basin.

Impacts. For Alternative 1 (Harbor Street), traffic flow patterns in the Warrenton area would not be greatly affected, since the new or remodeled bridge, in itself, would not generate additional traffic. Traffic delays during openings of a drawbridge (alternates 1-A to 1-F) would inconvenience the highway user. Anticipated delay per bridge opening to the roadway user would be 10 to 15 minutes, with 30 minutes for design alternate 1-E. Traffic back up or storage, especially during the summer months when

the average daily traffic rate is at its peak, could be a problem, if the back up extends into the intersection of Main and Harbor.

An agreement should be reached between the Coast Guard, waterway users, and the Highway Division concerning bridge opening rules. Coast Guard regulations (CFR, Title 33, Navigation and Navigable Waters, Section 117.740) state that the bridge shall be "promptly opened for the passage of vessels or other water craft." Potential upstream development and increased volume of water traffic could result in frequent openings of the bridge. If the Coast Guard will allow only opening on demand, rather than by schedule or upon advance notification, full time bridge tenders may be required. Full time operation, in itself, may contribute to increased use of the river and, subsequently, more frequent openings and vehicular traffic delays.

Design alternate 1-G of Alternative 1, Alternative 2 and Alternative 3 provide for fixed spans. Therefore, traffic delays across the river would not occur.

If the new fixed span bridge (Alternative 2) were built on the Second Street connection, the only change of traffic volumes would occur in the area between S.E. Second and the old bridge. This corridor would route traffic into the center of town, and probably would require signalization at its termination point, Main and 2nd Street. This route would give better direct access to the center of the community, but congestion would result from southbound vehicles on Highway 104, the Fort Stevens Highway, turning left and additional recreational traffic attempting to get through the city's main street. There would be a reduction in the significance of the intersection at Main and 1st Street.

Diverging as far south as it does, Alternative 3 (Ninth Street connection) appears to be inconvenient for the natural flow of traffic. Traffic would be greatly increased between S.E. Second and S.E. Ninth, but

reduced north of that intersection. A main cause of the changes is that a large percentage of the traffic volumes are local and terminate at commercial establishments between S.E. Ninth and S.E. Second. Furthermore, most of the residential area is west of these blocks. If this corridor were utilized, recreational traffic would travel through the entire town in traveling to and from Fort Stevens State Park. The increased distance to Fort Stevens would be approixmately 0.4 miles for traffic coming from Astoria or other easterly points.

The Astoria-Warrenton Highway users would be temporarily inconvenienced during construction of a new or remodeled bridge. Speeds through the area would be reduced. Appropriate signing and flagging would insure safety through the construction area.

The Oregon State Highway Division is studying several new improvements to transportation and circulation in the area. The most important project is the realignment and improvement of Highway 101 from the junction of Highway 101 and Alternate 101 to the Camp Rilea Road. The 2.2 mile modern roadway is the south unit of an improved Astoria-Camp Rilea project. The Highway Division has also been considering an Astoria bypass. The effects of these projects on the subject project are indeterminable at this time.

Skipanon River Use and Development

The Skipanon River was referred to as "Skipanarwin Creek" on the charts of Lewis and Clark (McArthur, 1974).

Navigational use of the Skipanon River south, or upstream from the highway bridge has been slight and primarily limited to dredges and vessels associated with logging and log raft movements. This portion of the Skipanon River has been traditionally used for storage of log rafts. In 1962,

the Warrenton Dune Soil Conservation District and Clatsop County constructed a floodgate installation approximately one-half mile upstream from the highway bridge. In effect, this tidal gate and dam establishes the navigable limits of the river.

North of the highway bridge and Burlington Northern Railroad bridge, the river has unlimited navigation, primarily commercial and sport fishing vessels. Log booms also share this portion of the river with navigational interests. Downstream, the river is called the Skipanon Channel or Waterway.

The Skipanon Channel, a federal navigation project authorized by the River and Harbor Act of July 3, 1930, and modified by the Acts of August 26, 1937, and June 30, 1948, was constructed by the U.S. Army Corps of Engineers. The project provides for a channel 30 feet deep and 200 feet wide from the Columbia River to the railroad bridge (2 miles) immediately adjacent and downstream of the highway bridge and includes a turning basin 30 feet deep and a mooring basin 12 feet deep at Warrenton. The project further provides for a channel 6 feet deep below mean lower low water and 30 feet wide with increased widths at log dumps and terminals for a distance of 4,500 feet above the railroad bridge. The six-foot deep channel terminates at the tidal gate which forms the head of navigation. The tidal gate is located 3,130 feet above the railroad bridge. The Corps of Engineers signed a permit for construction of the tidal gate installations on January 16, 1962. Although the floodgate, in effect, defines the practical naviagational limits of the river, it was agreed that the tidal gate could be removed should navigation above the point be classified top priority.

According to Corps of Engineers documentation, the project is complete. The ship channel and turning basin were completed in 1939. Construction of the small boat mooring basin at Warrenton was completed in October, 1957, and fill stabilization work in August, 1958. The official

opening of the moorage was in 1958. Since the original project was completed, the channel has been repeatedly dredged to maintain the required depth. This dredging has been undertaken to clean out the channel from the continual process of siltation, caused by a combination of tidal and flow actions, and to remove debris.

Impacts. Replacing, remodeling or removal of the existing bridge will change the use of the Skipanon River upstream. A bridge solution which facilitates navigation may result in more intensive use of the river area by a variety of vessels. The drawbridges, in an opened position, would not restrict vessels of any height from using the river upstream. Vertical clearance would be limited only by overhead utility lines or wires. In the closed position, the amounts of vertical clearance would vary. (Refer to the vertical clearance dimensions noted in Table 3, "Alternatives" section.) The fixed span bridges (alternate 1-G of Alternative 1 and Alternative 2) would limit the height of vessels which could enter the river upstream of that bridge. Most fishing boats and other pleasure craft could easily pass under the fixed spans. However, some dredges, pile drivers, and other work boats with fixed derricks, leads, etc., would be prevented from passing under the structure.

The size of the navigable area is small above the existing bridge. Heavy vessel traffic in the small waterway would not be compatible with log raft storage. Therefore, log storage, the historical use of the waterway, probably would be reduced or disappear.

Public Services and Utilities

Bus service is providedin Warrenton with two round trips per day to Astoria and Portland. However, the time schedule, operated for through travel, is less than desirable for commuting purposes, as indicated by the

load factor for this route, which is one of the lowest in the state. At present, a small private bus system operates in the Astoria area. From time to time, service to Warrenton has been tested, but has not been found to be self-supporting due to the small population involved.

The Hammond-Warrenton area is serviced by the Burlington-Northern Railroad (formerly the Spokane, Portland and Seattle Railroad). The main-line tracks lie immediately north of and parallel to the Warrenton-Astoria Highway. The railroad swing span bridge, built in 1891 and rebuilt in 1916, has a manual opening, rotating section, which is opened on twenty-four hour notice. It has been necessary to open the railroad bridge at the same time as the highway bridge to allow upstream navigation.

Clatsop County Airport is located approximately 1-3/4 miles east of the existing bridge. This bridge project is not anticipated to cause any impact on the operation of the airport.

Since 1933, the city of Warrenton has had a feeder waterline attached to the superstructure of the highway bridge. The water supply for Warrenton is drawn from the upper reaches of the Lewis and Clark River and tributaries several miles southeast of the project area. The gravity feed system is interrupted when the float-out span is removed, since this action also requires uncoupling and recoupling the pipe. Planning is presently underway to bury the waterline approximately 65 feet upstream from the centerline of the existing structure. The work will be conducted during construction of the bridge project.

A telephone cable, belonging to Pacific Northwest Bell Company, is buried in the stream immediately south and parallel to the existing bridge. Also, the Port of Astoria has laid a new sewer line from the Clatsop County Airport to connect with the Warrenton municipal water treatment facility. This line traverses the Skipanon riverbed in the vicinity

of the bridge. Coordination with these agencies will be required if a new bridge or remodeled bridge is constructed in the existing corridor.

Air Quality

Based on traffic data furnished by the Planning Section, Oregon Department of Transportation, it has been concluded that the project will not hinder the attainment of the State of Oregon Clean Air Act Implementation Plan. No traffic speed changes are anticipated and traffic projections for the build and no-build alternatives are identical. There may be temporary adverse air quality impacts during construction. However, these will be mitigated in accordance with subsection 107.08, Standard Specifications for Highway Construction (1974), in force on all contracts. In addition, a contractor must conform to Department of Environmental Quality Specifications set forth in ORS Chapter 340, Division 2, Subdivisions 1 and 3.

Noise

A sound survey was conducted in the proposed corridors to determine the ambient noise levels. The following five sites were selected for sound measurement: Harbor Street (1) just south of the existing bridge, (2) at the E. Harbor-S.E. King intersection; and (3) at the E. Harbor-Marlin Drive intersection; (4) 4th Avenue, just west of Galena Street; and, (5) 9th Avenue, just west of Main Street. (Refer to the sound measurement sites map, Figure 17, in Appendix D.)

As shown in Table 4, all of the sites, except Site 3, exhibit ambient noise levels well within the Federal Highway Administration's residential L_{10} noise standard of 70 dBA. Only site 3 is in excess of 70 dBA, primarily because it is within the existing right-of-way and between two arterials where greater traffic volumes occur. (Definitions of terms, FHWA standards, and additional noise analysis information are included in Appendix D.)

TABLE 4

L_{10} SOUND LEVELS

Sites	dBA	Feet From Centerline
Harbor Street:		
Site 1	62	100'
Site 2	66	75'
Site 3	72	50'
4th Avenue-Galena:		
Site 4	38	25'
9th Avenue:		
Site 5	64	50'

Impacts. Based on the measurements at the existing bridge (Site 1), and assuming no significant increase in traffic directly resulting from the project, the projected sound levels (1994) are anticipated to increase 2 to 3 dBA. Noise levels are not expected to exceed the residential L_{10} FHWA noise standard of 70 dBA outside the proposed right-of-way of the alternate corridors.

Conformance with State, Area, and Community Plans and Goals

The Oregon State Clearinghouse on January 10, 1975, responded to the Notice of Intent that no significant conflict with the plans, policies or programs of state government has been identified.

The Clatsop-Tillamook Intergovernmental Council prepared the District One Major Road and Highway Plan, Clatsop and Tillamook Counties, Oregon, in August, 1974. This plan recommends that the Skipanon Bridge approach in Warrenton be reworked by 1985. (Note that the reference is to the approach, not the bridge.) Funding for the approach improvement is to be from other than highway bond programs. The plan mentions no urgent need

for the bridge replacement or remodel project. The Clatsop-Tillamook Intergovernmental Council was notified of the project on December 10, 1974. On January 15, 1975, the Council, responding to the Notice of Intent, rejected the project (with an estimated maximum cost of $2,000,000) and suggested that a less costly bridge replacement plan be considered.

The project was not mentioned in the Comprehensive Plan for Land Use and Major Roads, Clatsop County, Oregon, prepared by the Clatsop County Planning Commission in September, 1968. Conformance of the project with revisions to the county comprehensive is unknown. Clatsop County will receive copies of this draft environmental impact statement and will be urged to comment on the project.

A discussion of the Warrenton Comprehensive Plan, Volume II, Community Plan (August, 1973), adopted by the City of Warrenton on August 19, 1974, and the proposed City of Warrenton Zoning Ordinance (February, 1975) was included in the "land use" section of this statement. The Oregon State Highway Division has involved the community in each stage of the planning process since the conception of the project. (Reference history of project in Appendix A.) The formal corridor/design public hearing on the project is scheduled for June, 1975, in Warrenton.

SUMMARY OF IMPACTS

The following impacts, both detrimental and beneficial, are expected to occur as a result of the Skipanon River Bridge project:

A. Topography (Lowland Flood Plain)

1. Alternatives 2 (Second Street Connection) and 3 (Ninth Street Connection), lying in new corridors, would cross the flood plain of the Skipanon River.
2. More intensive use of the river upstream from the existing highway bridge may require more frequent maintenance of the dikes along the river due to erosion from boat wake "lapping."
3. Potential residential development along the Skipanon shoreline would be in a flood plain area and could affect the flood plain and groundwater levels.

B. Soils

1. Soils in the area are limited in their suitability for roads and streets because of the poor drainage and high organic matter content.

C. River Hydrology

1. Temporary changes in the river may occur during construction.
2. If a causeway is used to cross the Skipanon Slough (Alternative 3), water circulation patterns will be altered.

D. Aquatic Environment (Water Quality)

1. The project would involve repeated disturbances of

Skipanon River streambed during construction. Alternative 2 (Second Street Connection) would cross the Skipanon Slough.

2. Five impacts are anticipated to occur: (a) temporary turbidity increases; (b) bottom siltation; (c) release of toxic materials, including sulfides and other oxygen-demanding substances; (d) local eddies adjacent to piers and footings, and (3) long-term alteration of upstream river use patterns with potential for increased water pollution from boating and development activities.

E. Terrestrial Habitat

1. Construction activities associated with the project would disturb local wildlife and disturb nesting sites and burrows.

2. Right-of-way requirements would reduce the total acreage of estuarine marshland habitat.

3. Shoreline development, a secondary effect of the project, would reduce the total marshland area available for wildlife and preclude or reduce the use of the area by species requiring freedom from harassment.

F. Economics

1. Tax loss to the community from converting private taxable property to highway use would occur.

2. A fast-opening bridge may increase residential development upstream of the existing bridge because of water-based recreational amenities. Property values may increase as a result.

3. Commercial users of the highway would experience dollar

losses due to delays during bridge openings.

4. Alternatives 2 and 3 would, in effect, bypass the existing city commercial center and encourage commercial growth south and east of the existing center. Alternative 4 would effectively divide the city of Warrenton, with the river as the dividing line.

G. Land Use

1. Alternative 1 would have minimal direct effect on land use. The secondary effect, resulting from a bridge which allows ease of navigation in the river upstream, would be shoreline residential/recreational development.
2. Present "open space" undeveloped land along the Skipanon River shoreline may be developed.
3. Alternative 2 would tend to encourage intensified commercial development north and south of S.W. Second Street, including the area now utilized by Harbor Street, the "open space" southeast of the corridor would convert to residential use.
4. Alternative 3 could provide the catalyst for the resubdivision of this area of Warrenton and encourage development.
5. The No Bridge alternative would be the most destructive to land use. This alternative would isolate people from their place of work, increase commuting time to Astoria, and create out-of-direction travel.

H. Right-of-Way and Access

1. Additional right-of-way for Alternatives 1, 2, and 4 would amount to less than two acres. Alternative 3 requires approximately 14 acres of additional right-of-way.

2. The fixed span (design alternate G) of Alternative 1 would require a new access route to Warrenton Moorage Basin. Other access changes associated with the other alternatives and design alternates would be minimal.

I. Highway Traffic and Circulation

1. Alternative 1 (Harbor Street) would not change traffic patterns. Opening the bridge may result in frequent delays to highway traffic if opening "on demand" for navigation is required.

2. Alternatives 2 and 3 would moderately change traffic circulation.

3. Alternative 4 (No Bridge) would greatly affect the circulation patterns and require substantial out-of-direction travel.

J. Skipanon River Use and Development

1. River use above the existing bridge would change. Ease of navigation in the area may result in more intensive use.

2. Opening spans would pose no restrictions of vessel heights space (other than that imposed by utility wires). Fixed spans would limit the heights of boats passing under the bridge.

K. K. Public Services and Utilities

1. The water pipelines attached to the present bridge would be removed and buried in the Skipanon riverbed during construction of this project.

L. Air Quality

1. The project would not hinder the attainment of the State of Oregon Clean Air Act Implementation Plan.

M. Noise

1. Noise levels measured in the area are within Federal Highway Administration noise standards. No noise impact is expected to occur from the project.

N. Conformance with State, Area and Community Plans and Goals

1. The project is tentatively in accordance with state, county and city plans and goals. Clatsop-Tillamook Intergovernmental Council disapproves of the project cost ($2,000,000, maximum estimated cost) and has suggested that a less costly plan be considered.

IV. PROBABLE UNAVOIDABLE ADVERSE ENVIRONMENTAL EFFECTS

The project would have the following significant, unavoidable adverse impacts on the physical and cultural environment:

A. Project Alternatives 2 (Second Street Connection) and 3 (Ninth Street Connection) are new corridors that cross the flood plain of the Skipanon River.

B. Soils in the area are limited in their suitability for roads because of the poor drainage and high organic matter content.

C. Regardless of bridge design or the corridor selected, the project would involve repeated disturbance to the Skipanon

River streambed during construction. Alternative 2 (Second Street Connection) would cross the Skipanon Slough.

D. Several impacts are anticipated to occur in the aquatic environment: (1) temporary turbidity increases, (2) bottom siltation, (3) release of toxic materials (including sulfides and other oxygen-demanding substances), and (4) local eddies adjacent to piers and footings.

E. Estuarine wildlife habitat would be reduced by right-of-way acquisition. Construction activities and potential upstream shoreline development would disturb local wildlife and reduce the use of the area by species requiring freedom from harassment.

F. Construction of a fast opening bridge, although allowing free navigation flow upstream, would create delays to highway users during bridge openings.

G. Total additional right-of-way requirements vary with the alternative corridor and design, but the maximum amount is approximately 14 acres.

H. Skipanon River use upstream from the existing bridge may be expected to increase, with a corresponding potential for pollution of estuarine water quality.

V. RELATIONSHIP BETWEEN SHORT-TERM USE AND LONG-TERM PRODUCTIVITY

In the short term, this project, in compliance with the Coast Guard order, will provide for a bridge across the Skipanon River at Warrenton that allows navigation in the river above the existing bridge. A new or remodeled bridge would eliminate the long, although infrequent, delays to highway traffic when the floatout span bridge is opened. A

new bridge would contribute to the safety of the highway user, due to the wider typical section. During construction of the project, temporary noise, dust and degradation of water quality may occur. All of the alternatives involve construction in the streambed. The utility of the highway will be temporarily reduced during construction. Additional right-of-way requirements will convert small parcels of land to highway use.

In the long term, the opportunity for an increased level of navigation on the Skipanon River upstream may contribute to shoreline development in the area. Therefore, the bridge project may act as the stimulus for development in an area now undeveloped. This development, although contributing to the local economy, would cause an adverse change in the existing aquatic and terrestrial habitat.

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Public funds committed for analysis, location, design, and construction of this project are irretrievable for other purposes. This project, long and confusing in its development, has already cost over $90,000 for planning. The estimated total cost of the project varies with the alternative selected. However, the estimated maximum cost is $2,000,000. A portion of these funds will appear in the local economy as wages, materials, and servies. The right-of-way acquired for this project will be permanently committed to highway use, thereby, closing the options on other uses. Materials and energy expended in the construction of the project will be unavailable for other uses. If a opening span alternative is selected, operating, energy, and maintenance costs will increase with demand for opening the structure. For the fixed span alternatives, these costs would be less.

VII. PROBLEMS AND OBJECTIONS RAISED BY OTHER AGENCIES

The continuing dialogue between the United States Coast Guard, the city of Warrenton, Clatsop County, Clatsop-Tillamook Intergovernmental Council, and the Oregon State Highway Division in developing this project has been summarized in the first section of this statement and in Appendix A. Objections and problems raised by these and other agencies subsequent to the release of this Draft Environmental Impact Statement will be discussed in the Final Environmental Impact Statement.

APPENDIX A

History of Skipanon River Bridge Replacement Planning

A. History of Bridge

On September 15, 1916, the Secretary of War issued a federal permit to Clatsop County for the construction of a drawbridge across the Skipanon River at Warrenton. The plans approved by the Secretary of War made provision for a manually operated, single-leaf bascule drawbridge with a horizontal clearance of approximately 33 feet, 3 inches, in the open position. In a closed position, the vertical clearance at extreme low tide (-5.8 feet below mean sea level in the Skipanon River) was approximately 15 feet. The total length of the bridge, including pile trestle approaches, was 257 feet. (See Figures 13 to 15.) No records exist that show how the original construction of the bridge complied with the requirements of the original permit.

In February, 1933, while still under Clatsop County jurisdiction, the roadway was widened, and the drawspan was replaced with a timber A-frame floatout span closely resembling the present bridge. The low point of the floatout span was 11.09 feet above mean lower low water (-3.6 feet).

Records indicate that about the same time, a municipal water pipeline, which had previously been laid on the bottom of the river, was relocated and attached to the superstructure of the bridge. The water pipeline, therefore, had to be uncoupled when the floatout span was removed. Attachment of the pipeline and the conversion of the drawbridge to a floatout span contributed to difficulty and delay in opening the structure. There is no record of permit approval from the federal government for these deviations from the 1916 permit plans.

Figure No. 13

ORIGINAL BRIDGE PERMIT

(Copy Only)

BRIDGE APPROVAL.

(Authorization by State.)

Whereas, *By Section 9 of an act of Congress, approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," it is provided that bridges, dams, dikes, or causeways may be built under authority of the legislature of a State across rivers and other waterways the navigable portions of which lie wholly within the limits of a single State, provided the location and plans thereof are submitted to and approved by the Chief of Engineers and by the Secretary of War before construction is commenced:*

And whereas, CLACKAMAS COUNTY, OREGON,

having authority of the legislature of the State of Oregon

to reconstruct a bridge across Skipanon River, at Warrenton,

in said State, has submitted a map of the location and plans of the same, which have been approved by the Chief of Engineers;

Now therefore, *This is to certify that the map of location and plans of said bridge, which are hereto attached, are hereby approved by the Secretary of War, subject to the following conditions:*

1.–*That the engineer officer of the United States Army, in charge of the district within which the bridge is to be* re *built, may supervise its* re *construction, in order that said plans shall be complied with.*

2.–*That all work shall be conducted in such manner as not to interfere with the free navigation of the waterway or impair the present navigable depths.*

3.–*That the approval hereby given shall cease and be null and void unless the actual reconstruction of the bridge be commenced within one (1) year and completed within three (3) years from the date of this instrument.*

COPY

Witness *my hand this* fifteenth *day of* SEPTEMBER , 19 16.

Wm. M. Ingraham
Acting Secretary of War.

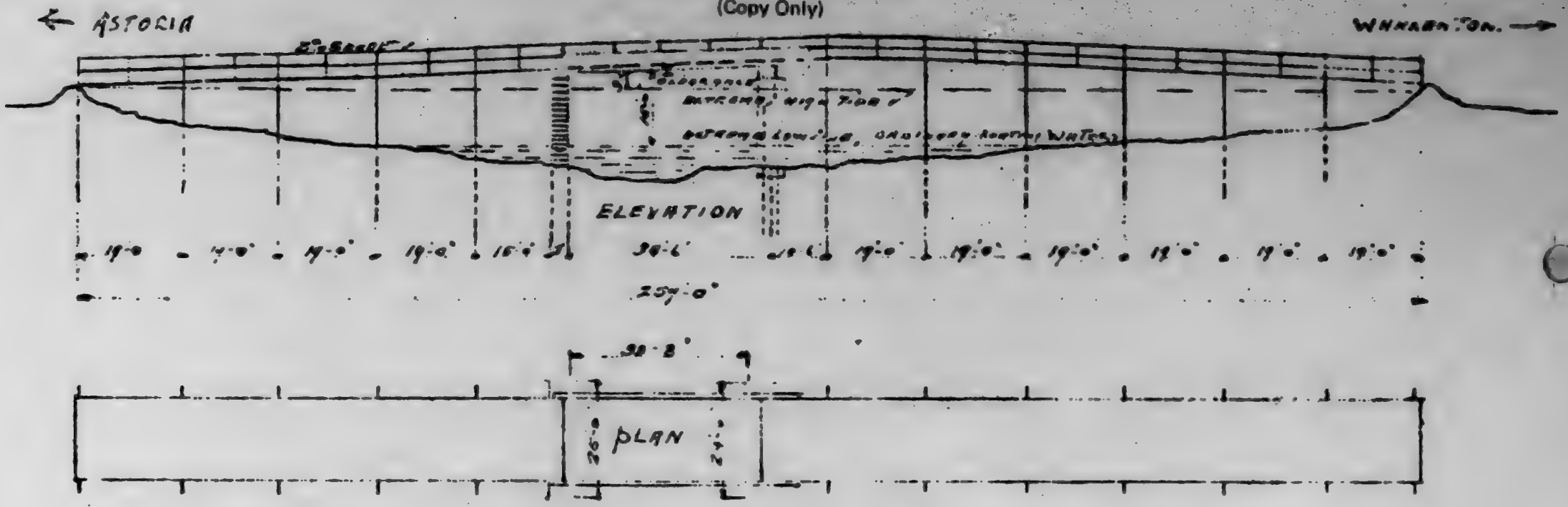
Ref of 102.551/8

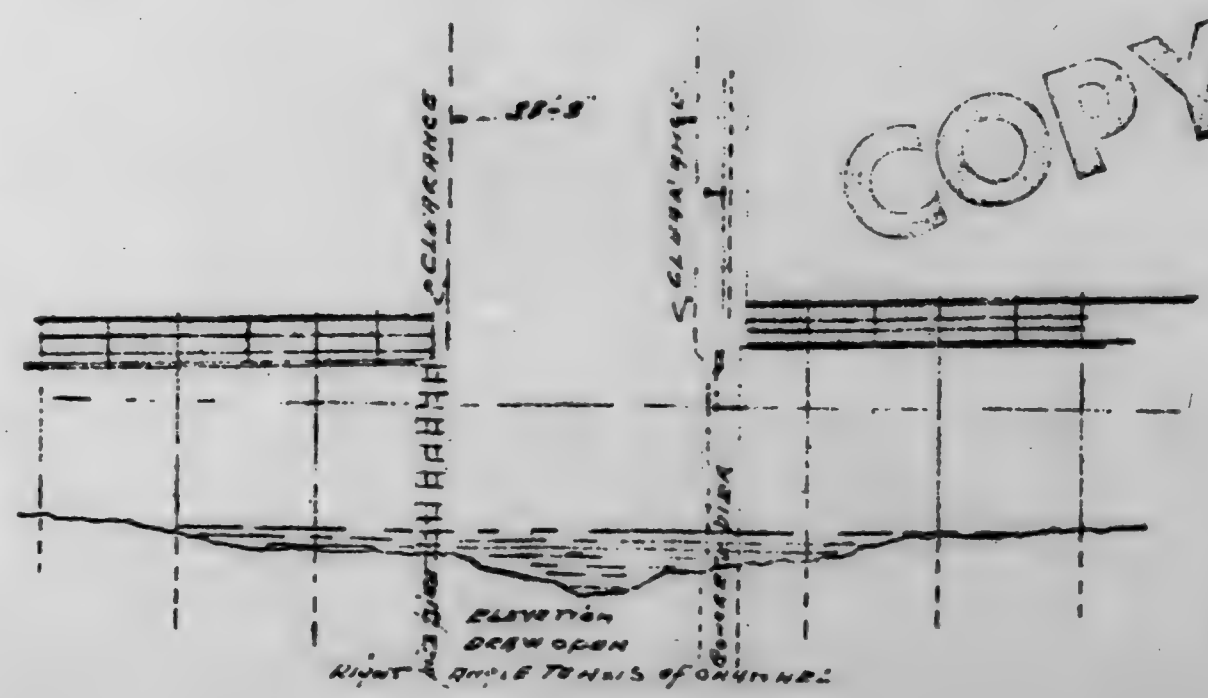
SEP 22 1916

Figure No. 14

ORIGINAL BRIDGE DESIGN

(Copy Only)





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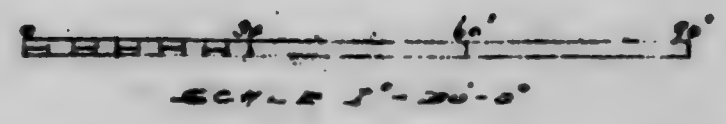
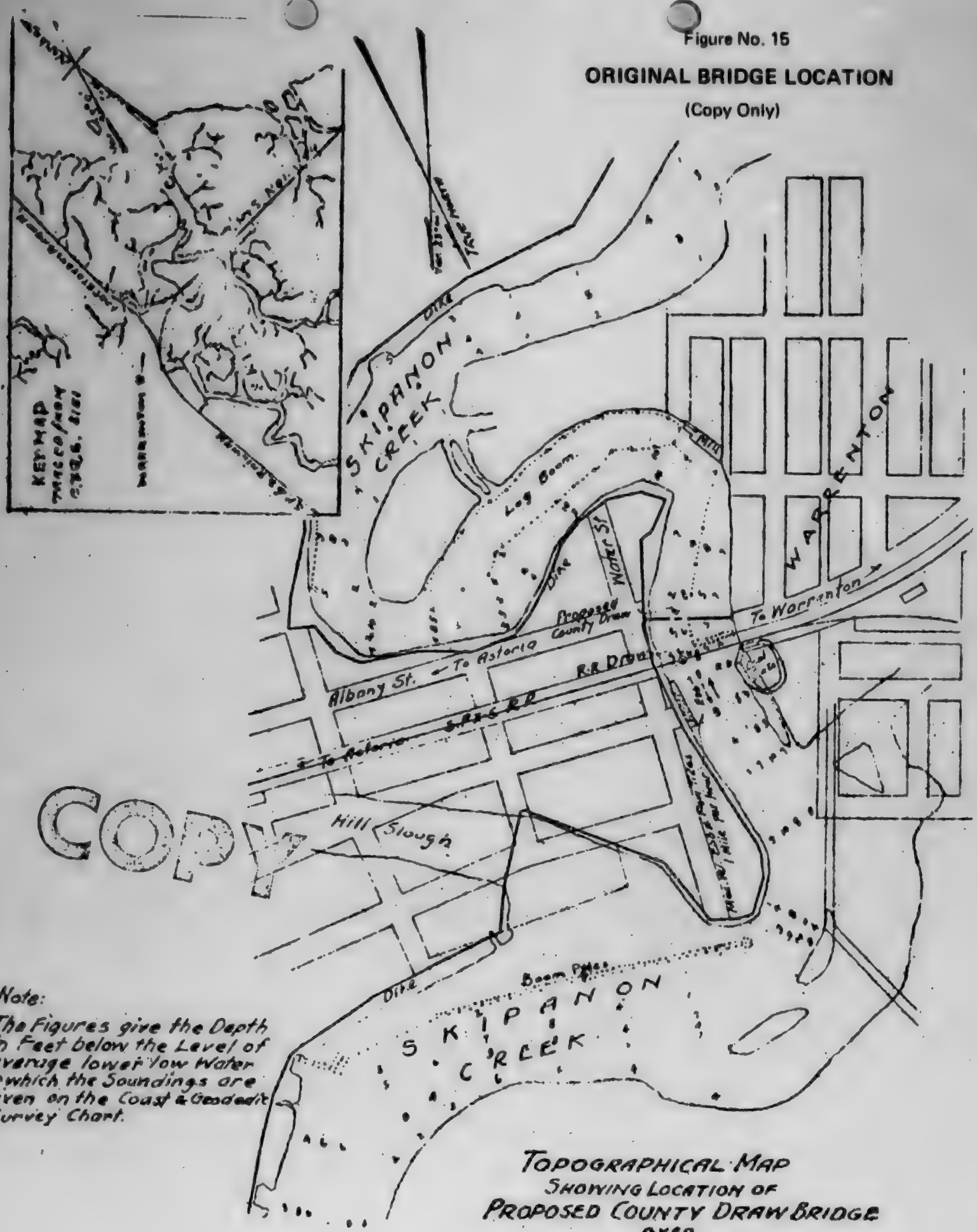


PROPOSED DRAW BRIDGE
OVER
SKIPANON CREEK
CLATSOP COUNTY, OREGON
REMIETH, CONSULTING ENGINEER
PORTLAND, OREGON SHEET 1

Figure No. 15

ORIGINAL BRIDGE LOCATION

(Copy Only)



COPY

Note:

The Figures give the Depth in Feet below the Level of average lower low Water to which the Soundings are given on the Coast & Geodedic Survey Chart.

TOPOGRAPHICAL MAP
SHOWING LOCATION OF
PROPOSED COUNTY DRAW BRIDGE
OVER
SKIPANON CREEK
CLATSOP COUNTY, OREGON.
Scale 1"= 400'

In December, 1946, the Warrenton-Astoria Highway, including the structure, was transferred by Clatsop County to the state of Oregon and made a part of the state highway system. This jurisdictional rearrangement came about due to federal construction of the Astoria airport, east of the structure, during World War II. In the interest of greater traffic safety, the Highway Division replaced the timber A-frame span in 1965 with a steel beam, floatout span. Since the basic configuration of the structure was not being changed, no federal permit was requested or secured. The replacement structure has the same width of span and elevation of opening above low water elevation as existed when the Highway Commission took this bridge over from Clatsop County. As closely as can be determined, the existing structure meets the closed vertical clearance requirements within 5/8-inch of the original permit, or approximately 15 feet from extreme low tide (-5.8 feet).

During the period between 1963 and 1965, the Oregon State Highway Division made several applications to the U.S. Army Corps of Engineers for approval to reduce the vertical clearance of the bridge and to maintain or alter it as a fixed bridge. Because of opposition from navigational interests, these applications were denied.

B. Bridge Replacement Mandate

In 1970, H. G. Palmburg Company (Warrenton) and Oregon Ocean Supply (Astoria) separately applied for Corps of Engineers' permits to drive piling, to dredge and to otherwise construct and maintain structures in the river upstream of the highway bridge. The Corps of Engineers, in acting on the permit requests, contacted affected governmental agencies.

The Oregon State Highway Division was not in favor of the permit applications, citing more frequent disruption of highway traffic due to the period of time required for each opening, the expense, and the increased demand for bridge openings. On August 31, 1971, the city of Warrenton petitioned the Corps of Engineers for closure of the Skipanon River to navigation above the railroad bridge. Considering these objections, the Corps of Engineers temporarily withheld permit approval.

The United States Coast Guard, the Department of Transportation organization responsible for maintaining the navigability of this designated federal waterway, disagreed with the Corps of Engineers' action regarding the permits. In letters, dated October 8, 1971, and January 17, 1972, the Coast Guard informed the Highway Division that there was no federal permit on file for the existing bridge and the Division was given thirty days to respond with plans to restore the bridge to the permit configuration or to act upon alternatives that would insure upstream navigability.

On February 11, 1972, the Highway Division responded with a written history of the bridge which argued that the best public interest served at that time was to take no action.

Subsequently, on June 26, 1972, the Coast Guard notified the Highway Division, having ownership and jurisdiction of the bridge, that the bridge must be restored to the originally approved plans and operated in accordance with Section 117.740 of title 33, Code of Federal Regulations. The Coast Guard would consider other possible alternatives which would achieve the same navigational results. The restoration work was to commence within one year and be complete within two years. (See Figure 16, a copy of the Coast Guard letter.)

Figure No. 16

U.S. COAST GUARD LETTER TO OREGON STATE HIGHWAY DIVISION

(Order to Restore Bridge)

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS
U.S. COAST GUARD (USR/73)
400 SEVENTH STREET, S.W.
WASHINGTON, D.C. 20590
PHONE:

20 JUN 1972

Mr. George H. Baldwin
Administrator of Highways
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Baldwin:

In our letter to you of 17 January 1972 we advised you of the complaint by Mr. H. G. Palmberg, Palmberg Construction Company, Warrenton, Oregon that the highway bridge, a bascule type drawbridge across the Skipanon River at Warrenton, Oregon is not maintained and operated in accordance with the location and plans approved by the Secretary of War on 15 September 1916 and the drawspan is not operated in accordance with Section 117.740 of Title 33, Code of Federal Regulations.

Our letter also gave you opportunity to advise within thirty days of your intentions with respect to restoration of the bridge to the originally approved plans and operation of the drawspan in accordance with Section 117.740 of Title 33, Code of Federal Regulations or to possible alternatives which would otherwise achieve the same results to the benefit of navigation including removal or reconstruction to a higher clearance. Our request for advice of your intentions was to provide you reasonable opportunity to initiate appropriate action for correction of these violations.

The facts of the matter as indicated by our records and your letter of reply dated 11 February 1972 appear to be as follows:

1. The Secretary of War on 15 September 1916 approved the location and plans for the reconstruction of the Albany Street bridge across the Skipanon Creek at Warrenton, Oregon that were submitted by Clatsop County Oregon.

2. The approval was conditioned upon the bridge being reconstructed in accordance with the plans submitted and that reconstruction commence within one year and be completed within three years from the date of approval.

3. The plans approved by the Secretary of War made provision for a manually operated single leaf bascule drawbridge providing a horisontal clearance of 33'-3" in the open position.

4. In February 1933 the County of Clatsop widened the roadway, removed the drawspan and replaced it with a timber "A" frame float-out span. There is no record of approval by the Secretary of War for this deviation from the plans approved in 1916.

5. Subsequent to the deviation of plans performed in 1933 a water line previously laid on the bottom of the river was relocated and attached to the superstructure of the bridge. There is no record of the approval by the Secretary of War for this deviation from the plans approved in 1916.

6. The reconstruction of the bridge in 1933 and the subsequent attachment of the waterline on the superstructure for practical purposes converted the approved bascule type drawbridge to a fixed bridge with a float out span. The waterline must be uncoupled when the drawspan is floated out.

7. In December 1946 the bridge was transferred by Clatsop County to the State of Oregon and made part of the State Highway System.

8. In 1965 the timber "A" frame span installed by Clatsop County in 1933 was replaced by a steel beam float out span. There is no record of approval by the Secretary of the Army for this deviation from the plans approved in 1916.

9. During the period between 1963 and 1965 the Oregon State Highway Department made several applications to the Corps of Engineers for approval to maintain the bridge as a fixed bridge or alter it as a fixed bridge and reduce the vertical clearance. Because of substantial and strong opposition from navigation interests these applications were denied.

10. The Skipanon Channel is an authorized federal navigation project constructed by the Corps of Engineers under the project authorization Act dated 3 July 1930 and modified by the Acts of 26 August 1937 and 30 June 1948. The project provides for a channel 30 feet deep and 200 feet wide from the Columbia River to the railroad bridge immediately adjacent and downstream of this highway bridge and included a turning basin 30 feet deep and a mooring basin 12 feet deep at Warrenton. The project further provides for a channel 6 feet deep and 30 feet wide with increased widths at log dumps and terminals for a distance of 4,500 feet above the railroad bridge. The 6 foot channel terminates at a tide box which forms the head of navigation. The project is complete and is routinely maintained by the Corps of Engineers.

11. The project channel above the railroad bridge is extensively used for the water storage and navigation of logs.

12. In 1970 the Oregon Ocean Supply, Astoria, Oregon and the H. G. Palmberg Company separately applied for Department of Army permits to drive piling, dredge and otherwise construct and maintain structures in the river upstream of the railroad bridge. The purpose of the Oregon Ocean Supply project is to moor a gill net boat, a research vessel and submerged holding containers for live research organisms. The purpose of the H. G. Palmberg Construction Company project is for the moorage and repair of floating dredges, pile drivers, barges, boats, etc. Other applications for Department of Army permits relative to the log storage and navigation activity are known to be pending or have been recently issued by the Department of Army. The Oregon State Highway Department is on record objecting to these applications on the grounds that navigation through the highway bridge will increase which will result in more frequent openings of the float out span and disrupt the free flow of highway traffic.

13. As stated in your letter of 11 February 1972 "The State is well aware that the highway division is operating a bridge across the Skipanon River in violation of Section 117.740 of Title 33 Code of Federal Regulations."

14. Your letter of 11 February 1972 also stated that "the State is not in financial conditon at this time to commit itself to replacement of this span at a cost of some $650,000. We believe the public interest would be best served by retaining the status quo at the present time."

Our conclusions based on these facts and relevant material available in support thereon are:

1. Clatsop County and the Oregon State Highway Department reconstructed this bridge on several successive occasions thereby deviating from the approved plans in violation of the provisions of Section 401 of Title 33, United States Code. Violations of this section are subject to the penalties provided by Section 406 of Title 33, United States Code.

2. Clatsop County and the Oregon State Highway Department in deviating from the approved plans failed to maintain and operate the bridge pursuant to Section 499 of Title 33 United States Code and Section 117.740 of Title 33, Code of Federal Regulations. These regulations were authorized and promulgated pursuant to Section 499 of Title 33, United States Code. Violations of these regulations are subject to the penalties provided by Section 499 of Title 33, United States Code.

3. The Oregon State Highway Department is cognizant of its violations of Sections 401 and 499 of Title 33 United States Code but at this time it fails or refuses to initiate reasonable efforts and undertake appropriate action to comply with the statutes and regulations governing the maintenance and operation of the drawbridge.

The functions, powers and duties of the Secretary of the Army and Chief of Engineers under Sections 401 and 499 of Title 33 of the United States Code have been transferred to and vested in the Secretary of

Figure No. 16

Continued

Transportation by subsections 6(g)(2) and 6(g)(6)(A) of the Department of Transportation Act, 80 Stat. 931 (49 U.S.C. 1655(g)(2) and 1655(g)(6)(A)). The authority of the Secretary of Transportation is delegated to the Commandant in subsections 1.46(C)(5) and (8) of Title 49 of the Code of Federal Regulations.

In consideration of the foregoing, I hereby order the Oregon State Highway Department to repair, reconstruct or otherwise take such actions as necessary to restore the highway bridge across the Skipanon River at Warrenton, Oregon to a single leaf bascule type drawbridge as originally approved by the Secretary of War on 15 September 1916 and thereafter maintain and operate it in accordance with the approved plans and the regulations contained in Section 117.740 of Part 117 of Title 33 of the Code of Federal Regulations. The restoration work shall commence within one year and complete within two years of the date of this letter. Substitution of steel for wood or other substitutions of materials consistent with good engineering practices may be made so long as the general configuration is unchanged and the approved navigation clearances are not impaired.

The Coast Guard will consider alternate proposals (deviation of plans) for relocation or redesign of the bridge which will provide for navigation no less than the original approved location and plans and existing regulations provide. Proposed deviations from the original approved location and plans will require application to and approval by the Coast Guard. The existing unapproved increased width of roadway may remain without further consideration as this deviation is not considered as having any material adverse effect on navigation. The time limits herein prescribed for commencement and completion of the restoration work may be reconsidered upon request should planning, design and construction procedures for the alternate proposal require a greater time allowance for commencement and completion.

Should the Oregon State Highway Department elect not to restore the bridge to the originally approved location and plans or elect not to propose an acceptable alternate to restoration to the original plans the bridge shall be removed in its entirety down to the natural bottom of the waterway to the satisfaction of the Commander, Thirteenth Coast Guard District. The removal work shall commence within one year and complete within two years of the date of this letter.

Your application for approval of any proposed deviation of plans, relocation, redesign or removal should be submitted to the Commander, Thirteenth Coast Guard District, 618 Second Avenue, Seattle, Washington 98104

in accordance with parts 114 and 115 of Title 33, Code of Federal Regulations and such local instructions as he may issue from time to time.

Should you wish to show cause why you should not comply with this order you may do so within 30 days of the date of this order.

Sincerely,

W. M. BENKERT
Rear Admiral, U. S. Coast Guard
Chief, Office of Marine Environment and Systems

RECEIVED
JUN 29 1972
OFFICE OF
STATE HIGHWAY ENGINEER

C. Replacement Planning

After receipt of the Coast Guard notice, Highway Division personnel met with Warrenton and Clatsop County officials and proposed that the bridge be replaced in a new corridor, utilizing S.E. 9th Street and the existing S.W. 9th Street. The existing bridge was to be removed. The proposed bridge on that corridor would cross in the vicinity of the tidal gate. The consensus of opinion was unfavorable to this plan, and it was requested by the local officials that the Highway Division consider other alternates.

On July 25, 1972, the Oregon State Highway Division responded to the Coast Guard notice. The Highway Division indicated that it was in a position to proceed with future planning for the elimination of the noncomplying structure, although Federal Highway Administration funding would be necessary, and the required planning processes for such aid would make it impossible to meet the Coast Guard's timetable. Both state and federal laws require that highway and structure replacement planning follow certain procedures; namely, that hearings be held, that the rights and desires of the people involved be protected, that environmental impact studies be completed, and so on. In addition to federal statutes, there are certain state statutes which the Highway Division must observe when constructing highway facilities within an incorporated area, such as the city of Warrenton.

The Highway Division initiated a survey of the location and examined several alternatives. The Highway Division notified the Coast Guard on October 5, 1972, that it was planning to hold a hearing within a year. On December 5, 1972, the Highway Division sent the Coast Guard a proposed schedule which would have construction completed by May, 1977. The Coast Guard on January 24, 1973, determined that the timetable was reasonable.

A reconnaissance investigation was made in the spring and summer of 1973, and eight alternative solutions were suggested and studied for the replacement of the highway bridge. Six of these alternatives would have utilized the same corridor in which the present bridge is located, and the other two would have been in different corridors (upstream). Five alternates would involve reconstruction of the existing bridge, and the other three would require new structures. (Detailed discussions of these corridor and design alternates are found in the "Alternatives" section of this statement.)

After considering the various alternatives, the Highway Division proposed the installation of a replacement main span consisting of a single leaf lift span with tower and notified the Coast Guard of this intent on May 1, 1973. Further study suggested that a thin profile span might be a better design than a lift span with tower and was under study. Studies at that time indicated that the most economical method of bringing the structure into permit compliance was revision of the center spans to incorporate some type of movable section. Funding for the total replacement was not available at that time. The Highway Division continued with the initially agreed-upon schedule.

On August 7, 1973, the Highway Division, again, sent a progress report to the Coast Guard. The Highway Division decided to go with a revision of the center spans to incorporate a movable section. The design provided for a single-leaf bascule span opened by cables. Since this was maintenance work on an existing structure and since only state funding was proposed, the construction completion date was moved back to July, 1975. However, as noted in the letter to this effect to the Coast Guard on August 7, 1973, "this date is contingent upon the type of financing and the lack fo need for right-of-way, public hearings, environmental impact statement, etc." The Coast Guard response on August 15, 1973,

was favorable and indicated their acceptance of the solution.

However, the proposal was not fully accepted by the community, and the proposal became a focus of controversy over the best use of the Skipanon River above the bridge.

On October 25, 1973, a request was made by the Highway Division to the Coast Guard to allow the structure to remain in its present condition until these differences could be resolved. A letter was received from the Coast Guard, dated November 9, 1973, denying this request and insisting that the Highway Division comply with the order contained in the Coast Guard letter dated June 26, 1972. The Highway Division, desiring to fulfill the legal requirement to restore the bridge to a fast-opening span and yet to provide the community with the structure that best suited their needs, decided that the proposal should be presented at a public hearing in Warrenton.

On December 20, 1973, a hearing was held at the City Hall in Warrenton. Approximately 35 persons were present. At the hearing, the consensus of those presenting their views was that the crossing at this point should be retained, but with a bridge that will open more quickly. There was also a preference for a greater closed vertical navigational clearance than the present bridge has. A spokesman for logging interests favored either operation of the bridge with its present configuration or construction of a fixed span on the 9th Street corridor.

Individuals representing boating interests favored a fast-opening bridge having a greater closed vertical navigational clearance, located at the present site. A petition circulated in October, 1971, bearing 50 signatures, requested a "quick-opening bridge with clearances of 40 horizontal feet and 15 feet vertical above mean lower low water (-3.6 feet)." Another petition with 13 signatures circulated in August, 1973,

requested provisions for a "bascule span highway bridge with closed vertical clearance of not less than 30 feet" and "regulation of the railroad bridge to close only for the infrequent passage of trains."

On January 22, 1974, the city of Warrenton formally requested that the Highway Division prepare a design, including:

(a) Counter-balanced, bascule span, eliminating the tower design previously recommended, which is in violation of the city's comprehensive land use plan and zoning ordinance;

(b) Realignment of the structure by acquiring right-of-way on the east end of the approach to flatten the curve at the approach to the bridge;

(c) A design with a vertical clearance approximately five feet higher than the existing structure; and

(d) All to be done without affecting any businesses on East Harbor Street.

The establishment of a firm date for commencement of the bridge work was clouded by several issues. The Highway Division operates under a mandate from the state legislature that land use and transportation planning be an integrated process, and at that time, Warrenton was only in the initial stage of developing a comprehensive land use plan. The ultimate solution to the Skipanon River bridge problem is long-range and tied to Warrenton's land use planning. It seemed premature for the Highway Division to go ahead with planning for an expensive, higher grade line, double bascule bridge. Therefore, on May 1, 1974, the

Coast Guard was notified that the Highway Division was planning to return to the design for a single-leaf bascule span, which had already been approved by the Coast Guard. This action was seen as a interim solution to fulfill the Coast Guard order, until funding was available and the community requested a new replacement bridge. Work was to commence by fall, 1974.

On May 2, 1974, the Highway Division sent a letter to the city of Warrenton, informing them of this interim solution to the problem. Shortly thereafter, on May 14, 1974, another informational meeting was held at Warrenton with Warrenton and Clatsop County officials.

On June 5, 1974, the city of Warrenton officially informed the Highway Division of their recommendation that a new bridge be built at the present location, that the poor alignment be corrected, that the bridge be a fast-opening bascule type rather than a swing type, and that a detour route be constructed in the immediate vicinity of the present location.

The Highway Division, acting upon the city's decision, informed the Coast Guard on July 23, 1974, the preliminary plans had been started for construction of a deck level, single or double bascule with clearance in the closed position of approximately 18 to 20 feet above extreme low tide (-5.8 feet). Federal-aid funding was necessary and would be requested. A critical path schedule was also furnished, indicating contract letting in 1977.

At the Oregon Transportation Commission meeting on July 30, 1974, replacement of the Skipanon River bridge with a modern structure was approved. It was to be a federal-aid secondary project with an estimated cost of $2 million.

On September 17 and 18, 1974, meetings were held in Astoria with

Highway Division personnel, Coast Guard personnel, city and county officials and concerned individuals involving freedom of movement in the Skipanon River during planning and construction for the new bridge. It was decided that other designs would be worked up for presentation at a formal public hearing. On October 22, 1974, the Highway Division notified the Governor's office that it no longer objected to the Corps of Engineers Public Notices 70-10 and 70-12.

The Notices on Intent for interagency review were sent out on November 19, 1974. The January 10, 1975, State Clearinghouse response was favorable to the project. On January 15, 1975, the Clatsop-Tillamook Intergovernmental Council rejected the proposal and suggested that a less costly replacement be considered.

In a letter dated January 29, 1975, the Oregon State Highway Division informed the Coast Guard of the CTIC's decision on the proposal and stated that the Highway Division was uncertain as to how CTIC's objection to the proposal would affect progress. However, the Highway Division reiterated that it would continue with a new schedule which would allow award of a construction contract about five months prior to that previously indicated.

On February 26, 1975, the Coast Guard informed the Highway Division that the matter has been referred to the U.S. Department of Justice for prosecution.

D. Summary of Issues and Concerns

As indicated in the previous section of this statement, the Oregon State Highway Division's planning to formulate a project proposal that it acceptable to the Coast Guard, the local community and vested interest groups has been a long, frustrating experience. The basic issues and concerns of the project are summarized as follows:

Issue #1: The use of the Skipanon River above the highway bridge.

The Coast Guard, safeguarding navigational interests and acting on federal law, desires that this waterway be kept open for navigation. Local development interests and navigational interests want full and free navigation on the river. The logging interests would like to use the waterway for log storage. The city of Warrenton originally proposed closure of the waterway to navigators, but subsequently reversed that opinion. The Highway Division in the 1960's requested permits from the Corps of Engineers to maintain a fixed span across the waterway, thus continuing the historical use of the waterway. Furthermore, the Highway Division has requested that the Coast Guard hold public hearings on the use of the waterway to determine the best use.

Issue #2: The need for replacing the existing bridge.

The Coast Guard, holding the Highway Division in violation of the original permit, demands that the bridge be restored to the configuration of the 1916 permit, to a configuration that insures navigability of the Skipanon River, or to completely remove the existing bridge. The Highway Division, acting in good faith upon the Coast Guard order, will change the bridge configuration. However, from the Highway Division's viewpoint, the existing brdige is structurally sound and does not need replacement or repair at this time. The Highway Division is concerned with the anticipated frequency of openings of a new bridge and the resulting interruption to free traffic flow. Furthermore, funding for replacement has not been available. Navigational interests desire immediate replacement with a fast-opening span. The community of Warrenton recognizes the legal requirement for replacing the bridge. However, they do not want a bridge replacement that will

disrupt the free flow of traffic. The local intergovernmental council disagrees with the expenditure of $2,000,000 for replacement of the bridge.

Issue #3: The schedule for replacing the bridge.

The Coast Guard wants the bridge replaced or modified as soon as possible to insure free navigation upstream. Likewise, other local navigational interests prefer immediate action. The Oregon State Highway Division, constrained by state and federal laws which require integrated planning and full public participation, is not in a position to replace the bridge immediately. The Highway Division wants to build a bridge that is compatible with future transportation needs of the area and which is agreeable to the local citizens. An immediate solution would be to replace only the floatout span with a lift span. However, this solution, although it allows prompt resolution of the legal problem, has not met with approval from the community of Warrenton and navigational interests.

Issue #4: The type of bridge modification or replacement.

The Coast Guard has ordered restoration of the existing bridge to original permit standards. However, the Coast Guard has been agreeable to alternatives that conform to the standards of the law and restore navigation to the waterway. The Oregon State Highway Division initially proposed replacement of the bridge in a different corridor above the navigable limits of the waterways and removal of the present bridge. The city of Warrenton objected to this proposal since it would change the traffic pattern in the city center. The second proposal was to modify only the floatout span portion of the bridge with a lift span using towers.

Again, the city of Warrenton objected to this proposal, citing aesthetic reasons and the fact that the towers would be in violation of a city zoning ordinance. Subsequently, in 1973, a reconnaissance study resulted in eight alternates for the bridge corridor and design. The city of Warrenton requested a counter-balanced, bascule span. If only replacement of the floatout span were required, state funding was available. However, total replacement requires federal-aid funding.

TABLE 5

Chronological History

Date	Activity
Sept. 15, 1916	Secretary of War issues bridge permit to Clatsop County.
Feb., 1933	Clatsop County replaces drawspan with timber, A-frame, floatout span. City of Warrenton attaches waterline to bridge. No permits issued.
Dec., 1946	Highway and bridge transferred from county to state of Oregon. Entry recorded in Highway Commission minutes, Dec. 30, 1946.
1965	OSHD[1] replaces bridge with a steel beam, floatout span. No permit secured.
1963-1965	OSHD makes application to the Corps of Engineers for approval to maintain the bridge as a fixed span or alter it as a fixed span and reduce the vertical clearance. Applications denied.

[1]Oregon State Highway Division

Feb. 26, 1970	Public Notice 70-10 issued by Corps of Engineers. Notice involves a request from H. G. Palmberg for piling and dredging in the Skipanon River. Public Notice 70-12 issued soon after at request of Oregon Ocean Supply. Permits not issued due to necessary disruption of bridge traffic.
July 29, 1971	Letter (Corps of Engineers to Governor Tom McCall.) Letter indicates that the present bridge does not have the cover of a valid federal permit and is illegal.
Aug. 31, 1971	Letter (City of Warrenton to Corps of Engineers). City petitions for the closure of the Skipanon channel to navigation above railroad bridge.
Oct. 8, 1971	Letter (USCG[2] to OSHD). Coast Guard forwards letter requesting replacement of bridge with a bascule span. Further states that no permit is on file for present bridge.
Oct. 27, 1971	Letter (USCG to OSHD). Approves drawings, and permit for bridge forwarded.
Jan. 17, 1972	Letter (USCG to OSHD). Bridge is in violation of permit. OSHD given 30 days to respond with plans for restoration or other alternatives.
Feb. 11, 1972	Letter (OSHD to USCG). Admits OSHD is in violation of permit. Provides history and desires to continue with status quo.
June 26, 1972	Letter (USCG to OSHD). OSHD is put on notice to return bridge to a fast-opening span: restoration work shall commence within one year and be completed within two years.

[2]United States Coast Guard

July 12, 1972	Meeting of OSHD personnel with local officials. OSHD proposes an alternative location upstream beyond dam. City and county not in favor and suggest new proposals be drawn up.
July 25, 1972	Letter (OSHD to USCG). Coast Guard timetable cannot be met. Federal aid funding would be required. Minimum time 54 months to maximum 108 months to complete planning and construction.
Aug. 25, 1972	Letter (USCG to OSHD). Time schedule is excessive.
Sept. 8, 1972	Letter (OSHD to USCG). State and federal laws require public input to project. Reiterate that time schedule is necessary.
Sept. 29, 1972	Letter (USCG to OSHD). Order concerning restoration or removal of bridge will be invoked and the legal remedies provided by law will be sought.
Oct. 5, 1972	Letter (OSHD to USCG). OSHD is examining alternatives. Hearing will be within one year.
Nov. 16, 1972	Letter (USCG to OSHD). Request for time schedule,interim plan for navigation and pipeline relocation.
Dec. 5, 1972	Letter (OSHD to USCG). Schedule sent to Coast Guard. Construction complete schedule date, May 1977.
Jan. 24, 1973	Letter (USCG to OSHD). Timetable is determined to be reasonable.
Apr. 25, 1973	Letter (USCG to OSHD). Requesting notice of the hearing scheduled for June 1973.

May 1, 1973	Letter (OSHD to USCG). Highway Division proposes a replacement main span. No hearing required.
May 25, 1973	Letter (OSHD to USCG). Progress report: funds not available for a total bridge replacement; a thin profile span proposed that will keep lifting machinery and span out of high water; schedule can still be achieved.
July, 1973	OSHD reconnaissance study completed, eight alternatives.
Aug. 7, 1973	Meeting of OSHD and Warrenton officials. Officials recommend that remodel alternative for remodeling the bridge be constructed.
Aug. 7, 1973	Letter (OSHD to USCG). Progress report: planning to revise the center span to incorporate a movable section; state funds only; July 1975 is completion schedule.
Aug. 15, 1973	Letter (USCG to OSHD). Coast Guard accepts OSHD solution.
Oct. 25, 1973	Letter (OSHD to USCG). Alternative design is not acceptable to community. Larger span is desired by some factions. Community conflict over best use of waterway. OSHD feels that expenditure is not justified at this time. Suggests Coast Guard hold hearing on proper use of waterway. No further action at this time.
Nov. 9, 1973	Letter (USCG to OSHD). Bridge is an unlawful structure and must be replaced. Request plans for commencing work.
Nov. 30, 1973	Letter (OSHD to USCG). OSHD decides to continue plans for remodeling the bridge with scheduled completion in July 1975. Public hearing set for Dec. 20, 1973.

Dec. 17, 1973	Letter (USCG to OSHD). Schedule received.
Dec. 19, 1973	Information Session at Warrenton.
Dec. 20, 1973	Public Hearing, Warrenton City Hall. Consensus of local opinion was that a fast-opening new bridge should be built with a greater closed vertical navigational clearance.
Jan. 22, 1974	Letter (City of Warrenton to OSHD). Community requests a counter-balanced, bascule span, eliminating the tower design; realignment of roadway to eliminate curve; a design with vertical clearance approximately 5 feet higher than the existing structure.
Mar. 5, 1974	Letter (USCG to OSHD). Current status of planning requested.
May 1, 1974	Letter (OSHD to USCG). Schedule (updated) sent. OSHD returns to original proposal of a single-leaf bascule as an interim solution, while land use plans and other extraneous problems are solved. Work to commence on bridge by fall 1974.
May 2, 1974	Letter (OSHD to city of Warrenton). Highway Division recommending the single leaf bascule span.
May 14, 1974	Informational meeting with OSHD personnel and representatives of the Warrenton Planning Commission and Clatsop County Planning Commission. Community requested by OSHD to aid in selecting the alternative, considering the constraints.
June 5, 1974	Letter (city of Warrenton to OSHD). Community requests new bridge at present location, removal of poor alignment, construction of a fast-opening bascule rather than swing bridge, and a detour route in the immediate

vicinity of the present location.

June 24, 1974 — Letter (USCG to OSHD). Highway Division put on order again.

July 23, 1974 — Letter (OSHD to USCG). Federal funding will be requested. Critical path furnished. Contract letting in 1977. Preliminary plans for construction of a deck level single or double bascule with clearance in the closed position of about 18-20' have been started.

July 30, 1974 — Oregon Transportation Commission approves replacement of existing bridge with a modern structure. Cost $2,0 million; Federal-aid secondary funding to be requested.

Aug. 12, 1974 — Letter (OSHD to FHWA[3]). Project environmental assessment forwarded.

Sept. 17 & 18, 1974 — Meeting at Astoria (OSHD, USCG, Others). OSHD will work up plans for other designs.

Oct. 22, 1974 — Letter (OSHD to Governor McCall). OSHD withdraws its objections to Corps of Engineers' Public Notices 70-10 and 70-12.

Nov. 5, 1974 — Letter (FHWA to OSHD). Request for information.

Nov. 19, 1974 — Letter (OSHD to FHWA). History of project and plan for proceeding.

Dec. 10, 1974 — Notices of Intent sent to District and State Clearinghouse.

Dec. 13, 1974 — Letter (Clatsop-Tillamook Intergovernmental Council to OSHD). Request additional time to respond to Notice of Intent.

[3]Federal Highway Administration

Jan. 10, 1975	Letter (State Clearinghouse to OSHD). No significant conflict with the plans, policies or programs of State government have been identified. State Fish Commission wishes design coordination.
Jan. 15, 1975	Letter (Clatsop-Tillamook Intergovernmental Council to OSHD). Council rejects the proposal. Suggests a less costly replacement project.
Jan. 29, 1975	Letter (OSHD to USCG). OSHD sends revised critical path which allows award of a construction contract about five months prior to that previously indicated. OSHD uncertain at this time how Clatsop-Tillamook Intergovernmental Council's objection to proposal will affect progress.
Feb. 26, 1975	Letter (USCG to OSHD). USCG has referred matter to the U.S. Department of Justice for prosecution.

Appendix B

STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION

Source: Oregon State Highway Division, 1974

107.08 Water and Air Pollution Control - Attention is directed to ORS Chapter 449 which sets forth requirements relative to the prevention, control and abatement of water and air pollution. The contractor shall conduct his operations in conformity to the applicable sections of ORS Chapter 449, laws amendatory thereto, and all pertinent regulations of the Department of Environmental Quality and other agencies of the State and the Federal Government, as well as ordinances or resolutions enacted or adopted by local authorities. It is public policy that all practicable means be exercised to prevent, control and abate the pollution of waters of the State, and to maintain reasonable purity of the air by the control or abatement of air pollution. Pursuant to the above, specific means to be exercised by the contractor include but are not limited to the following:

(a) Water pollution control measures—The contractor shall exercise every reasonable precaution throughout the life of the contract to prevent, control and abate siltation, sedimentation and pollution of all waters of the State as such are defined in ORS 449.075, in accord with the policy set forth in ORS 449.077 and in conformance to the plans, specifications and special provisions pertinent and applicable under the contract. For convenience of reference herein, measures and means involved in the prevention, control and abatement of water pollution will be collectively termed "water pollution control measures".

When sequences and schedules of performance bearing on water pollution control measures are indicated or involved, the contractor shall furnish the engineer with his proposed schedule of compliance and performance thereunder; such schedule shall meet with the approval of the engineer, and the approved schedule shall be met by the contractor, subject to approved modifications during construction.

With reference to State-controlled sources of borrow and aggregates and to State-controlled waste disposal sites, the contractor's plan of operations thereat and the water pollution control measures to be taken with reference thereto shall be in full compliance with public policy and will be subject to the approval or disapproval of the engineer with reference to such compliance.

With reference to contractor-furnished waste or disposal areas and borrow areas, the contractor in selecting such areas shall take such affirmative action as is necessary to assure that the location of such areas, the operations therein, the construction of access roads thereto, and the conditions of the areas after work is completed therein, are and will be in conformance with the policy and requirements of ORS 449.

With reference to water pollution control measures during construction activities and just prior to temporary suspensions of the work, the three paragraphs which follow shall be operative and in effect to the fullest practicable extent:

(a-1) The top surfaces of earthwork shall be sloped to permit runoff of surface water, berms shall be shaped along the top edges of embankments to intercept runoff water, and nonerosive slope drains shall be provided at proper intervals and at locations which will alleviate erosions and deposits which might give cause for water pollution.

(a-2) Construction operations in water areas shall be held to a practicable minimum and shall be restricted to those areas which must be entered for the planned construction and for temporary operations pursuant thereto. The frequent fording of live streams shall be avoided by the construction and use of temporary bridges or culverts. Mechanized equipment shall not be operated promiscuously in live streams. Roiling of waters will be cause for the construction of diversion dikes or settling basins to avoid sediment problems.

(a-3) The banks and beds of waterways and impoundments shall be promptly cleared of all debris, falsework and obstructions placed therein or caused by the construction operations but which are not a part of the planned improvement.

(b) Air pollution control measures—The contractor shall exercise every reasonable precaution throughout the life of the contract to safeguard the air resources of the State by controlling or abating air pollution, as defined in ORS 449.760, in accord with the policy and purpose set forth in ORS 449.765 and 449.770. With particular reference to this subject, the contractor's attention is directed to subsections 107.02, 107.19, 107.20, 201.34, 203.42, 233.01 and 401.33 of these standard specifications.

(c) Payment—Compliance with the above provisions and conformance to all other provisions of the contract bearing on water and air pollution control measures will be classed as incidental or subsidiary work, payment for which shall be understood to be included in the contract unit prices for pay items listed in the schedule of contract prices.

107.10 Protection of Fish and Shellfish - The attention of the contractor is called to the authority of the State Fish Commission to regulate operations which affect commercial fishing and fisheries and to the authority of the State Game Commission to regulate operations which affect game fish and fisheries. The contractor's operations are to be conducted in such manner as to avoid any hazard to the safety and propagation of fish and shellfish in the waters of the State. The following conditions, among others, are to be so avoided: underwater blasting; release of petroleum products or chemicals in the water; disturbance of spawning beds; obstruction of stream channels; and silting or sedimentation of water. The contractor is expected to inform himself of the conditions subject to regulation by the above Commissions and he shall conduct his operations in compliance with such regulations.

Where the character and use of a stream warrants, and where such a procedure is practicable, the contractor shall construct suitable settling basins for the clarification of water roiled or made muddy by the taking or washing of rock, gravel and/or sand or by the depositing of earth or other materials in and near streams and other bodies of water.

Where the rock, gravel, sand, earth or other material which is, or would be, the cause of the roiling or muddying of a stream or other body of water is excavated by the contractor from State-controlled land, the State will make available to the contractor lands on which to construct required settling basins.

107.11 Deposits In and Bridges Over Navigable Waters - Attention is directed to the Federal River and Harbor Act approved March 3, 1899, and amendments thereto, which prohibits (except under certain conditions with prior approval of the Secretary of Army) the placing or suffering to be placed of any obstructive material or refuse in any navigable water, on the bank of any navigable water, or on the bank of any tributary of any navigable water where the same will be liable to be washed into such navigable water by ordinary or high tides, by storms or floods, or otherwise whereby navigation will or may be impeded or obstructed, and which also provides penalties for violation.

All work on or over navigable waters shall be so conducted that free navigation of the waterways will not be interfered with and that the existing navigable depths will not be impaired except as allowed by permit issued by the U. S. Army Corps of Engineers and/or the U. S. Coast Guard, as applicable.

Appendix C

HISTORIC SITES DETERMINATION

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

Robert W. Straub
GOVERNOR

F. A. KLAUER
Administrator of Highways

March 28, 1975

Mr. Dwight A. Smith
Project Manager
Environmental Section
State Highway Building
Salem, OR 97310

Dear Mr. Smith:

Our office has reviewed the Skipanon River Bridge Project at Warrenton, Clatsop County, Oregon. Records in our office show that no sites or buildings listed on the National Register of Historic Places or our Statewide Inventory of Historic Places will be affected.

Thank you for the opportunity to comment.

Sincerely,

Robert K. Sutton
Assistant Park Historian

RKS:EP

A DIVISION OF THE DEPARTMENT OF TRANSPORTATION

APPENDIX D
Noise Study Analysis

Sound Measurements

Sound measurements to determine the ambient noise levels in the project area were taken on March 14 and 15, 1975. Five sites were selected and measured by the use of a sound level meter. The locations are identified on the map in Figure 17.

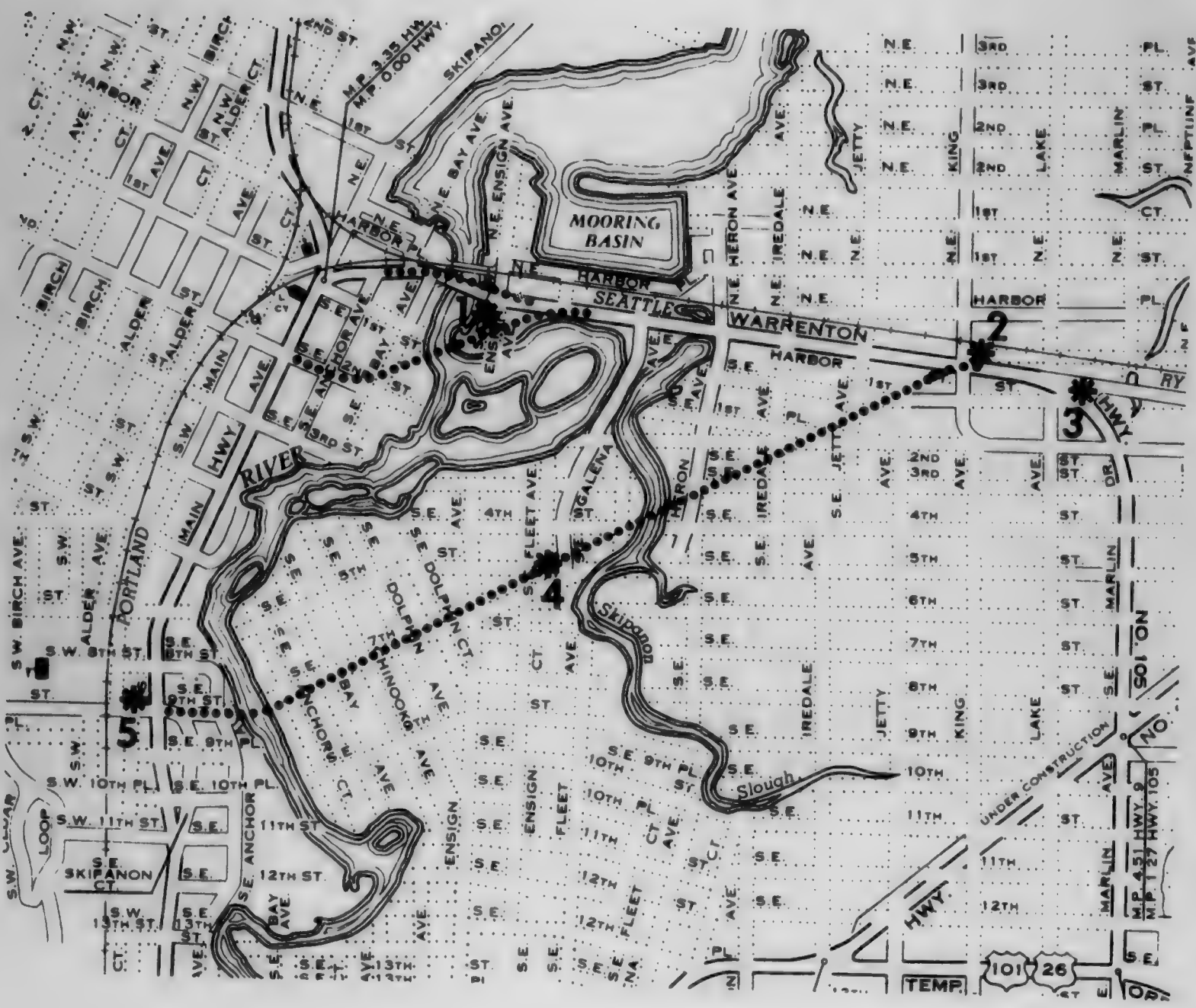
Site 1 is immediately south of the existing Skipanon River Bridge, on the east side of the river on the dike. The measurement site is approximately 100 feet from the centerline of Warrenton-Astoria Highway (Harbor Street). Site 2 is east of site 1 and north of the intersection of Harbor Street and S.E. King Street. The site is at the easterly terminus of the Ninth Street connection alternative. This measurement was 75 feet from the centerline. Site 3 is further east of site 2 on Harbor Street, at its intersection with Marlin Drive. This site was 50 feet from the centerline of Harbor Street. Site 4, southeast of the existing bridge, is near the Ninth Street connection corridor alternate. The site is on Fourth Avenue, just west of Galena Street, and is about 25 feet from the centerline of Fourth Avenue. Finally, site 5 is near the westerly terminus of the Ninth Street connection alternative, just west of the Fort Stevens Highway (Main Street) on Ninth Street. This site is 50 feet from the centerline of the Fort Stevens Highway.

Loudness

Sound level meters have built-in weighting networks which are used to simulate human hearing perception. An A weighting network is

Figure No. 17

SOUND MEASUREMENT SITES = ✱



used for most sound measurements. Subsequently, sound is measured in the unit, dBA (dB stands for "decibel" and the A indicates use of the A weighting network.

Because sound pressure levels are derived using logarithms, a doubling of sound intensity always results in a 3 dBA increase in sound level.[1] A ten-decibel increase, however, is required before a doubling of loudness is perceived. Thus, assuming constant speed, a doubling of traffic volume on a given street will, theoretically, result in a 3 dBA increase in sound level, a change which would be barely noticeable.

Conversely, directing half the traffic volume from a heavily-traveled street onto a less well-traveled street will lower the noise level on the first street by only 3 dBA, while increasing the noise level on the second street substantially.

Figure 18, on the next page, may be used to gauge the relative loudness of sounds discussed in this document.

Traffic Noise Parameters

Since traffic noises fluctuate through time, they cannot be described by a simple dBA measurement, as would be used for steady noises. Instead, statistical descriptions are used to show the percentage of time a given sound level is exceeded.

[1] The decibel is defined as ten times the logarithm of the ratio of sound intensity to that of a standard reference intensity.

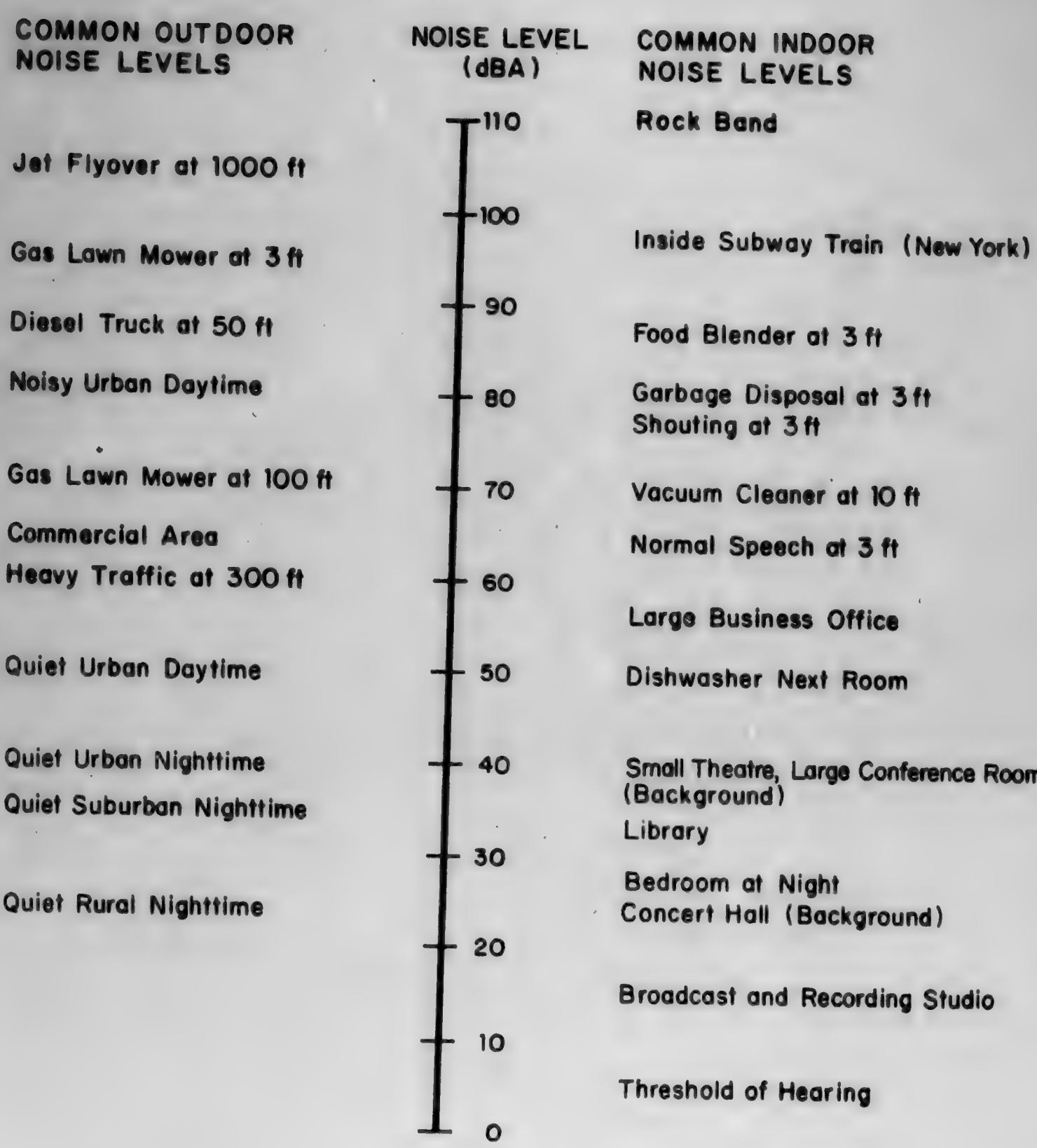
$$dB = 10 \text{ LOG } \frac{\text{SOUND INTENSITY}}{\text{STANDARD REFERENCE INTENSITY}}$$

To combine decibels, sound intensities must be added and the logarithm of the sum taken. For two equal sources, the sound level increase is:

$$dB = 10 \text{ LOG } (2) = 3.0103$$

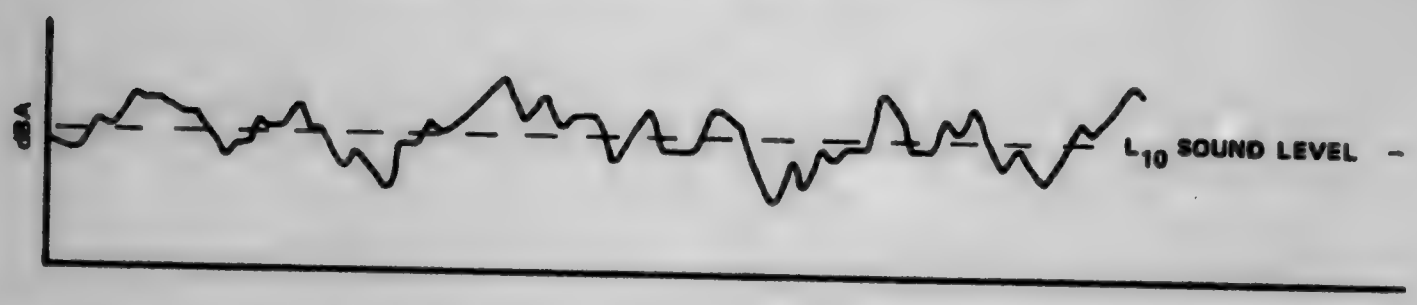
Figure 18

Typical A Weighted Sound Pressure Levels



The sketch below represents noise level as a function of time as it might occur beside a highway. A dotted line has been drawn through the data to show the sound level that is exceeded 10 percent of the time. This level is called the L_{10} sound level and is an indicator of the maximum sound level during a given time interval. The L_{10} sound level is

NOISE FLUCTUATIONS ON A TYPICAL DAY



largely influenced by the number and speed of trucks and is used in the FHWA guideline to estimate noise impact on land use sites.

The Federal Highway Administration has developed guidelines for five categories of land use, based on sensitivity to noise. This figure, presented on the next page, shows the design L_{10} noise level. When preliminary analysis shows these standards will be exceeded, exemptions must be sought from the Federal Highway Administration.

Figure 19

Federal Highway Administration Noise Guidelines

Land Use Category	Design Noise Level - L10	Description of Land Use Category
A	60 dBA (Exterior)	Tracts of lands in which serenity and quiet are of extraordinary significance and serve an important public need, and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks, or open spaces which are dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet.
B	70 dBA (Exterior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, picnic areas, recreation areas, playgrounds, active sports areas, and parks.
C	75 dBA (Exterior)	Developed lands, properties or activities not included in categories A and B above.
D	--	For requirements on undeveloped lands see paragraphs 5A(5) and (6), subject PPM 90-2.
E	55 dBA (Interior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals and auditoriums.

Source: U.S. Department of Transportation, Federal Highway Administration, PPM 90-2, Noise Standards and Procedures, (Transmittal 229, February 8, 1973).

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1963. Supplemental Watershed Work Plan: Skipanon River Watershed, Clatsop County, Oregon. (This supplement modified 1960 plan to add recreational development.)

8651
FORM 21-724-3080

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon
April 23, 1975

FILE: ~~104-1915~~ 8

FROM: T. W. Litchfield
REGION OPERATIONS ENGINEER

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway
City of Warrenton

TO: E. S. Hunter
ASSISTANT STATE HIGHWAY ENGINEER

Attached, for your review, is a March 21, 1975, letter from E. L. Everton, detailing the information for the rental, leasing or purchase of a barge for opening of the Skipanon River Bridge. Also attached is C. O. Fredrickson's letter to Pat Randolph, dated March 24, 1975.

As you review the information in Mr. Everton's letter, you will see that the economic solution to this problem would be to purchase the LCM for $35,000. With this type of barge, the span could be removed with no problem, and the barge could also be used for other purposes requiring access by water. Mr. Everton also advises that with the LCM he could complete an opening of the bridge in approximately one hour, once the procedure is smoothed out.

I recommend that the State purchase the LCM for $35.000.

5-5-75
ORIGINAL TO
H. S. Coulter

TWL/elk
Attach.

5-5-75
Scott Coulter.

I believe we should proceed w/ purchase and an application for a scheduled opening of one day a week. Everton was to work out opening schedule w/ Palmberg, etc. Will you proceed w/ purchase?
Ed

RECEIVED
APR 23 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

9

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
SALEM, OREGON 97310
TELEPHONE: (503) 378-6368
211 State Highway Building

April 14, 1975

E. S. Hunter
Assistant State Highway Engineer-Design
Room 140
State Highway Building

Dear Mr. Hunter

As you know the Coast Guard has assigned the Skipanon file to Tom Lee, an Assistant U.S. Attorney now located in Portland. Mr. Lee has indicated on a number of occasions that he would like us to establish some interim bridge opening solution before he instructs the Coast Guard to accept our construction schedule as consistent with their order.

The Coast Guard has now referred our draft EIS to Mr. Lee and I am sure that when I talk with him he will want to know what we are doing with interim bridge openings. Last month Palmberg responded to my inquiry with a statement of his needs. A copy to you was indicated.

Could you fill me in on our status with respect to barge acquisition or other interim solutions.

Sincerely

Patrick A. Randolph, Jr.
Assistant Attorney General

PAR:hg

NOTED
E. S. HUNTER
cc Coulter
5-5-75

RECEIVED
APR 14 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

cc: E. S. Hunter
L. W. Rulien
W. J. Hart
Robert E. Royer
George Wills
C. G. Swenson
F. E. Terpin
D. L. Trout
C. O. Fredrickson (2)

cc's sent 4-17-74 we

FISH COMMISSION

OFFICE OF THE DIRECTOR

307 STATE OFFICE BLDG. • 1400 S.W. 5th AVE. • PORTLAND, OREGON • 97201

Robert W. Straub
---TOM McCALL---
GOVERNOR

COMMISSIONERS
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Chairman
JACK F. SHIELDS
Vice Chairman
McKEE A. SMITH
Member
THOMAS E. KRUSE
State Fisheries Director

April 14, 1975

Mr. L. H. Versteeg
Road Design Engineer
Highway Division
223 Highway Building
Salem, Oregon 97310

RECEIVED
APR 15 1975
ROAD DESIGN SECTION

Terpin
Swenson
Trout

Response Desired
Receiver Keep
Do not File
Return To
Bring Up
Other

NOTED
E. S. HUNTER

Dear Hal:

SKIPANON RIVER BRIDGE

We have reviewed the bridge replacement proposal and have the following comments and recommendations.

Rerouting the highway (Alternates 2 and 3) would create impacts to the environment and affect wildlife, fish and aquatic organisms. Dredging the river bottom in this area would release toxic materials, reduce oxygen and cause siltation. Also, constructing the bridge in one area and demolishing one in another area would maximize dredging effect.

We, therefore, recommend Alternate 1, Design Alternate G (fixed span bridge), since it will have the least impact on wildlife, fish and aquatic organisms as well as the following:

1. The span is high enough to let small boats through without opening the span.

2. The area affected by dredging would be minimized as the old and new bridges are in the same area.

RECEIVED
APR 17 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

3. Half the work would be done at one time thus reducing the effects from dredging.

4. The fixed span would minimize any impedance to water flow.

5. Utilization of present site would eliminate destroying shoreline in other areas.

Sincerely,

Burt Carnegie

BURT CARNEGIE
FISH PASSAGE SPECIALIST

cc Astoria Field Lab, Link
Oregon Wildlife Commission
Gary A. Potter
Victor D. Wolfe

8651

8

April 9, 1975

1217

Clatsop County Board
of Commissioners
County Courthouse
Astoria, Oregon 97103

Gentlemen:

Your letter of March 26 referred to the construction of the Astoria-Camp Rilea Section of US101 and the Skipanon River Bridge projects.

Work is currently under way on both projects. The Skipanon River Bridge project is scheduled for construction during the summer of 1976.

It has been determined that Draft and Final Environmental Statements are required on the Astoria-Camp Rilea Section. Preparation of the Draft EIS is under way and our estimate now is to have an approved Final EIS by March 1, 1976. There is a considerable amount of right-of-way to acquire after the EIS has been approved. If adequate funds continue to be available this project will be contracted next year.

I appreciate the opportunity to clarify this matter.

Very truly yours,

F. B. Klaboe, Administrator
and State Highway Engineer

bc: A. E. Johnson
E. S. Hunter
L. W. Rullen

GNH:ljt srb

CLATSOP COUNTY

Courthouse . . . . Astoria, Oregon 97103

March 26, 1975

Mr. Fred Klaboe
State Department of Transportation
Highway Building
Salem, Oregon 97310

RECEIVED
MAR 31 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Dear Mr. Klaboe:

It has been indicated by recent news announcements that Clatsop County will not receive any of the recently released Federal Highway Funds for State Highway construction in our county.

Although we recognize that the backlog of needed projects in Oregon is large, we believe that additional consideration of two very critical projects in Clatsop County is warranted. The project we would wish you to give additional consideration to is the south section of the Warrenton By-Pass, and the Skipanon Bridge project.

Clatsop County has, through gifts and purchases by the State, conveyed title to, what we were led to believe, adequate right-of-way for the Warrenton By-Pass section. This occurred prior to the need for an environmental impact statement, which should allow for the project to move into final design stages in a short time. This section has many hazardous sections, such as a bad curve called "dead man's curve" on the north, and the combination of Burlington Northern Railway and the Fort Steven's State Park turn-offs.

The Skipanon Bridge in downtown Warrenton has caused some major problems in safety, but mainly should have a high priority because of the inconvenience caused when it is opened. It causes the traffic to detour for many hours because it is a lift out span which has long outlasted its usefulness.

From the afore mentioned concerns, the Clatsop County Board of Commissioners submit this request for reconsideration of your assignment of priorities to include these projects in any future consideration.

RECEIVED
STATE HWY ENGR
MAR 31 '75
REFER TO
FOR
Init. | Inves. | R/D | D/R | Sign | Art | File

BOARD OF COUNTY COMMISSIONERS
CLATSOP COUNTY, OREGON

BY _____ Commissioner

BY _____ Commissioner

BY _____ Commissioner

LGO:ss

L. L. JOHNS

8651

8

DIVISION OF STATE LANDS
302 Winter Street N.E.
Salem, Oregon 97310

WE'VE MOVED!
OUR NEW ADDRESS:
1175 STATE STREET
SALEM, OREGON 97310

Date: April 8, 1975

Attached is a copy of a Public Notice received from the Portland District, Corps of Engineers, on April 8, 1975.

Permit request submitted by: Palmberg Construction Company

Descriptive File No.: 071-OYA-1-001836 Skipanon River - Moorage

Please return your comments to the Division of State Lands by: April 30, 1975

Application involves: ( ) Fill ( ) Easement ( ) Certified Riprap (x) Moorage
( ) Removal ( ) Public Rights Investigation ( ) Lease

c/r: Division of State Lands' No. no removal/fill permit required.

We have reviewed the above Corps Notice and offer the following comments:

( ) We do not believe the project would have an adverse effect.

( ) We believe the effects of this project, although measurable, would be acceptable.

( ) We believe the project would be acceptable if methods of construction were altered as listed below.

( ) We would attend a conference with the applicant to seek project alternatives.

( ) The project is unacceptable as proposed (explained below)

( ) We have no basis for comment as explained below.

RECEIVED
STATE HWY ENGR
APR 10 '75
REFER TO
FOR
Info | Inves | R/O | D/R | Sign | Act
X

Explanations and Comments

Date:

NOTED
E. S. HUNTER

4-14-75
ORIGINAL TO
Vic Wolfe
to reply.

Wolfe
for reply.

By

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

REPLY TO ATTENTION OF: NPPND-RF-1

7 April 1975

PUBLIC NOTICE
071-OYA-1-001836
MOORAGE
SKIPANON RIVER MILE 2.6 - AT WARRENTON, OREGON

Interested parties are hereby notified that application has been made for a Department of the Army permit for work in navigable waters of this Engineer District under Section 10 of the River and Harbor Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403) as follows:

Name of Applicant: Palmberg Construction Company, P. O. Box 448, Warrenton, Oregon 97146.

Character and Purpose of Work: To construct a private moorage facility consisting of 4-piles, two 9' X 17' floats, one 8' X 8' float, two 3' X 28' floats and a 3' X 24' access ramp as shown on the attached drawing marked 001836 (Skipanon River - Moorage) for the purpose of mooring company dredges and/or boats.

Additional Information: Additional information may be obtained from David E. Palmberg, Vice President, Palmberg Construction Company, P. O. Box 448, Warrenton, Oregon 97146.

The requested permit, if issued, will be subject in part to the following conditions:

1. All construction debris will be disposed of on land in such a manner that it cannot enter into the waterway.

2. All piling and lumber treated with creosote or other protective material will be completely dry before use in or near the waterway.

3. Care will be taken to prevent any petroleum products, chemicals or other deleterious materials from entering the water.

4. Work in the waterway will be done so as to minimize turbidity increases in the water which tend to degrade water quality and damage aquatic life.

5. The attachment of any floats, ramps, walkways or other nonmotorized appurtenances not specifically authorized by this instrument (and shown on the drawings attached hereto) or the modification of any authorized features will not be permitted without the prior written approval of the District Engineer.

(908)

NPPND-RF-1
RE: 071-OYA-1-001836
(Ohlgamon River - Moorage)

Additional Requirements: State law requires that leases, easements or permits be obtained for certain works or activity in the described waters. These state requirements must be met where applicable and the Department of the Army permit obtained before any work waterward of the ordinary high water line may be accomplished. Similarly, the governing county, city and/or other local governmental agencies may also have ordinances or requirements which must be satisfied before the work is accomplished.

Interested parties are requested to submit in writing any comments or objections they may have to the proposed work.

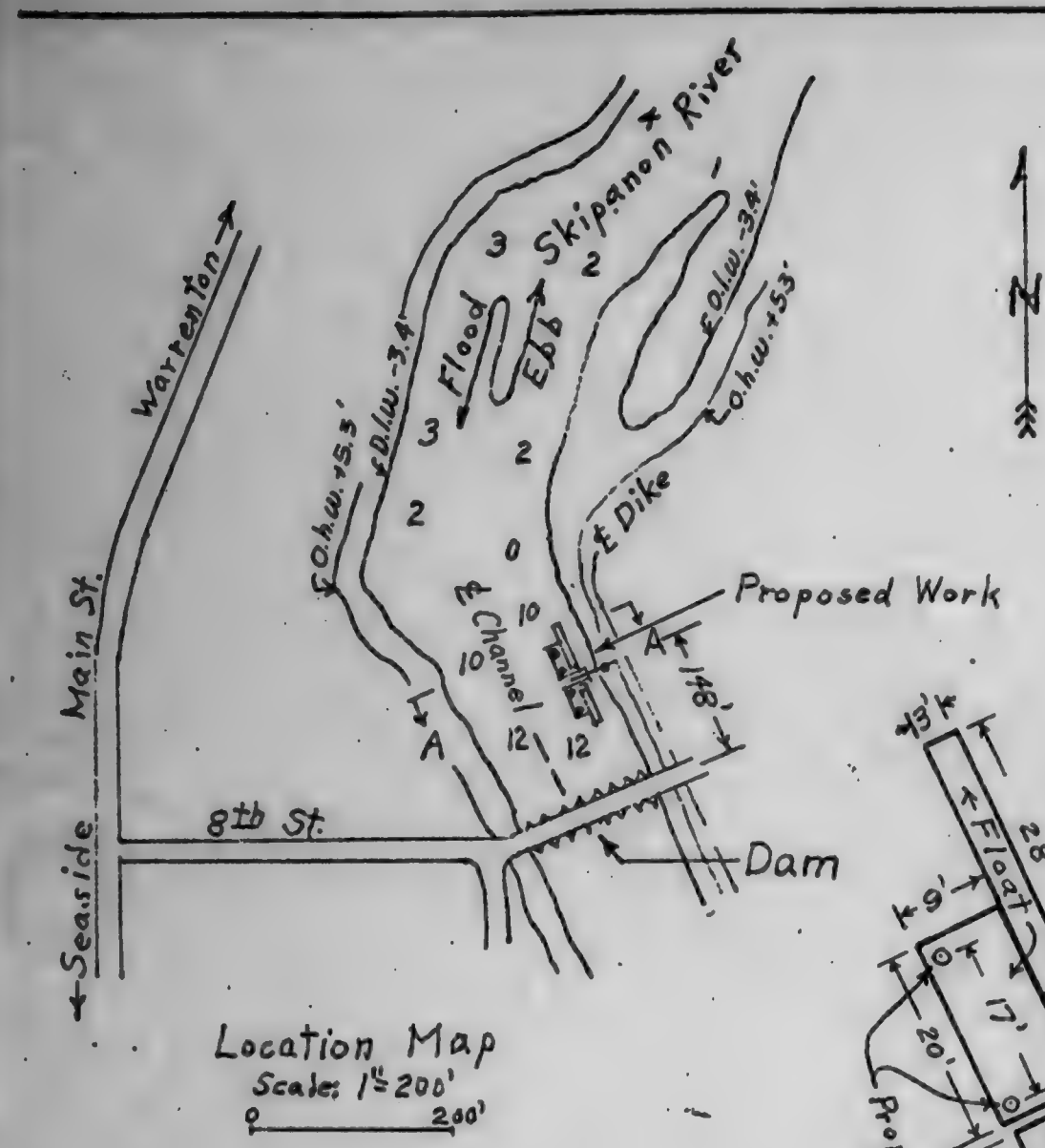
The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

A preliminary determination has been made that an environmental impact statement is not currently required for the proposed work.

Replies to this notice should be mailed to reach this office not later than 7 May 1975.

A. J. HEINEMAN
Chief, Navigation Division

001836 (Skipanon River - Moorage)



Location Map
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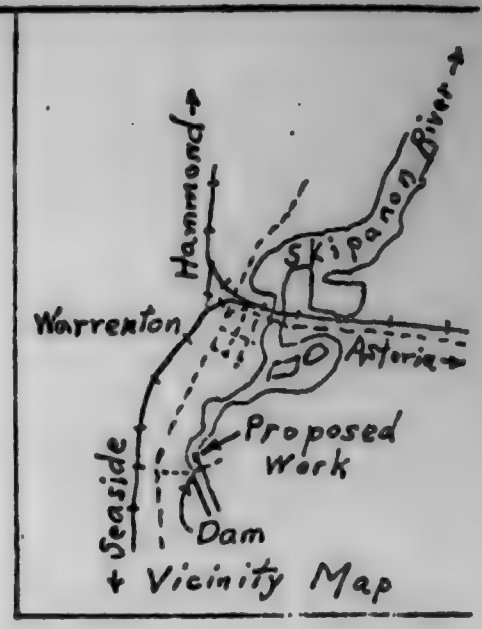
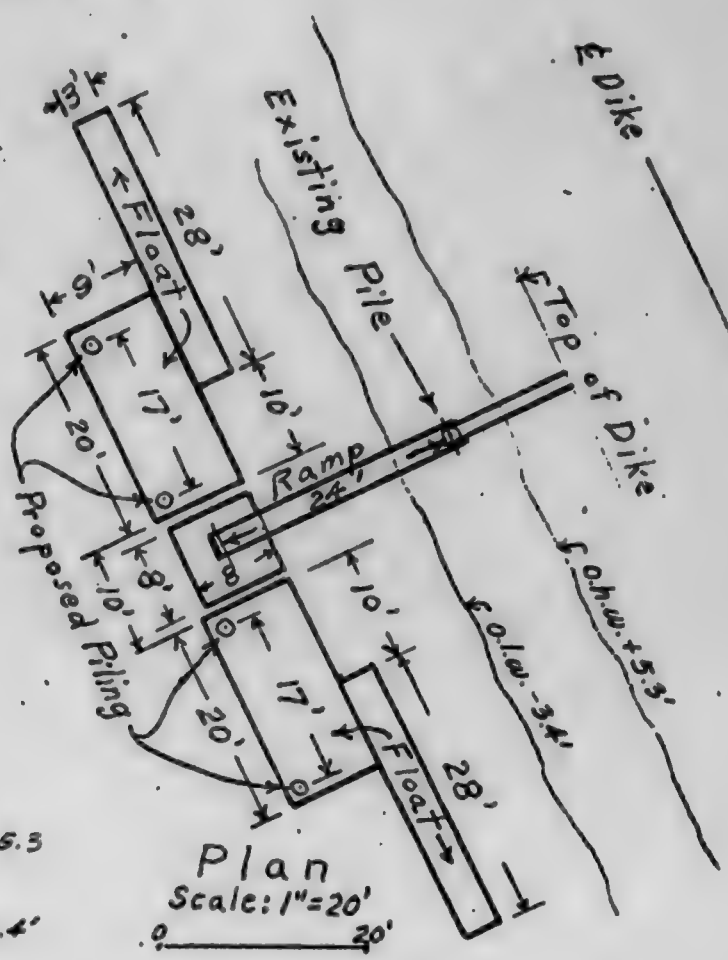


+ Vicinity Map



Plan
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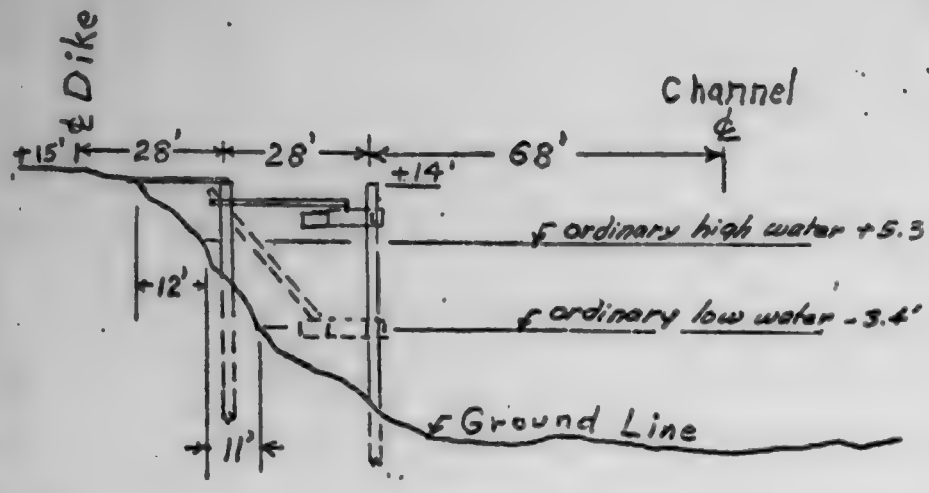


Sec A-A
Scale: Ver. 0 20'
Hor. 0 40'

Datum is M.L.L.W.

Proposed
Piling, Ramp & Floats
in Skipanon River
at Warrenton
County of Clatsop, State Ore.
Application by Palmberg Const. Co.
March 13, 1975 Date

8651

April 2, 1975

Mr. William C. Hartley, President
Warrenton Chamber of Commerce
Warrenton, OR 97146

Dear Mr. Hartley:

Your March 13 letter expressed concern for the construction of the Skipanon River Bridge and construction of that section of US 101 between Warrenton and Camp Rilea.

The preliminary engineering on the Skipanon River Bridge is moving along at a very satisfactory pace. Public hearings on this project will be scheduled for June 1975, and subject to the public response at the hearings, plans will be completed and the project advanced to contract during 1976.

The Highway Division is in the process of developing a Six-Year Construction Program. Public hearings were held in all areas of the state during last November and December. The Astoria Camp Rilea section of US 101 was on the preliminary Six-Year Construction Program for contracting during Fiscal Year 1979. As a result of the public response at the hearings and subsequent input from interested persons, the first unit of the Astoria Camp Rilea section has been advanced and is currently planned for construction during 1976. Unfortunately, the current emergency funding programs to which you refer are limited to those projects which can be contracted prior to July 1, 1975.

We share your concern for the economic situation in the area as well as the condition of the highways in Clatsop County, and thank you for taking the time to write.

Very truly yours,

F. B. Klaboe, Administrator
and State Highway Engineer

cc: The Honorable Robert W. Straub
The Honorable William Wyatt
The Honorable Charles J. Hanlon

bc: A. E. Johnson
E. S. Hunter
L. W. Rullen

GNH:scr dpy

March 13, 1975

To: Governor Robert Straub
Oregon State Highway Division
Representative Bill Wyatt
Senator Chuch Hanlon
City of Warrenton
Astoria Port Commission
Clatsop County Commission
Clatsop Tillamook Intergovernmental Council

Gentlemen,

The construction of a new Skipanon River bridge and the straightening of U. S. 101 between Warrenton and Camp Rilea are highway projects that have been delayed for many years. Modification of the Skipanon River bridge to meet permit conditions has been ordered by the U. S. Coast Guard and the Warrenton-Camp Rilea section of U. S. 101 was started years ago but not completed.

Clatsop County and especially the Warrenton area is a depressed area. The immediate completion of these planned projects would immediately relieve unemployment. The Skipanon River bridge project would open the river to recreational and commercial boating and stimulate other avenues of development above the bridge. The completion of the Warrenton-Camp Rilea section of U. S. 101 would relieve safety hazards at the vicinity of Warrenton High School, Burlington Northern Railway crossing and Fort Stevens State Park junction in addition to reduction of mileage and alleviating other dangerous curves.

The Warrenton Chamber of Commerce urgently requests that each of you make the proper contacts to encourage the prosecution of this work under current Emergency Funding Programs.

Respectfully,

Warrenton Chamber of Commerce

Robert E. Hendrickson, Director

Stewart E. Cameron, Director

Allen L. Oakley, Director

William C. Hartley, President

D. E. Palmberg, Director

RECEIVED
MAR 19 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

cc: U. S. Attorney
Astoria Chamber of Commerce

RECEIVED
STATE HWY ENGR
MAR 17 '75
REFER TO
Hunter
FOR
Info | Inves | R/D | D/R | Sign | Act | File

5851

8

Robert W. Straub
XXXXXXXXXXX

March 26, 1975

U.S. Department of Transportation
Commander (OAN)
13th Coast Guard District
915 - 2nd Avenue
Seattle, WA 98174

Subject: Study Report/Draft EIS
Skipanon River Bridge
Clatsop County, Oregon

Dear Commander:

Enclosed is a copy of the preliminary location study report and draft environmental statement for the subject project. The Highway Division would like your comments on the draft, prior to final release of the document and scheduling of the public hearing.

It should be noted that this is a preliminary copy only, and that the draft environmental statement and study report will be published and released for distribution in late April, and a public hearing will be held tentatively in late May. Your early input would be appreciated prior to publication.

In order to expedite this, could you please respond to the address below by April 8, 1975.

Thank you for your attention to this matter.

Comment to: Location Section
Oregon State Highway Division
State Highway Building
Salem, OR 97310

NOTED
L. L. JOHNS

RECEIVED
STATE HWY ENGR
MAR 26 '75
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File
NOTED
MARIE STEPHENS

Very truly yours,

Victor D. Wolfe
Location Engineer
ORIGINAL SIGNED BY
GARY A. POTTER
Gary A. Potter
Manager
Environmental Section

bc: F. B. Klaboe
E. S. Hunter
R. L. Schroeder
W. J. Hart, L. W. Rulien, C. O. Fredrickson, G. L. Green-FHWA

Same letter sent to the following agencies:

Clatsop-Tillamook Intergovernmental Council
P.O. Box 488
Cannon Beach, OR 97110

Clatsop County
Courthouse
Astoria, OR 97103

Oregon Department of Environmental Quality
1234 SW Morrison
Portland, OR 97205

City of Astoria
City Hall
Astoria, OR 97103

City of Warrenton
City Hall
Warrenton, OR 97146

Soil Conservation Service
1218 S.W. Washington St.
Portland, OR 97205

Oregon Fish Commission
307 State Office Building
Portland, OR 97201

Oregon Wildlife Commission
1634 SW Alder Street
P.O. Box 3503
Portland, OR 97208

3/25/75

The Dist. Engr., Elden Everton, has checked on a barge to be anchored at the Skipanon Bridge site and used to float out the span. His report is in the hands of the Region. What it is says is that a LCM can be leased for $9000/yr. or purchased for approx. $35,000. The barge will be required for probably 3 years minimum. If purchased it would be resold after a new bridge is in place

Walt

NOTE:
F. B. KLABOE

FORM E-30

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon

DATE March 14, 1975

TO E. S. Hunter
Assistant State Highway Engineer

FROM F. B. Klaboe, Administrator
and State Highway Engineer

SUBJECT Skipanon River Bridge

What are the possibilities of hinging one end of the span and equipping some sort of a crane truck that can be stationed close by to effect quick openings?

I suppose the city water main would be a stumbling block.

FBK:srb

cc: A. E. Johnson

RECEIVED
STATE HWY ENGR
APR 8 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

3-18
Walt.
report.
EJH

RECEIVED
MAR 17 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

LEE JOHNSON
ATTORNEY GENERAL

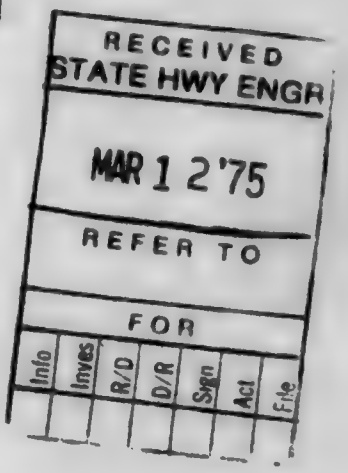
JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

SALEM, OREGON 97310
TELEPHONE: (503) 378-6368

211 State Highway Building

March 11, 1975



Mr. F. B. Klaboe
Administrator and State Highway Engineer
140 State Highway Building
Salem, OR 97310

Re: Skipanon River Bridge

Dear Fred

Attached are memoranda relating to discussions I held in the last few weeks with the U. S. Attorney's Office and the Coast Guard relating to this matter. Although Captain Kirkland's letter uses very strong language, I believe we are better off not responding directly but simply proceeding with our scheduled construction. I suspect that so long as we continue in good faith to build a reasonable bridge in Warrenton, no lawsuit will be filed. However, it appears that neither the Coast Guard nor the U. S. Attorney is willing to set this forth in writing.

If we do want a written commitment of non-interference from the Coast Guard and the U. S. Attorney I believe we will have to turn to our congressional delegation.

Sincerely

Patrick A. Randolph, Jr.
Assistant Attorney General

PAR:ch;hg
Attachment

P.S. Questions raised by Lee's March 10 letter, which arrived after I wrote this, will have to be answered. I will get with Hunter & Hoyt on this and report to you.

xxxxxxxxxxxxxxxxxx

211 State Highway Building

March 11, 1975

Mr. Tom Lee
U. S. Attorney's Office
U. S. Courthouse
Portland, OR 97204

Re: Skipanon River Bridge

Dear Tom

Pursuant to our recent discussion, I am enclosing a breakdown of the estimated construction period for the proposed replacement of the Skipanon River Bridge. As you undoubtedly know, we cannot really commit to construction of any particular bridge until a public hearing has been held pursuant to federal environmental requirements. Therefore, the memorandum discusses both a fixed span and a bascule span bridge. Our engineers indicate that data acquired to date suggests that a double bascule span bridge would be most desirable. Of course, subsequent data, particularly information received at the public hearing, may indicate that another design is more appropriate. Thus the fixed span and the dobble bascule span alternatives and perhaps some other designs will be presented as options at the public hearing.

Please let me know if you have any further questions or comments.

Sincerely

Patrick A. Randolph, Jr.
Assistant Attorney General

PAR:ch;hg

cc - Jack Collins
Enclosure

ADDRESS REPLY TO
"UNITED STATES ATTORNEY"
AND REFER TO
INITIALS AND NUMBER

TCL:ad

United States Department of Justice

UNITED STATES ATTORNEY
DISTRICT OF OREGON
506 UNITED STATES COURTHOUSE
POST OFFICE BOX 71
PORTLAND, OREGON 97207

RECEIVED
1 1 1975
LEGAL

March 10, 1975

Patrick A. Randolph, Jr., Esq.
Assistant Attorney General
Department of Transportation
211 Highway Building
Salem, Oregon 97310

Dear Mr. Randolph:

Re: Skipanon River Bridge

After you provided us, on February 26, 1975, with a copy of the revised critical path schedule for replacement of the bridge which your department had submitted to the Coast Guard by letter of January 29, 1975, we conferred with the Coast Guard on this matter. They too would like to see a detailed justification for the length of the construction schedule, as well as an explanation of the time elements in the preliminary procedures. I hope that your engineers will be able to set forth these items of information in a very short time, as we must bring about a prompt resolution of the Government's course of action with regard to the bridge.

The Coast Guard is also very concerned about the absence of any reasonable commitment on the part of the State to any interim arrangements for making the present span more available for openings for navigation than it presently is. We think the State is obliged, under the laws and regulations, to provide sufficient machinery to open the span for necessary vessel passages, and we urge you to have your engineers consider the options of (1) stationing a barge between the railroad and highway bridges for this purpose, or (2) installing a temporary device to open the present bridge.

We hope you will send us favorable commitments by the State Highway Division along with the information we have requested above, and we hope that you can provide such within a few weeks.

Very truly yours,

SIDNEY I. LEZAK
United States Attorney

Thomas C. Lee

THOMAS C. LEE
Special Assistant U. S. Attorney

P.S. - A recent news clipping relating to your Governor's policy on availability of highway funds is enclosed.

Enclosure

cc: Rear Admiral R. A. Ratti
Chief Counsel
Office of the Commandant (G-LCL/81)
U. S. Coast Guard Headquarters
Washington, D.C. 20590 (w/encl.)
ATTN: Lieutenant Ingham

Mr. Dick Baldwin
City Manager
Warrenton, Oregon 97146

Mr. Herbert G. Palmberg
Palmberg Construction Company
P. O. Box 448
Warrenton, Oregon 97146

'Shortcut' may boost road funds

By BILL KELLER
of The Oregonian staff

WASHINGTON — Gov. Bob Straub said Thursday a shortcut around the environmental protection laws may enable Oregon to spend more than $20 million in federal funds to improve the state's highways.

The money, part of $2 billion in impounded highway funds recently released by President Ford, must be spent by July 1 or be forfeited. Straub said the usual public hearings and filing of environmental impact statements would delay projects beyond that deadline.

But after a meeting Thursday with Federal Highway Administrator Norbert Tiemann, Straub said he believes Oregon can "kind of stretch" the National Environmental Protection Act (NEPA) and "have a thousand new people working on the highway system within a month."

The loophole Tiemann cited is called "negative declaration" and can be used only on noninterstate highways.

It could be used for such "minor reconstruction" projects as widening bridges, straightening dangerous curves or paving, not for constructing new routes.

The state would present each project to the federal regional highway administrator with a declaration that the project would have "no environmental impact, period," Straub said. If the administrator approves, the project can go ahead without the usual environmental statement or public hearings.

Tiemann assured Straub that regional administrators will "be leaning as far as they can within the court decisions they have to live by," the governor said.

"Of course, a citizen can always take it to court," he said. "But I hope they won't.

"I think the people have to realize that these delays prevent us from putting people to work."

Oregon normally can count on about 1 per cent of such a federal grant — $20 million in this case — but Straub said the state has a "golden opportunity" to pull in a much larger share this time.

The $2 billion will be parceled out on a first-come, first-served basis. Unlike other states, Straub said, Oregon has enough money to meet the 30 per cent matching requirements and has not laid off the highway engineering staff needed to draw up work proposals.

The governor said prime candidate for upgrading would be the coast highway and the lateral routes between the coast and the Willamette Valley.

"But if the people don't want it in Western Oregon, I'll bet there are a lot of people in Eastern Oregon who would be glad to have it done," he added.

"I don't want to shortcircuit NEPA," he said, "but it has been enforced much more rigidly than was intended by Congress, and it has caused delay and cost to the taxpayer, much more than is justified."

Straub said he also discussed with Tiemann the disputed I205 freeway through Multnomah County east of Portland.

The governor predicted work on that freeway would be under way "very shortly after" a March 27 public hearing on the freeway's environmental impact.

He said that project, which he favors, would generate up to 3,000 jobs.

Straub was in Washington for the National Governors' Conference which ended Thursday night.

To File

March 4, 1975

Pat Randolph

Skipanon River Bridge

On March 4 I spoke by telephone with Captain Kirkland, Coast Guard Bridge Division Commandant. Captain Kirkland reiterated to me that he was basically satisfied with the state's program to date although he was disturbed by the tone of Ed Hunter's recent letter and was responding to that letter in writing. I assured Captain Kirkland that any impediments to funding raised by the regional government in the area were neither requested nor sponsered by us and that we hope that these impediments would soon be resolved. In the meantime I informed Captain Kirkland we were continuing with the critical path schedule activities. Captain Kirkland indicated that he did not foresee the U.S. Attorney filing suit in the near future and had recently spoken with Tom Lee to clarify the Coast Guard's position in this matter. However, Captain Kirkland indicated that he would like us to keep the U.S. Attorney's office in Portland apprised of any departures from ~~their~~ present schedule.

PAR:hg

cc - E. S. Hunter
Ed Hart
C. O. Frederickson

The File

March 4, 1975

Pat Randolph

Skipanon River Bridge

On Wednesday, February 26, I had lunch with Jack Collins, U. S. Attorney in Portland, and Tom Lee, Special U. S. Attorney from Washington, D.C. We talked about the Coast Guard's request to the U. S. Attorney that a lawsuit be brought to require compliance with the permit for the Skipanon Bridge.

Tom Lee reported to me that he had recently been contacted by Coast Guard counsel and was urged to proceed with the lawsuit. I was surprised to hear this in light of the more conciliatory attitude expressed earlier by Captain Kirkland, Bridge Division Commandant.

I showed Jack and Tom the critical path schedule which was sent to the Coast Guard in late January and indicated to them how we were progressing along that schedule. I was able to report that all the critical path activity was on or close to schedule.

Tom asked for a further written detailing of the elements leading to our estimate of a 18-month actual construction period. Aside from this question he appeared to be satisfied pending confirmation with the Coast Guard that they are aware of what is going on.

I have been trying to reach Captain Kirkland so that we can move ahead on this project in a more comfortable atmosphere.

PAR:ch;hg

cc - E. S. Hunter
Ed Hart
C. O. Frederickson

SKIPANON RIVER BRIDGE

Remodeling of the Existing Float-Out Span.

An alternate was studied using towers with a multiple sheave arrangement and span hinged at one end. This alternate used a truck vehicle or tractor as the power supply. Because of the spans low clearance over the stream a counterweight anchor span was not considered. Raising the span without a counterweight requires use of multiple sheave arrangement and the resulting truck vehicle travel in raising the span to the fully open position is about 750'. None of the state trucks have drum capacity for a winching operation. This length of exposed line with accompanying protection and barricade problems doesn't make this a very attractive method.

A preferable solution would be the use of a fixed hoist with drum and multiple sheave arrangement.

These alternates require the use of a tower at one end of the span. Reconstruction of the existing bridge would include remodeling of the existing float-out span (new deck and sidewalk) constructing new bents and tower. Safety barriers if required A hydraulic or air operated buffer system for resisting wind pressure would be required, if wind is considered.

Approximate Cost for opening would be $380,000± including 40% for E & C and a detour structure. opening time is 20 min.± These costs would be for temporary type installation where equipment would not meet AASHTO Movable Bridge Specifications.

A bridge similar to the fixed power operated type meeting AASHTO Specs. was partially designed, but abandoned when use of towers were objected to. (See sketch A)

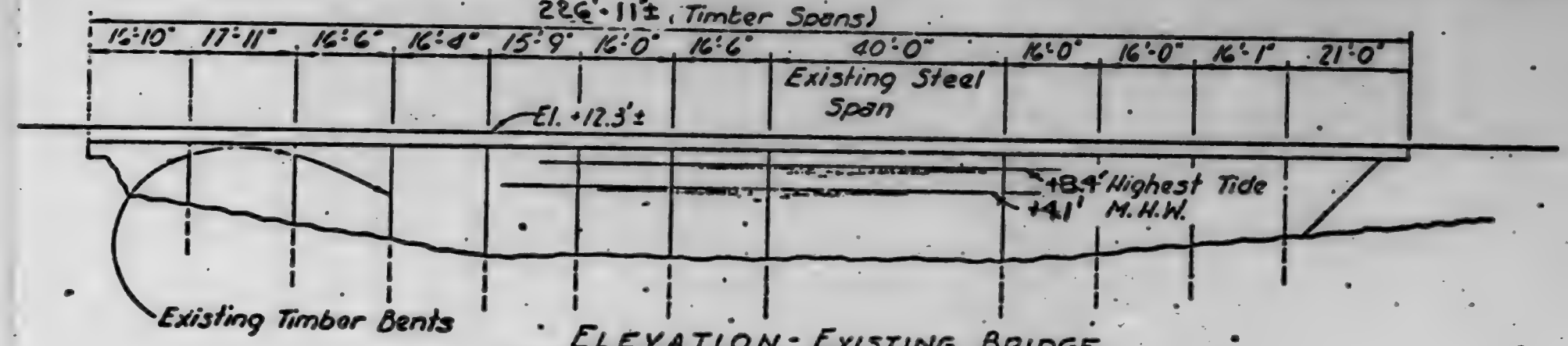
It was assumed the city's water line would be relocated

Oth Alternates coucidere

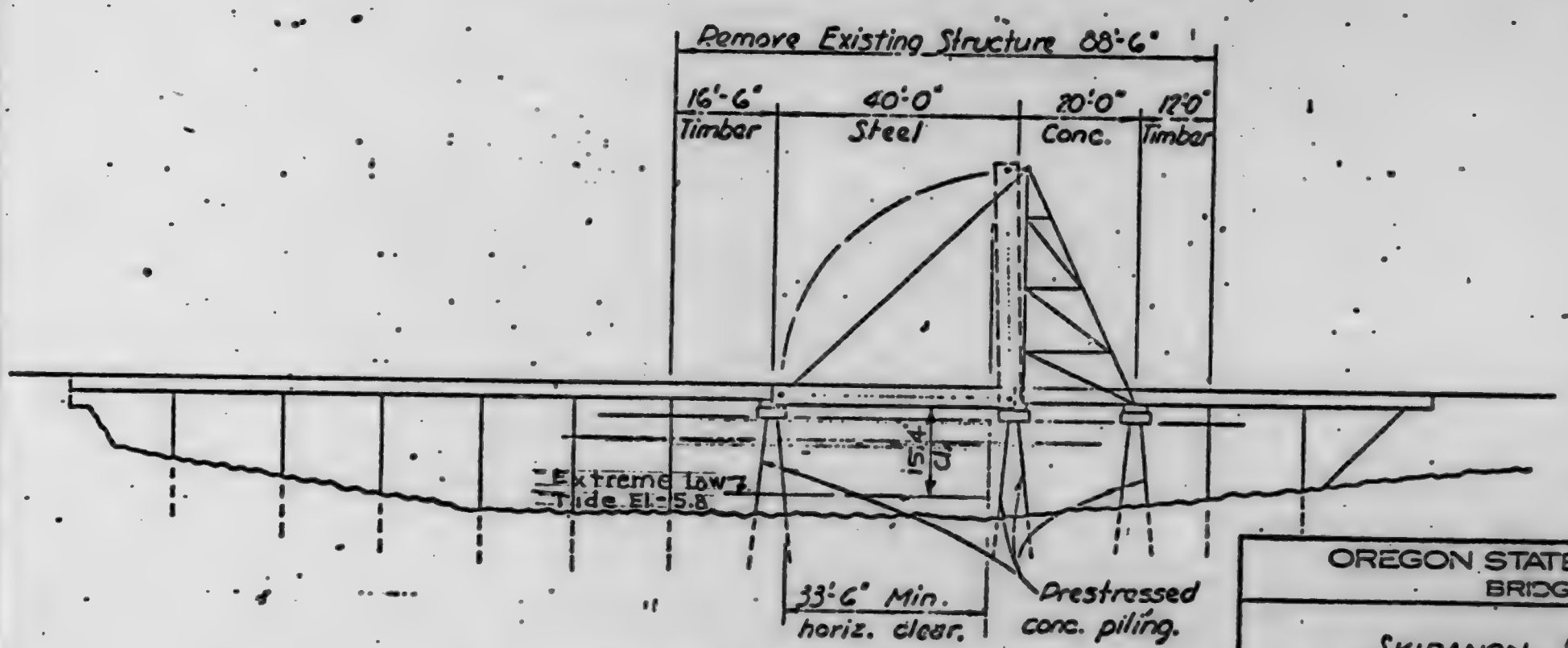
A study was made using a mobile Crane to remove the span. The required size and capacity, availability and cost eliminated this alternate.

An alternate was studied replacing the existing float out span with two shorter spans. These would be raised by hydraulic jacks and rolled longitudinally to give the required navigation clearance. The Smith River Bridge in Douglas County uses this system. (See sketch "B") opening time approx. 30min
Approximate cost including 40% E&C and detour structure $ 640,000

Another alternate looked at, but not investigated completely was the use of a single bascule with counterweight. The counterweight idea was dropped because of the spans low clearance over high tide elevation. The use of a counterweight span would improve the operation bascule span and this could be done by constructing a watertight cell as part of the pier. Shorter towers could be used and may be more acceptable to local interests. (See sketch "C")
Cost for this alternate would be approximately $520,000 including 40% for E&C and detour structure.
Opening time would be 15 min.± if bridge were built to AASHTO specifications.



ELEVATION - EXISTING BRIDGE



ELEVATION - REMODELED BRIDGE

SKETCH "A"

OREGON STATE HIGHWAY DIVISION
BRIDGE SECTION

SKIPANON RIVER BRIDGE
SINGLE LEAF BASCULE SPAN

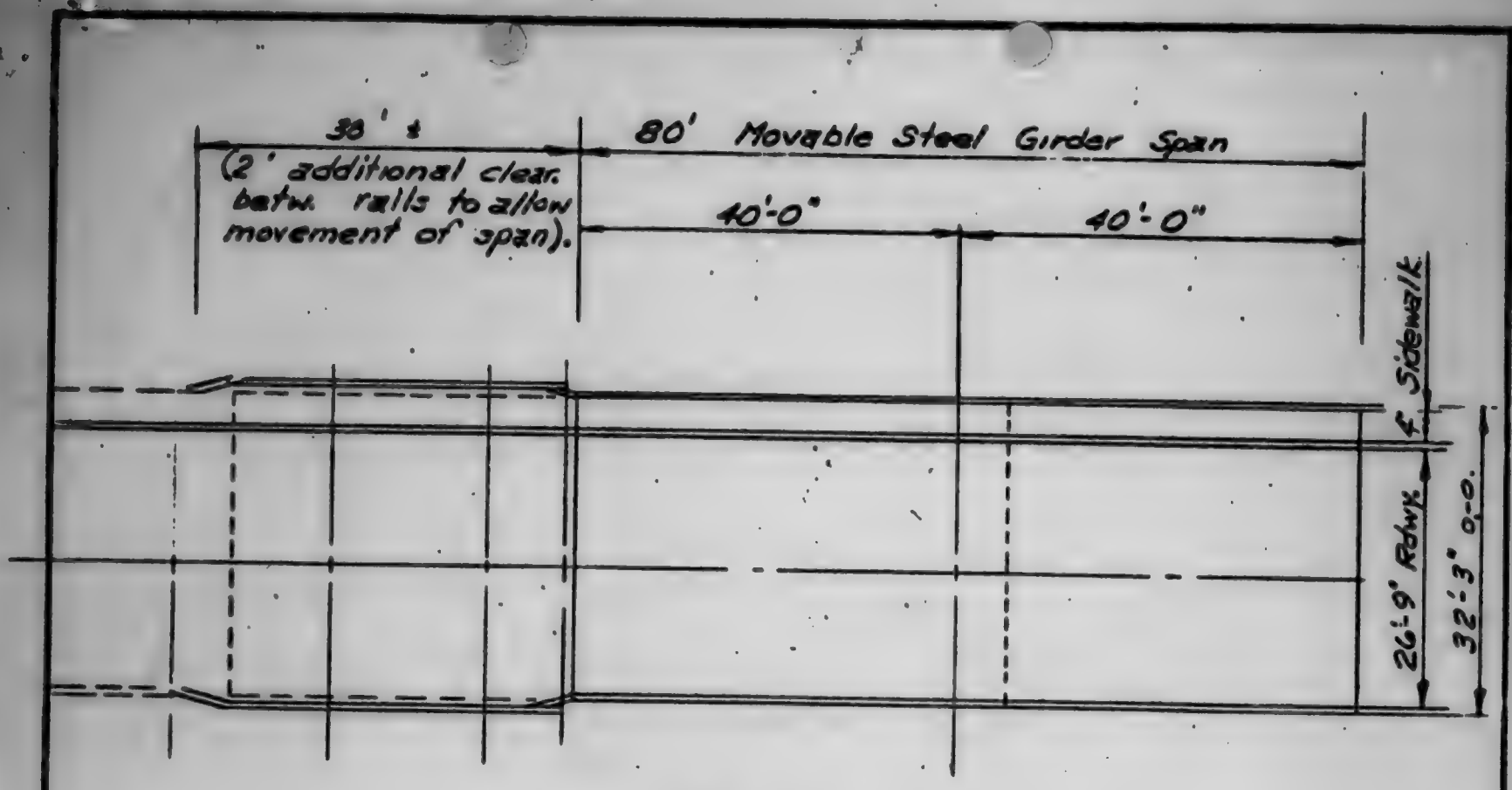
APPROVED:

BRIDGE ENGINEER

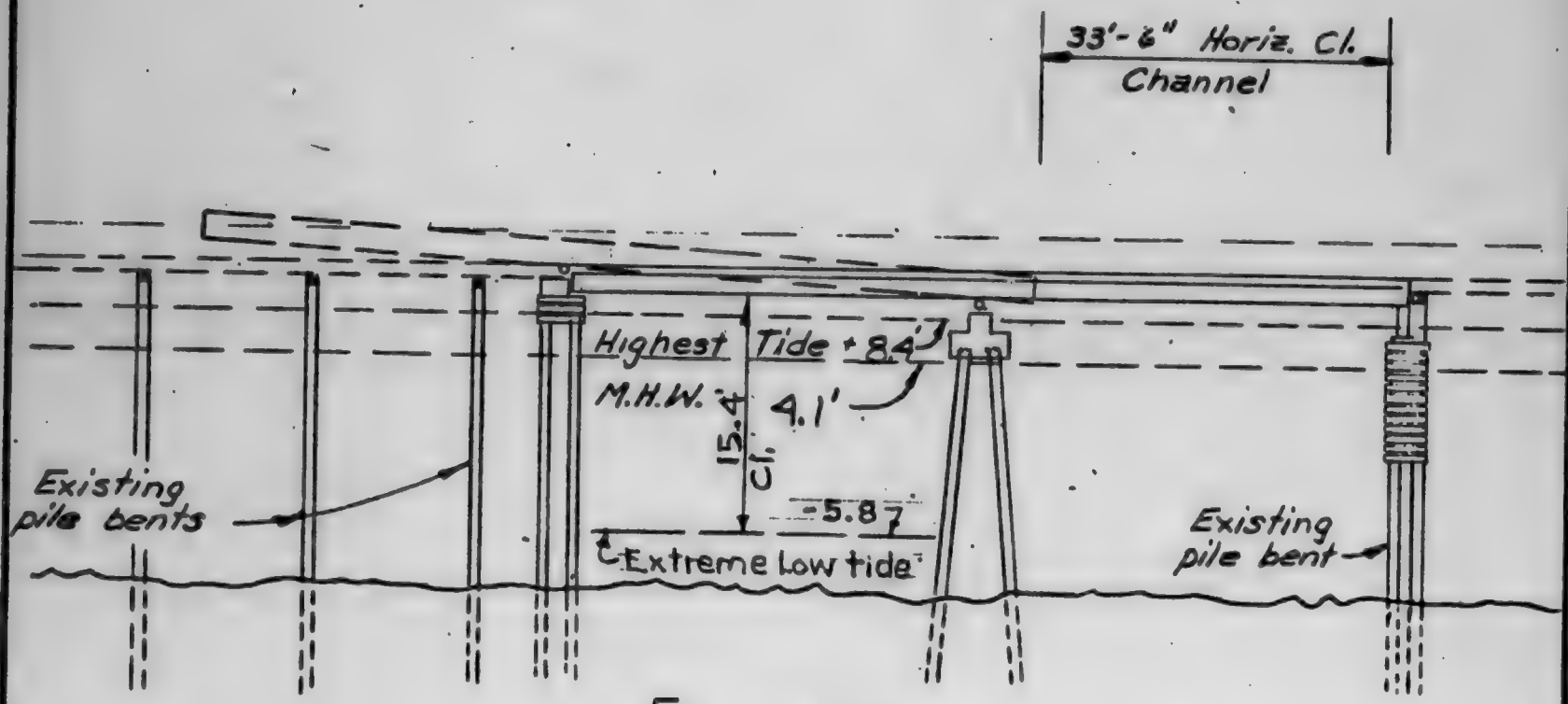
DATE _____ BRIDGE NO 11-1

DESIGNED _____

DRAWN _____ DRAWING NO. 2



PLAN

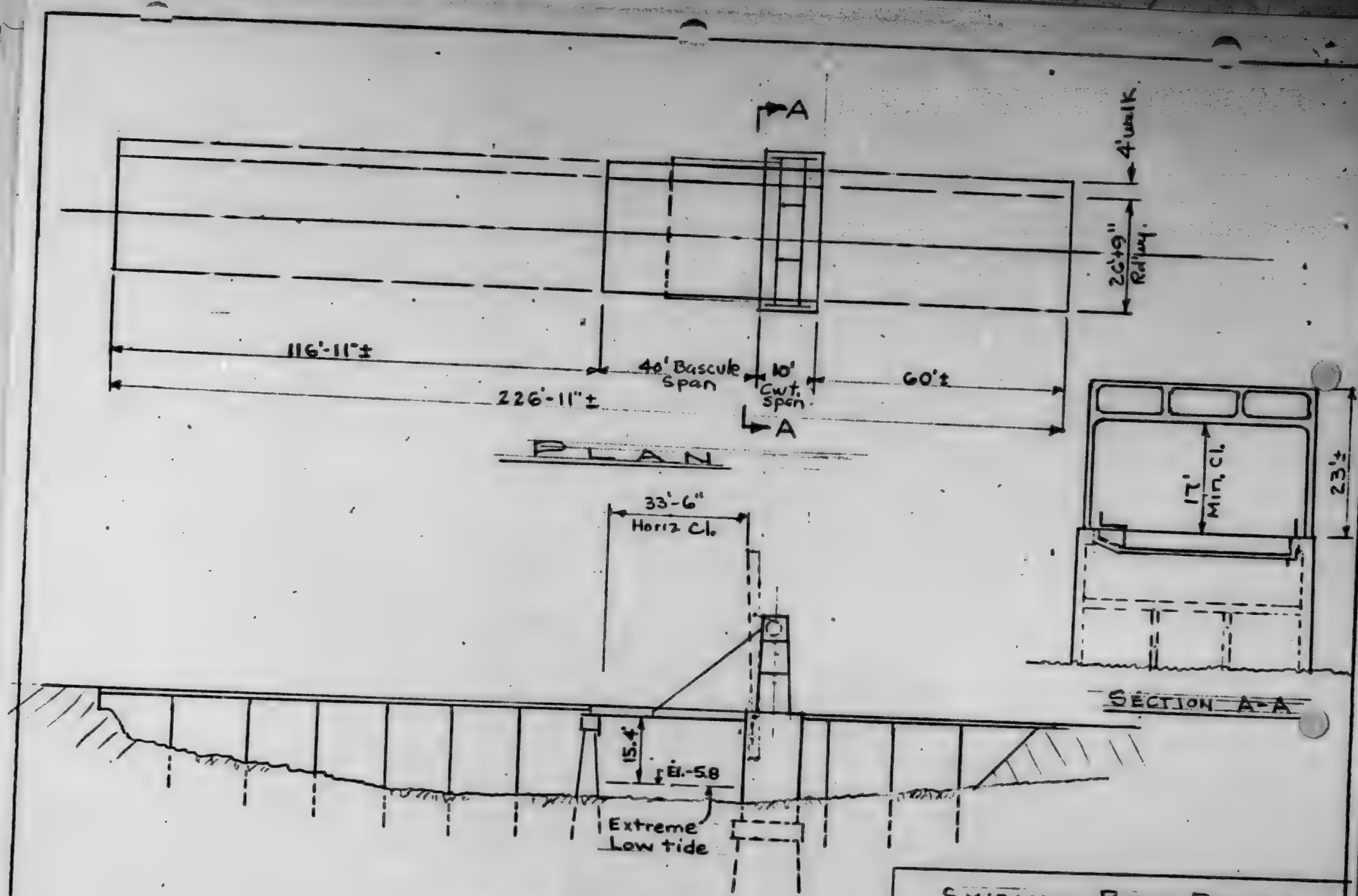


ELEVATION

Scale: 1" = 20'

SKETCH "B"

OREGON STATE HIGHWAY DIVISION BRIDGE SECTION	APPROVED: BRIDGE ENGINEER
SKIPANON RIVER ROLLING LIFT SPAN	BRIDGE NO. 11226 A DATE 6-29-73 DRAWING NO. DRAWN



SKIPANON RIVER BRIDGE

SINGLE LEAF BASCULE WITH COUNTERWEIGHT

WARRENTON-ASTORIA HWY CLATSOP Co

BR No 11226A SKETCH "C"

8651

RECEIVED
STATE HWY ENGR
MAR 27 '75
REFER TO
FOR
Info | Inves | R/O | D/R | Sign | Act | File

3-25-75

PREFIX: 104-1915

LOCATION PROSPECTUS
SKIPANON RIVER BRIDGE SECTION
WARRENTON-ASTORIA HIGHWAY
CLATSOP COUNTY

NOTE
A. E. JOHNS

HIGHWAY: Warrenton-Astoria. State Secondary No. 105; Federal-aid Secondary No. 605.

TERMINI: The westerly terminus is at MP 0.04. The easterly terminus is at MP 0.31.

LENGTH: 0.27 mile.

PROGRAM: XII A

NARRATIVE: This will be a location survey to prepare plans, specifications and estimates for replacement of the existing bridge and approaches on revised alignment. Soils investigations and foundation explorations will be conducted. Drainage problems are not anticipated. An economic analysis has been conducted.

CHARACTERISTICS: Present ADT 3,700; 10-year ADT not applicable; 20-year projection 6,500.

STANDARDS: Within minimum AASHTO standards for urban areas.

TYPICAL SECTION: Two 12-foot travel lanes and 10-foot shoulders with curbs.

ACCESS: No change.

STRUCTURE: New structure to have 44-foot horizontal clearance. Design of structure to be determined.

AGREEMENTS: Agreements with the City of Warrenton and Clatsop County will be required. A Coast Guard permit and agreements with the Corps of Engineers will be required. An opportunity for a public hearing will be offered.

ADD'L FACILITIES: Burlington Northern Railroad will be affected. Agreements will be required.

PARKS: None affected.

March 25, 1975
Attach
Oregon State Wildlife Commission
Federal Hwy Administration (3)
R.L. Schroeder
W.J. Hart (3)
L.W. Rulien
J.M. Cartwright (3)
Gary Potter (4)
J.A. Rowland
C.G. Swenson

Fish Commission of Oregon
A.E. Johnson
J.B. Boyd (3)
C.T. Keasey
J.H. Versteeg
H.S. Cox (2)
A.D. Olson
R.E. Royer
F.E. Terpin

C.O. Fredrickson (6)
E.S. Hunter
L.E. George
D.H. Moehring
V.D. Wolfe
B.L. Gifford
R.E. Olson
D.E. Swan
F.W. Yarbrough (3)

SKIPANON RIVER BRIDGE
WARRENTON-ASTORIA HWY.
CLATSOP COUNTY
MARCH 1975

FORM 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

March 24, 1975

FILE: 104-1915

FROM: C. O. Fredrickson
REGION II ENGINEER

TO: Pat Randolph
ASSISTANT ATTORNEY GENERAL

SUBJECT: Barge Rental or Purchase
Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County

NOTED
L. L. JOHNSON

In response to your request for information on leasing or buying of a barge for opening of the Skipanon River Bridge Mr. Everton has written a letter detailing the information which he has been able to obtain for the rental leasing or purchase of this equipment. Mr. Everton has investigated this with local people and has determined his costs based on the equipment which would be necessary to satisfactorily handle this span removal.

Mr. Everton indicates that the leasing or purchase of an LCM would probably enable him to perform additional work with this equipment other than the removal of the Skipanon River Span. Please advise this office if additional investigation into this matter is necessary. A copy of Mr. Everton's letter to this office is attached.

COF:lb

cc: E. S. Hunter
Walt Hart
Eldon Everton

NOTED
F. B. KLABOE

NOTED
E. S. HUNTER

RECEIVED
STATE HWY ENGR
MAR 31 '75
REPLY TO
FOR
Info Invest Rpt Sig Act File

To Klaboe for info. ESH

RECEIVED
MAR 25 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

104-1915

REGION 2 ENGINEER
RECEIVED
MAR 24 1975
RTE
U.E GEO RSO R.C RFE

FORM E-30 (REV. 10-69)

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Astoria, Oregon
March 21, 1975

From: E. L. Everton
District Engineer

To: Ted Litchfield
Region Operations Engineer

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway
City of Warrenton

Your request for information on leasing or buying of a barge for opening of the Skipanon Bridge for a three year period has been investigated and the following information is submitted.

The purchasing of a barge would be very difficult as there are just not any barges on the market at this time, according to the three local sources that I contacted. I was advised that if an individual has a lot of time to look and shop around, that one might be able to be picked up. The estimated cost for a used barge would be approximately $30,000.00 to $35,000.00. If one was not able to shop around and had to get one immediately, I was informed that the cost would more likely be anywhere from $60,000.00 to $80,000.00.

In regard to ~~licensing~~ leasing a barge for our use 24 hours a day, seven days a week, for a three year period, the lease figures I received was from $600.00 a month to $750.00 a month.

The $600.00 a month estimate was for a barge only. The $750.00 a month figure was for a LCM that is self-propelled.

The LCM is currently owned by Bergerson Enterprises and they advised me that it was 52' long, 28' wide with pontoons and self-propelled with two 671 GMC engines. This type of barge could move the structure with no problem and could also be used for the placement of rip rap around various water piers. It could also be used as a work barge for working on pier protection and such from the water. This LCM could be leased for $9,000.00 a year or it could be purchased for $35,000.00.

The barge that would lease for $600.00 a month was a barge only, and a boat would have to be made available to move the barge any time an opening or barge movement was necessary. There are tug boats in the area that are available on short notice and these will rent for approximately $50.00 per hour, operated.

I realize that there is quite a varience in the estimates that I have submitted; but, this was the best information that I could obtain from all of the local people who are oriented along this type of activity.

ELE:lh

Warrenton Skipanon Br

CITY OF WARRENTON

WARRENTON, OREGON
97146

20 March 1975

P. O. BOX 250
TELEPHONE 861-3233

RECEIVED
COUNTY & CITY SECTION
MAR 31 1975
☑ ENGR. ☐ COOR. ☑ OE ☐ AE ☐ UE
☐ UPE ☐ CE ☐ RE ☐ RPE ☐

Mr. E. S. Hunter
Assistant State Highway Engineer
Oregon State Highway Division
Salem - OREGON - 97310

Re: Skipanon River Bridge

Dear Mr. Hunter:

This is to acknowledge receipt of your letter of March 18, 1975, regarding the submarine water line at the Skipanon Bridge location. It was necessary for me to confer with the now semi-retired City Manager E. R. Baldwin on this subject as I have just recently assumed the position of city manager.

The city of Warrenton is not particularly pleased about this new development in the cost of the water line, especially in view of the fact that the bridge is being changed at the request of the U. S. Coast Guard, the Oregon State Highway Division and others. In addition, we are rather unhappy that the Health Division appears not to have made an official decision on the type of piping that may be used in crossing the river.

We had anticipated in our budget the cost difference between the 10-inch line and the 6-inch line as amounting to approximately $2500. Funds in the amount now estimated for the 10-inch line were not included in our water budget.

We will need a firm, maximum price figure on this 10-inch line. Until this price has been confirmed, reviewed and approved by the city commission, we cannot make a final commitment on the project.

Sincerely,

CITY OF WARRENTON

Gilbert Gramson

Gilbert G. Gramson
Auditor & Police Judge

RECEIVED
2 8 1975
BRIDGE DIVISION

RECEIVED
MAR 24 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

GG:jb

NOTED
E. S. HUNTER

cc wait letter
R/R. agreement needed
Ed H

8251

Robert W. Straub
XXXXXXXXX

March 18, 1975

Mr. E. R. Baldwin
Auditor and Police Judge
City of Warrenton
P. O. Box 250
Warrenton, Oregon 97146

Dear Mr. Baldwin:

Skipanon River Bridge
Health Division Permit Application

As you know, we have received a permit from the U.S. Corps of Engineers for installation of a submarine water line to replace the City water line that now exists across the Skipanon River Bridge.

The next step is to obtain a permit from the State Health Division. Previous correspondence from the Health Division (attached) indicates they will not approve the type pipe shown on the application drawings that were sent to the Corps. They will accept a ball-joint ductile iron pipe with certain valving in the line.

We intend to send the attached drawing to the Health Division and request their approval.

The estimated cost of the proposal is about $76,000. Of this amount the City of Warrenton's share would be about $10,000 which is the estimated difference in cost between the 10-inch line you requested and the 6-inch line required to replace the existing main (see attached).

This material is sent to you for comment prior to making application to the Health Division.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

Attachments

RWE:ag js
bc: F. B. Klaboe
A. E. Johnson
W. J. Hart
L. W. Rulien
C. O. Fredrickson w/att.
E. L. Everton w/att.
Pat Randolph

3/13/75 '72
JA

Skipanon River Bridge
City of Warrenton Line Relocation

Cost Estimate

Materials

350' - 10" flexible jt. pipe.	@	57.79/ft	=	20209.50
180' - 6" slip jt "	@	4.00	=	730.80
2 - 10" Gate values	@	358.23 ea	=	716.46
2 - 6" " "	@	141.58 ea	=	283.16
2 - 10"x6" Reducer	@	59.85 ea	=	119.70
2 - 6" T's	@	78.30 ea	=	156.60
2 - 6" Hydrants	@	400.00 ea	=	800.00
2 - connections to existing line			=	300.00
6 - 10" 22 1/2° bends	@	89.50 ea	=	537.00
2 - 10" 45° bends	@	89.50 ea	=	179.00
4 - Boxes for values	@	100.00 ea	=	400.00

3 yd³ concrete for thrust blocks @ 100/yd. = 300.00

Material Cost = 24,732.00

Installation Cost

River Portion

150.00/ft x 250' = $37,500

Land Portion

5.00/ft. 280' = $1900

Total Installation Cost = $38900 "

$63,632

20% E&C = 12,726

76,358

Use Total Cost = $76,500

Cost Increase going from 6" to 10" pipe

MATERIALS:

Cost for 10" flexible jt pipe = 57.74/ft
" " 6" " " " = 35.00/ft
difference = 22.74/ft.
for 350' pipe @ 22.74 = £7959.00 ← increase cost

2 - 10" gate valves = 716.46
2 - 6" " " = 283.16
difference = £433.30 ← increase cost

2 - 10" x 6" reducers = 119.70 ← increase cost

6 - 10" x 22½° bends = 537.00
6 - 6" x 22½° " 48.50 ea = 291.00
difference = 246.00 ← increase cost

2 - 10" x 45° bends = 179.00
2 - 6" x 45° " 48.50 ea = 97.00
difference = 82.00 ← increase cost

Total Material Cost Increase = £8840.00

INSTALLATION Cost

Very small difference assume 5.00/ft x 250' = £1250.00

"

Total Cost Increase from 6" to 10" line = 10,090
Say £10,000

STATE OF OREGON

INTEROFFICE MEMO

TO: Bob Ellison, P.E.
Room 329
State Highway Building, Salem

DATE: February 28, 1975

FROM:
Don Hebard, P.E.

SUBJECT: W - Warrenton Water System
Skipanon River Crossing

This is in response to your request concerning plan content for the subject project.

Basically the work should be illustrated and specified in great enough detail so that there is little doubt about what the project will consist of.

You will probably want to specify ball-joint ductile iron pipe for the work below high water. The expected contour and amount of cover should be set forth. Thrust blocks may be necessary at certain fittings. Valves will need to be provided at each end of the crossing in order to isolate the crossing. Taps should be provided between the valves to allow pressure testing the crossing for leaks. A fire hydrant should be provided above and below the isolating valves to allow temporary by-passing of the crossing in an emergency. The method of opening the trench, placing the pipe, inspection and back filling should be set forth. You will undoubtedly want to use divers for inspecting before back filling. You will need to specify where and how the excavated material is to be handled. Turbidity in the river is the problem.

I trust that the above is of some help to you.

RECEIVED
MAR 4 1975
BRIDGE DIVISION

NOTED
R. W. ELLISON

81-125-1307

Pipe 11826A

DEPARTMENT OF HUMAN RESOURCES

HEALTH DIVISION

1400 S.W. 5th AVENUE • PORTLAND, OREGON • 97201 • Phone 229-5557

TOM McCALL
GOVERNOR

CLEIGHTON PENWELL
Director

DEPARTMENT OF
HUMAN RESOURCES

• • •

BOB OLIVER
Administrator
Health Division

DIVISIONS
Health
Children's Services
Corrections
Employment
Mental Health
Special Programs
Vocational Rehabilitation
Welfare

November 27, 1974

Mr. R. W. Ellison
Bridge Administration Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Re: W - Warrenton Water System
Skipanon River Crossing

Dear Mr. Ellison:

We have received your letter dated November 13, 1974 along with supporting information which sets forth the proposed pipeline crossing the Skipanon River for the Warrenton Water System.

We must receive complete engineering plans for this proposed work for review before construction begins as set forth in ORS 448.225. We note from the preliminary sketch that a PVC water pipeline with a steel outer casing is presently planned for the river crossing pipe. We doubt that we can approve such a proposal. Such crossings are usually made of ball-joint cast iron or ductile iron. We believe that such construction is the minimum allowable in this type of application. We doubt that a steel tube can be fabricated in such a manner as to seal out potentially contaminated river water and yet fit the bottom of the river. If bends are made in this tube, the plastic pipe may not adapt to such changes in direction. The use of ball-joint river crossing pipe, especially with ductile iron pipe, provides for means of fitting the river bottom and is unquestionably of a very durable nature.

Will it be possible to install a pipeline on the new bridge or will it be a draw span? If the pipe can eventually be installed on the span, then we can allow a more temporary solution at this time.

12-9-74
xerox to
C.D Fredrickson
dh

RECEIVED
DEC 4 1974
BRIDGE DIVISION
W. J. HART

I want to thank you for your letter advising us of the present plans, and we will look forward to receiving complete engineering plans for our review before construction begins.

Very truly yours,

Leo G. Farr Jr.

Leo G. Farr, Jr.
Public Health Engineering

DJH: dh

cc: City of Warrenton Attention: Judge Baldwin
cc: Mr. Payne, District Engineer, Corp of Engineers
P. O. Box 2946, Portland, Oregon 97028
cc: Clatsop County Health Department
cc: Clatsop County Planning Commission
cc: Peter Von Ohlen, Regional Engineer
cc: Central Files

RECEIVED
DEC 4 1974
BRIDGE DIVISION

Existing 6" water line

Existing 6" water
on bridge. To be r

Downtown Warrenton

Existing Bridge

Proposed 6" water line

Proposed Detour Structu

Skipanon River

Proposed 10" w

See Detail "A"

PLAN

1" = 30'

3' Min.

Extreme high tide +8.4

M.L.L.W.

10'± Under River

6" water line

6" Gate valve

10" x 6" Reducer

Hydrant

6" T

10" Gate valve

10" water line

Thrust block

ELEVATION

DETAIL "A"

DIETERICH POST OF WASH.

Proposed ne

Existing 6" water line
on bridge. To be removed.

℄ Roadway ℄

Existing Bridge

Proposed Detour Structure

+15'±

Skipanon River

Proposed 10" water line

See Detail

PLAN
1" = 30'

Extreme high tide +8.4

M.L.L.W -3.6

10'± Under River

Proposed 10" water line - Std. wall
ductile iron boltless flexible join
pipe

er
ate valve
10" water line

ELEVATION

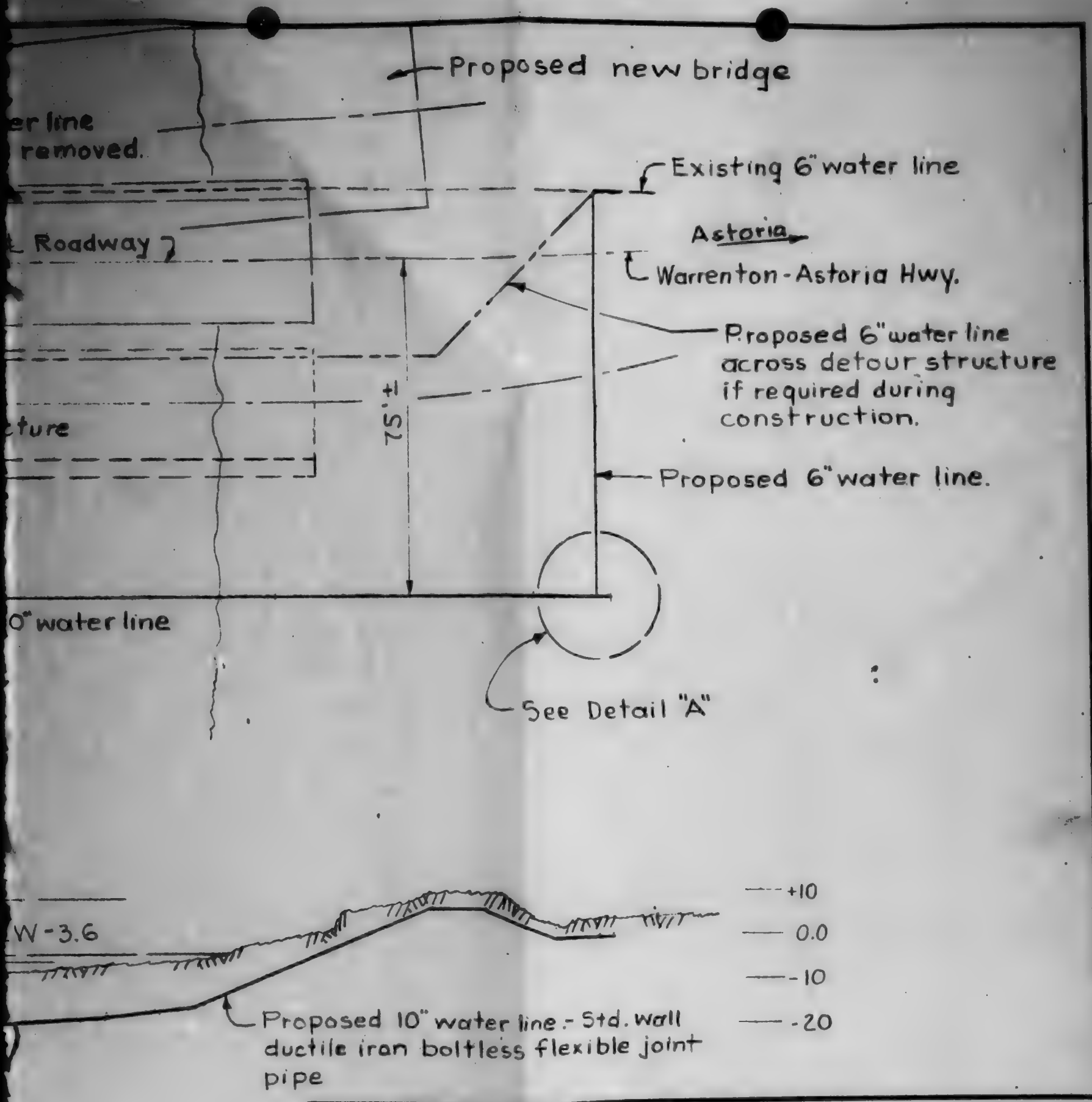
OREGON STATE H
BRIDGE

PROPOSED PIPE LINE (
AT
WARRENTON, OREGON
Application For City of Warrenton B

APPROVED:

BRIDGE ENGINEER

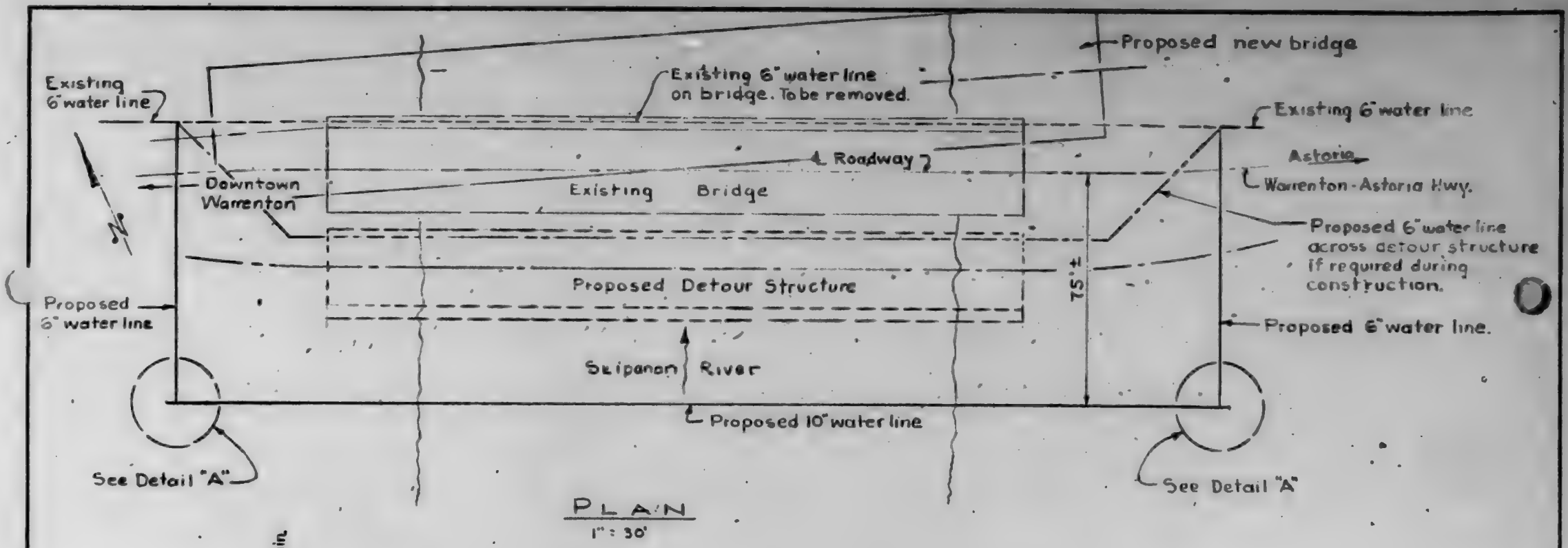
DAT
DE
DR



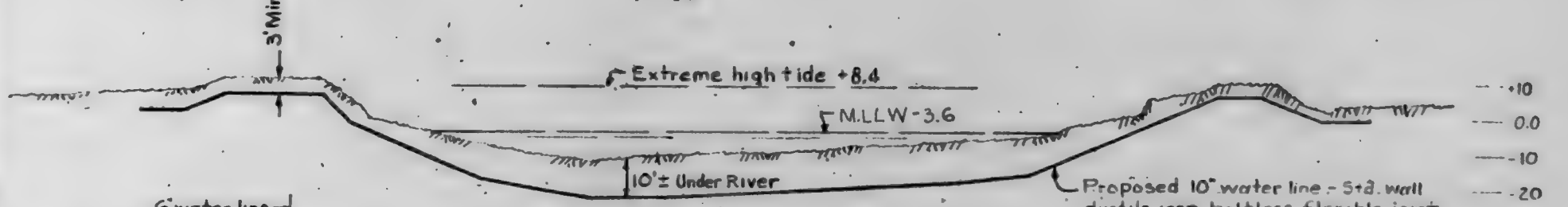
OREGON STATE HIGHWAY DIVISION
BRIDGE SECTION

PROPOSED PIPE LINE UNDER SKIPANON RIVER
AT
WARRENTON, OREGON CLATSOP COUNTY
Application For City of Warrenton By Hwy. Div. Dept. of Transportation

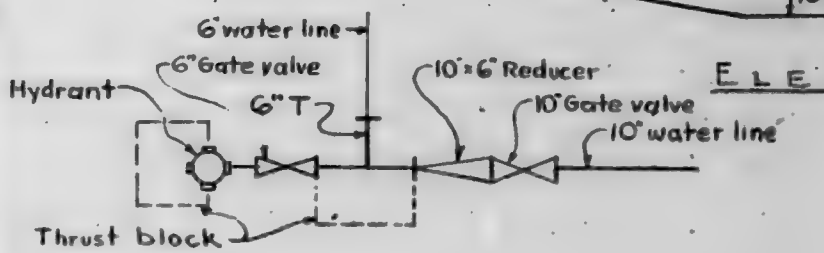
APPROVED:	DATE 3-13-75 BRIDGE NO. 11226A
	DESIGNED
BRIDGE ENGINEER	DRAWN DA DRAWING NO. 1A



PLAN
1" = 30'



ELEVATION



DETAIL "A"

OREGON STATE HIGHWAY DIVISION
BRIDGE SECTION

PROPOSED PIPE LINE UNDER SKIPANON RIVER
AT
WARRENTON, OREGON CLATSOP COUNTY
Application For City of Warrenton By Hwy Div. Dept. of Transportation

APPROVED:	DATE 3-13-75 BRIDGE NO. 11226A
BRIDGE ENGINEER	DESIGNED
	DRAWN DRAWING NO. 1A

DIETRICH POST OF WASH.

PALMBERG CONSTRUCTION CO.

[redacted]

Mar. 17, 1975

NOTED
E. S. HUNTER

[redacted] Dodge.

[redacted] A. Rudolph, Jr., Ass't. Attorney General

[redacted] your letter Mar. 14, 1975

[redacted]

[redacted] mentioning that the September 1974 meeting referred to was [redacted] of determining an interim solution for opening the bridge [redacted] modification of the bridge to comply with regulations.

[redacted] information that you may not have been fully informed as to [redacted] requiring that this bridge be timely restored to original [redacted] conditions to meet navigation requirements.

[redacted] your question regarding bridge openings, it is estimated that [redacted] could be requested in 1975 and probably many more in 1976. [redacted] requesting openings would include Richard Hellberg and E. F. [redacted] (fishermen), Oregon Ocean Supply(oceanographer), Richard Ol- [redacted] owner), Palmberg Construction Co.(marine dredging firm) and Bill [redacted] (fishermen), all of whom have riparian interests above the [redacted], Ralph Bond & Sawmill Co., or its subcontractor, will [redacted] request 2 or more openings in connection with [redacted] along 200 feet upstream from the bridge.

[redacted] hundreds of small boats from the City Mooring Basin and the [redacted] moorage could moor above the bridge, thus making sorely [redacted] for longer boats available below the bridge. All that is re- [redacted] the State to provide bridge passage and cease objecting to [redacted] and dredging above the bridge. The number of bridge [redacted] would of course depend on stage of tide.

[redacted] the continuing substantial losses of those with riparian [redacted] the bridge and the potential betterments to the community [redacted] once again open to unrestricted navigation, it appears that [redacted] and economical solution to all concerned would be to re- [redacted] the bridge under current emergency highway funding [redacted] now being requested by many local public bodies.

Very truly yours,

E. F. Hellberg

E. O. Palmberg

[redacted] E. S. Hunter
[redacted] Dist. Eng., US Ass't. Attorney
[redacted] A. Kirkland, Captain USCG

RECEIVED
MAR 18 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

9

ADDRESS REPLY TO
"UNITED STATES ATTORNEY"
AND REFER TO
INITIALS AND NUMBER

TCL:ad

United States Department of Justice

UNITED STATES ATTORNEY
DISTRICT OF OREGON
506 UNITED STATES COURTHOUSE
POST OFFICE BOX 71
PORTLAND, OREGON 97207

March 14, 1975

RECEIVED
MAR 20 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Patrick A. Randolph, Jr., Esq.
Assistant Attorney General
Department of Transportation
211 Highway Building
Salem, Oregon 97310

RECEIVED
MAR 17 1975
LEGAL

NOTED
E. S. HUNTER

Re: Skipanon River Bridge

Dear Mr. Randolph:

This is to acknowledge receipt of your letter of March 11, 1975, and the breakdown of the estimated construction schedule enclosed therewith. We have forwarded a copy of these to the Coast Guard and will let you know if they need any more information. Although the Federal Highway Administration may have some information concerning your pre-construction procedures, it still would be helpful if we could receive Oregon State Highway Division's explanation of these procedures, which are listed in your critical path schedule submitted to us in January. Finally, we shall expect to receive from you the results of the State Highway Division inquiry into interim bridge-opening arrangements.

Thank you for your cooperation.

Very truly yours,

SIDNEY I. LEZAK
United States Attorney

Thomas C Lee

THOMAS C. LEE
Special Assistant U. S. Attorney

cc: Rear Admiral R. A. Ratti
Chief Counsel
Office of the Commandant (G-LCL/81)
U. S. Coast Guard Headquarters
Washington, D.C. 20590
Attn: Mr. Lynch

Floyd L. France
General Litigation Section
Land & Natural Resources Division
Washington, D.C. 20530
File: 90-1-4-1044
Attn: Myles Flint, Esq.

8651

8

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
XXXXXXXXXXXXXXXXXXXXXXXXX
SALEM, OREGON 97310
TELEPHONE: (503) 378-6368
211 State Highway Building

March 14, 1975

Herbert Palmberg
Palmberg Construction Co.
P.O. Box 448
Warrenton, OR 97146

Re: Skipanon Bridge

Dear Mr. Palmberg

In a meeting which you and I attended on September 17, 1974, we discussed your needs for passage on the Skipanon channel past the location of the present bridge at Warrenton. Subsequent correspondence has indicated to me that my understanding of that conversation does not accord with yours.

We are now attempting to analyze the traffic on the Skipanon waterway to determine the cost of accommodating an interim bridge opening program to this traffic during the period of planning and construction of a new bridge.

I would very much appreciate your setting forth in writing what you anticipate to be your needs for passage past the Skipanon Bridge between now and the scheduled commencement of construction in the fall of 1976.

If you are aware of other persons who have explicit plans to use the waterway during that period, I would very much appreciate receiving this information.

Sincerely

NOTED
E. S. HUNTER

Patrick A. Randolph, Jr.
Assistant Attorney General

PAR:hg
cc - E. S. Hunter
Tom Lee
Commander Kirkland

(Dictated but not read)

RECEIVED
MAR 14 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

8

ADDRESS "UNITED STATES ATTORNEY" AND REFER TO INITIALS AND NUMBER

TCL:ad

United States Department of Justice

UNITED STATES ATTORNEY
DISTRICT OF OREGON
506 UNITED STATES COURTHOUSE
POST OFFICE BOX 71
PORTLAND, OREGON 97207

RECEIVED
MAR 11 1975
LEGAL

March 10, 1975

NOTED
E. E. JOHNS

NOTED
E. S. HUNTER

Patrick A. Randolph, Jr., Esq.
Assistant Attorney General
Department of Transportation
211 Highway Building
Salem, Oregon 97310

Dear Mr. Randolph:

Re: Skipanon River Bridge

After you provided us, on February 26, 1975, with a copy of the revised critical path schedule for replacement of the bridge which your department had submitted to the Coast Guard by letter of January 29, 1975, we conferred with the Coast Guard on this matter. They too would like to see a detailed justification for the length of the construction schedule, as well as an explanation of the time elements in the preliminary procedures. I hope that your engineers will be able to set forth these items of information in a very short time, as we must bring about a prompt resolution of the Government's course of action with regard to the bridge.

The Coast Guard is also very concerned about the absence of any reasonable commitment on the part of the State to any interim arrangements for making the present span more available for openings for navigation than it presently is. We think the State is obliged, under the laws and regulations, to provide sufficient machinery to open the span for necessary vessel passages, and we urge you to have your engineers consider the options of (1) stationing a barge between the railroad and highway bridges for this purpose, or (2) installing a temporary device to open the present bridge.

We hope you will send us favorable commitments by the State Highway Division along with the information we have requested above, and we hope that you can provide such within a few weeks.

Very truly yours,

NOTED
ELLOYD

SIDNEY I. LEZAK
United States Attorney

Thomas C. Lee

THOMAS C. LEE
Special Assistant U. S. Attorney

RECEIVED
STATE HWY ENGR
MAR 13 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

P.S. - A recent news clipping relating to your Governor's policy on availability of highway funds is enclosed.

Enclosure

cc: Rear Admiral R. A. Ratti
Chief Counsel
Office of the Commandant (G-LCL/81)
U. S. Coast Guard Headquarters
Washington, D.C. 20590 (w/encl.)
ATTN: Lieutenant Ingham

Mr. Dick Baldwin
City Manager
Warrenton, Oregon 97146

Mr. Herbert G. Palmberg
Palmberg Construction Company
P. O. Box 448
Warrenton, Oregon 97146

'Shortcut' may boost road funds

By BILL KELLER
of The Oregonian staff

WASHINGTON — Gov. Bob Straub said Thursday a shortcut around the environmental protection laws may enable Oregon to spend more than $20 million in federal funds to improve the state's highways.

The money, part of $2 billion in impounded highway funds recently released by President Ford, must be spent by July 1 or be forfeited. Straub said the usual public hearings and filing of environmental impact statements would delay projects beyond that deadline.

But after a meeting Thursday with Federal Highway Administrator Norbert Tiemann, Straub said he believes Oregon can "kind of stretch" the National Environmental Protection Act (NEPA) and "have a thousand new people working on the highway system within a month."

The loophole Tiemann cited is called "negative declaration" and can be used only on noninterstate highways.

It could be used for such "minor reconstruction" projects as widening bridges, straightening dangerous curves or paving, not for constructing new routes.

The state would present each project to the federal regional highway administrator with a declaration that the project would have "no environmental impact, period," Straub said. If the administrator approves, the project can go ahead without the usual environmental statement or public hearings.

Tiemann assured Straub that regional administrators will "be leaning as far as they can within the court decisions they have to live by," the governor said.

"Of course, a citizen can always take it to court," he said. "But I hope they won't.

"I think the people have to realize that these delays prevent us from putting people to work."

Oregon normally can count on about 1 per cent of such a federal grant — $20 million in this case — but Straub said the state has a "golden opportunity" to pull in a much larger share this time.

The $2 billion will be parceled out on a first-come, first-served basis. Unlike other states, Straub said, Oregon has enough money to meet the 30 per cent matching requirements and has not laid off the highway engineering staff ed to draw up work proposals.

The governor said prime cand for upgrading would be the coast way and the lateral routes betwe coast and the Willamette Valley.

"But if the people don't want Western Oregon, I'll bet there are of people in Eastern Oregon who be glad to have it done," he added.

"I don't want to shortcircuit N he said, "but it has been enforced more rigidly than was intended b gress, and it has caused delay an to the taxpayer, much more than i tified."

Straub said he also discussed Tiemann the disputed I205 fre through Multnomah County ea Portland.

The governor predicted work o freeway would be under way shortly after" a March 27 public ing on the freeway's environn impact.

He said that project, which he f would generate up to 3,000 jobs.

Straub was in Washington fo National Governors' Conference ended Thursday night.

8451

FORM 81-734-3060

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: Br. 11226A

March 7, 1975
Salem, Oregon

ORIGINAL SIGNED
WALTER J. HART

FROM: Walter J. Hart
Bridge Engineer

TO: Mr. Patrick A. Randolph
Assistant Attorney General

SUBJECT:

Skipanon River Bridge
Warrenton-Astoria Hwy.
Breakdown of Anticipated
Construction Time

NOTED
E. S. HUNTER

In response to your request, attached is a breakdown of the estimated construction time for the subject project. This is a breakdown of the 80-week construction time shown on the critical path schedule previously submitted.

The attached is for construction of a double leaf bascule bridge. We believe construction of a fixed span bridge will require about the same time because of the additional length and stage construction required.

RWE/ag
Attach.

cc E. S. Hunter w/attach.
H. A. Schell w/attach.
C. O. Fredrickson w/attach.
E. Everton w/attach.

RECEIVED
MAR 10 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Activity	Time - Months 0	2	4	6	8	10	12	14	16	18	20
Mobilizaton											
Provide Detour & Temporary Water Line											
Order & Delivery of Steel & Machinery *											
Relocate Water Main (Permanent)											
Remove Existing Bridge											
Place Fills											
Drive Sheet Pile & Excavate For Footings											
Drive Foundation Piling											
Construct Piers, Pile Caps & Operators House											
Place Pier Protection											
Place Prestess Spans, Traffic Rail & A.C.											
Place Machinery & Do Electrical Work											
Erect Steel Spans & Counterweights											
Place Warning Lights, Gates Etc.											
Operate Movable Span, Gates & Lighting											
Open to Traffic & Remove Detour											

Skipanon River Bridge
Construction Schedule
Br No 11226A 2-28-75
JN

* Time for this item could vary depending on market conditions at time of contract. Delivery time beyond 12 months would extend completion date.

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-WBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE: 202-426-0942

.3271
26 FEB 1975

RECEIVED
MAR 5 1975
LEGAL

NOTED
E. S. HUNTER

Mr. E. S. Hunter
Assistant State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Hunter:

This is in reply to your letter of 29 January 1975 concerning your bridge across the Skipanon River at Warrenton, Oregon.

I would like to make it clear that the Coast Guard did not agree to delay further action as you attribute to me in your letter. Further, as the matter had already been referred to the U. S. Department of Justice for prosecution, I had no authority to make such an agreement.

You may be assured of the Coast Guard's intention to enforce compliance with the Order through the Federal courts if necessary.

In view of our referral of the case to the Department of Justice it is requested that further correspondence be directed to CDR Norman B. Lynch, Chief, Claims and Litigation Division, U. S. Coast Guard, Washington, D. C. 20590.

Sincerely,

J. [illegible] KIRKLAND
Captain, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

RECEIVED
STATE HWY ENGR
MAR 3 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

RECEIVED
MAR 3 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Mai 14-1-1
Skipanon
Sp.

Robert W. Straub
XXXXXXXXXXX

January 29, 1975

Captain John Kirkland
U. S. Coast Guard
400 7th Street S.W.
Washington, D. C. 20591

Dear Captain Kirkland:

Skipanon River Bridge
Warrenton, Oregon
Warrenton-Astoria Highway
Bridge No. 11226A
Project Schedule

At a meeting with members of our staff in Astoria, Oregon, on September 17, 1974, ypu agreed to delay furthsr Coast Guard action regarding the subject structure pending our proposal for an accelerated resolution of the current problem.

We have contacted each concerned section of the Highway Division about consolidation of the critical path schedule sent to you July 23, 1974. Some of the activities shown on the schedule have begun and others have been closely studied in an attempt to reduce the total time involved. As a result, the attached revised critical path schedule appears possible. This new schedule allows award of a construction contract about five months prior to that previously indicated. This ever-all reduction in time is the total of many smaller increments cut from individual activities and, therefore, may be optimistic.

All Highway Division activities are now scheduled in accord with this accelerated critical path.

As you know, the local population objected to our plan for replacing the bascule span in the existing structure at our previous public meeting. As a result, we began planning for a completely new structure at the same location. The area

Intergovernment Council is now objecting to the new structure (see attached letter). How this will effect progress we are not sure. If the Federal Highway Administration denies funding because of this objection, we will be financially unable to proceed.

We now are, and will continue progressing in accord with the new schedule. If we are stopped by governmental or citizen action, we will need to reassess our position, revise plans accordingly and advise you of the problems encountered.

This has been a frustrating project because of the lack of local government and citizen support. It appears that the only parties pushing the project are the Coast Guard and Mr. Palmberg of Warrenton. The Highway Division recently removed its objection to Mr. Palmberg's upstream property development program and agreed to open the existing structure in accord with the schedule he presented at the Astoria meeting last September 17. (see attached letter).

With this restriction removed it would appear that Mr. Palmberg could live with the existing conditions until land use, zoning and municipal needs can be resolved and the actual bridge needs determined.

Your consideration and understanding in this frustrating matter is sincerely appreciated.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

Attachments

cc: Mr. Ed Shields
13th Coast Guard District
618 Second Avenue
Seattle, Washington 98104

bc: F. B. Klaboe
A. E. Johnson
W. J. Hart w/att.
C. O. Fredrickson w/att.
E. L. Everton w/att.
Pat Randolph w/att.
Glen Green w/att.

RWE:dh js

ACTIVITY	July '74	Jan. '75	1 Year	July '75
Project programming and preliminary engineering approval FHWA				
Corridor approval FHWA				
Review reconnaissance studies				
Project prospectus				
Negative declaration or draft EIS				
EIS Study committee & FHWA concurrance				
Administrative approval draft EIS				
Circulate draft EIS				
Field location survey				
Geological study and report and base design				
Preliminary R/W data				
Complete field location survey and review				
Bridge foundation exploration				
Preliminary structural design				
Gather corridor/design or design hearing documents				
Advertise corridor/design or design hearing				
Corridor/design or design hearing & study report				
Final EIS or special investigation				
Corridor/design or design approval FHWA				
Coast guard permit				
Local government approval				
Program R/W and construction FHWA				
Final structural design				
FHWA Review final design				
Acquire DEQ permit, watermain relocation				
Acquire Corps of Enigneer permit, watermain relocation				
Watermain relocation				
Division of state lands easements				
Roadway plans				
R/R encroachment maps and descriptions				
Division of state land and geology permits				
R/W Map and description				
R/R Agreements				
Approval of R/W Acquisition FHWA				
Appraisal negotiation, aquisition R/W				
Contract specification and estimates				
Prepare and submit PS&E data				
PS&E approval FHWA				
Advertise project				
Award contract				
Construction				

July '73 | Jan. '74 | 1 Year | Jan. '76 | 2 Years | Jan. '77 | 3 Years

SKIPANON RIVER BR

Time = 1 - 10 Weeks

JAN. 1975

proval FHWA

nts

nt

ocation

2 Years | Jan. '77 | 3 Years | Jan. '78 | 4 Years

SKIPANON RIVER BRIDGE

Time - 17 - 10 Weeks

JAN. 1975

Critical path schedule item

Non critical schedule item

TRANSACTION NUMBER 2-33

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

TRANSMITTAL AND REQUEST FOR INITIAL PROGRAM APPROVAL OF PROJECTS

(PPM 21-1)

STATE HIGHWAY DEPARTMENT: OREGON

DATE: 2-3-75

BY (Signature): L.W. RULIEN'S JANUARY 27, 1975 LETTER

TITLE: PROJECT MANAGEMENT ENGINEER

CLASS OF FEDERAL FUNDS: ☐ FAI ☐ FAP ☐ FAU ☒ FAS ☐ OTHERS

STAGE 1 * ITEM NOS. _____ THRU _____

STAGE 2 ITEM NOS. 28 THRU _____

ITEM NO.	PROJECT NOS.	LENGTH (Miles)	TOTAL ESTIMATED COST	FEDERAL FUNDS	OTHER IDENTIFICATION AND/OR REMARKS (State) LOCATION	WORK
28	RS-599(1)	0.2	90,000	70,300	SKIPANON RIVER BRIDGE (WARRENTON) SECTION, CLATSOP COUNTY-STATE OF OREGON.	PRELIMINARY ENGINEERING

NOTED
E. S. HUNTER

RECEIVED
STATE HWY ENGR
FEB 5 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

REMARKS (Division)

YOU ARE AUTHORIZED TO PROCEED WITH ALL PHASES OF PRELIMINARY ENGINEERING.

RECEIVED
FEB 6 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

2-6-75
ORIGINAL TO
L.W. Rulien

RECOMMENDED		APPROVED	
DATE	SIGNATURE AND TITLE	DATE	SIGNATURE AND TITLE
		2-3-75	G. L. GREEN, DIVISION ENGINEER

* Program approval and any authorization to proceed with a Stage 1 project shall not constitute any commitment of Federal funds nor shall it be construed as creating in any manner, any obligation on the part of the Federal Government to provide Federal funds for the undertaking.

FORM PR-48
(Rev. 8-71)

GPO 915-690

2-3-75

8151

Robert W. Straub
XXXXXXXXXXX

January 27, 1975

TO Q. L. Green, Division Engineer
Federal Highway Administration

FROM L. W. Rullen
Project Management Engineer

SUBJECT Program Data Submission
Project No. RS-599(1)

We are submitting program data for one preliminary engineering project, Item No. 28, Project No. RS-599(1), which we desire to have included in the Federal-Aid Rural Secondary Highway program.

We further request, concurrent with your approval of the program, authorization to proceed with all phases of preliminary engineering.

Location/Design approval will be granted under the "Secondary Road Plan".

Enclosed are copies of State Clearinghouse approval and District 1 Clearinghouse comments dated January 10, 1975 and January 15, 1975 respectively.

CL:wm

MONTHLY TRANSACTION NO.

DATE SUBMITTED TO B. O.

FORM PR-1 (REV. 4-61)

1-27-75

FEDERAL-AID PROGRAM DATA

(PPM 21-1)

CARD 2	REPORT NUMBER: 1	PROJECT LOCATION (45 typewriter spaces): St. Rd. Skipanon Riv. Bridge in Warrenton	ADT	PRESENT: 3,500*	FUTURE: 6,000	YEAR: 95	REGION: 10	STATE NAME: Oregon	
CARD 3	CHARACTER OF PROPOSED WORK (35 typewriter spaces): Preliminary Engineering	NATL. FOREST			EMERG. YR.	PL. AUTH YR.	PROJECT NUMBER: PREFIX LETTER: RS-	NUMBER: 599	
CARD 4	CLASS OF FEDERAL FUNDS: Rural Secondary				COUNTY NAME: Clatsop			CODE: 007	
	NAME OF URBAN AREA: - -				ROUTE NO. S	FEDERAL-AID: 605	STATE: 105	U.S.: - -	

CARD 5	LINE NO.	CHANGE CODE	PROJECT CODE	WORK: CLASS	WORK: TYPE	STEP	TERMINI (Full description)	MILES	ESTIMATED PROJECT COST BY PHASES: TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS
1	(1-4 5)	(10)	41	42	43 46	53		(54) (58)	(59) (66)	(67) (70)		
5					PE		St. Rd. Skipanon River Bridge in Warrenton	0.2	90,000	70,300	19,700	
5					ROW							
5					CONST (CODE)		"Skipanon River Bridge (Warrenton) Section"					
							PROJECT TOTALS	0.2	90,000	70,300	19,700	

CARD 1	CODE 1	PREPARED BY
1	14	PROGRAM APPROVAL DATES

(16) (22) (24) (30) REMARKS

*DHV 550

Budget Bureau No. 41-R2867; Approval Expires February 28, 1966

FORM PR-1 (REV. 4-61)

1-27-75

U.S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

FEDERAL-AID PROGRAM DATA

(PPM 21-1)

PROJECT LOCATION (45 typewriter spaces)	ADT	PRESENT	FUTURE	YEAR	REGION	STATE NAME	STATE CODE	APPN CODE	ITEM NO.
St. Rd. Skipanon Riv. Bridge in Warrenton		3,500*	6,000	95	10	Oregon	41	075	28

PROPOSED WORK (35 typewriter spaces)	NATL. FOREST	FA ROUTE NO.	EMERG. YR.	PL. AUTH YR	PROJECT NUMBER PREFIX LETTER(S)	NUMBER	SEQ. NO.	F. Projects Only POST MI.	DESIG.
ry Engineering					RS-	599	(1)		

FUNDS	COUNTY NAME	CODE	PROGRAM STAGE
Rural Secondary	Clatsop	007	[ ] 1 OR [X] 2

AREA	ROUTE NO.	FEDERAL-AID	STATE	U.S.
- -	S	605	105	- -

WORK TYPE	STEP	TERMINI (Full description)	MILES	TOTAL ESTIMATED COST	FEDERAL FUNDS	STATE FUNDS	OTHER FUNDS	CHARACTER OF PROPOSED WORK (Full description)
PE		St. Rd. Skipanon River Bridge in Warrenton	0.2	90,000	70,300	19,700		P.E. all phases incl. P.S. & E. prep.
ROW								(Future 290' structure with 80' double-leaf bascule span and Gr & Pave approaches.)
CONST (CODE)		"Skipanon River Bridge (Warrenton) Section"						ROW - 70' min; Access Control - partial; Parking restrictions-partial
		PROJECT TOTALS	0.2	90,000	70,300	19,700		

ESTIMATED PROJECT COST BY PHASES

*DHV 550

PREPARED BY

APPROVAL DATES

REMARKS

-over-

USCOMM-BUDC-DC 46000-P61

SKIPANON RIVER (WARRENTON) BRIDGE SECTION
PROJECT NO. RS-599(1)

Existing Facility

Roadway: 22-foot oiled surface with 6-foot shoulders.
Structure: Skipanon River Bridge 207' frame trestle and steel beam with 39' floatout span, HC 26'-10", H-15 loading.

Adjacent Sections:

Roadway same as existing facilities.

Project Data: The work under this project consists of all phases of preliminary engineering including P.S. & E. preparation necessary to replace the existing bridge with a new structure approximately 290 feet in length with an 8-foot double-leaf bascule span, roadway width of 44 feet, and the grading and paving of approaches to provide for two 12-foot lanes with 10-foot shoulders.

System Action, Railroads, Water Developments, Historical and Recreational Areas: None involved.

Airports: Clatsop County Airport is located approximately 1 3/4 miles east of the existing facility and the proposed facility will not cause any conflict with the operation of the airport.

PPM 90-1: An appropriate environmental statement will be submitted under separate action.

IM 50-1-70: State Clearinghouse letter of approval dated January 10, 1975. District No./Clearinghouse letter of comments dated January 15, 1975.

Public Hearing: Opportunity for a public hearing will be offered and held if requested.

Location/Design Approval: Will be granted under the provisions of the Secondary Road Plan.

Data for PR 37:

Preliminary Engineering

Field Work	$50,00
PS & E Preparation	40,00
Total	$90,00

Note: This project is in congressional District No

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Opportunity for a public hearing will be offered and ed.

Approval: Will be granted under the provisions of the Plan.

Data for PR 37:

Preliminary Engineering

Field Work	$50,000
PS & E Preparation	40,000
Total	$90,000

Note: This project is in congressional District No. 1.

8657

Robert W. Straub
XXXXXXXXXX

January 27, 1975

TO Executive Department
Federal Aid Coordination Unit

FROM L. W. Rullen
Project Management Engineer

SUBJECT Federal-Aid Funding Application

In compliance with step 7 of Procedure 13-020-02 of Executive Memorandum 02-270-20, we are submitting one copy of the completed application for federal-aid funding of the following Rural Secondary project.

Item No.	Project No.	Section Name & PNRS No.
28	RS-599(1)	Skipanon River (Warrenton) Br. Sec. PNRS #7412 2 390

Enc.

CL:wm

cc: D. E. Swan

8651

8

DEPARTMENT OF JUSTICE

Memorandum

TO: FILE

DATE: January 23, 1975

FROM: Pat Randolph

SUBJECT: Daily Astorian Article circulated by Eldon Everton

It is perhaps necessary to expand upon what I actually said to Steve Bragwell of the Daily Astorian in light of the gross misquotes which he managed to put into his article.

1. I took pains to make clear to Mr. Bragwell that I was an Assistant Attorney General assigned to the Highway Division, not an employe of the Highway Division, and that policy determinations with respect to the Skipanon Bridge would be made by Highway Division Administrative staff and not by me.

NOTED
E. S. HUNTER

2. I do not recall discussing at all any "remodeling" of the present bridge. I presume that Mr. Bragwell has confused the single bascule tower drawbridge with a "remodeling". That confusion must have been caused by something other than our conversation since we never discussed the issue at all.

3. I never said anything about the chances of the Coast Guard modifying its order. I did indicate that Ed Hunter was in Washington and that one of the matters he was discussing with the Coast Guard was the Skipanon Bridge matter. I did not even suggest that Ed Hunter was attempting to get the Coast Guard to reverse its position.

4. I never said that the State would ignore or "not accept" any recommendation by CTIC. Mr. Bragwell never told me that CTIC had made a recommendation but indicated only that they had refused to approve the request for federal funds. I did indicate that at the public meeting held in Warrenton earlier the State had fully discussed and analyzed the single bascule span bridge and at that time this bridge was generally felt to be an undesirable option.

5. At the end of our conversation I specifically asked Mr. Bragwell to read back to me what he intended to print from our conversation. My memorandum of January 16, dictated immediately after that conversation, repeats what Mr. Bragwell indicated to me he intended to print.

I hope no one has been embarrassed or misled by the article. Despite the misquotes and factual mistakes, it is probably best to ignore the thing rather than to try to correct it.

PAR:hg

cc: Ed Hunter
Walt Hart
Eldon Everton
Chuck Frederickson

RECEIVED
JAN 24 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

E. Hunter

FORM E-90 (REV. 10-69)

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

FILE:

Astoria, Oregon
January 17, 1975

NOTED
E. S. HUNTER

From: E. L. Everton
District Engineer

SUBJECT: Skipanon River Bridge

To: Ted Litchfield
Regional Operations Engineer

An article that appeared in the local paper that I am enclosing would be of concern and interest to you. I am almost always in attendance at the CTIC meetings; but, on this occassion there was a Maintenance Management Meeting in Astoria that I attended instead. I feel that if I had been in attendance that very possibly the outcome of their vote would have been different.

I was contacted by CTIC officials this date and in our discussion on this subject, they felt that with the information that I gave them in our conversation that quite possibly a different vote would have been made.

ELE:lh
Enclosure

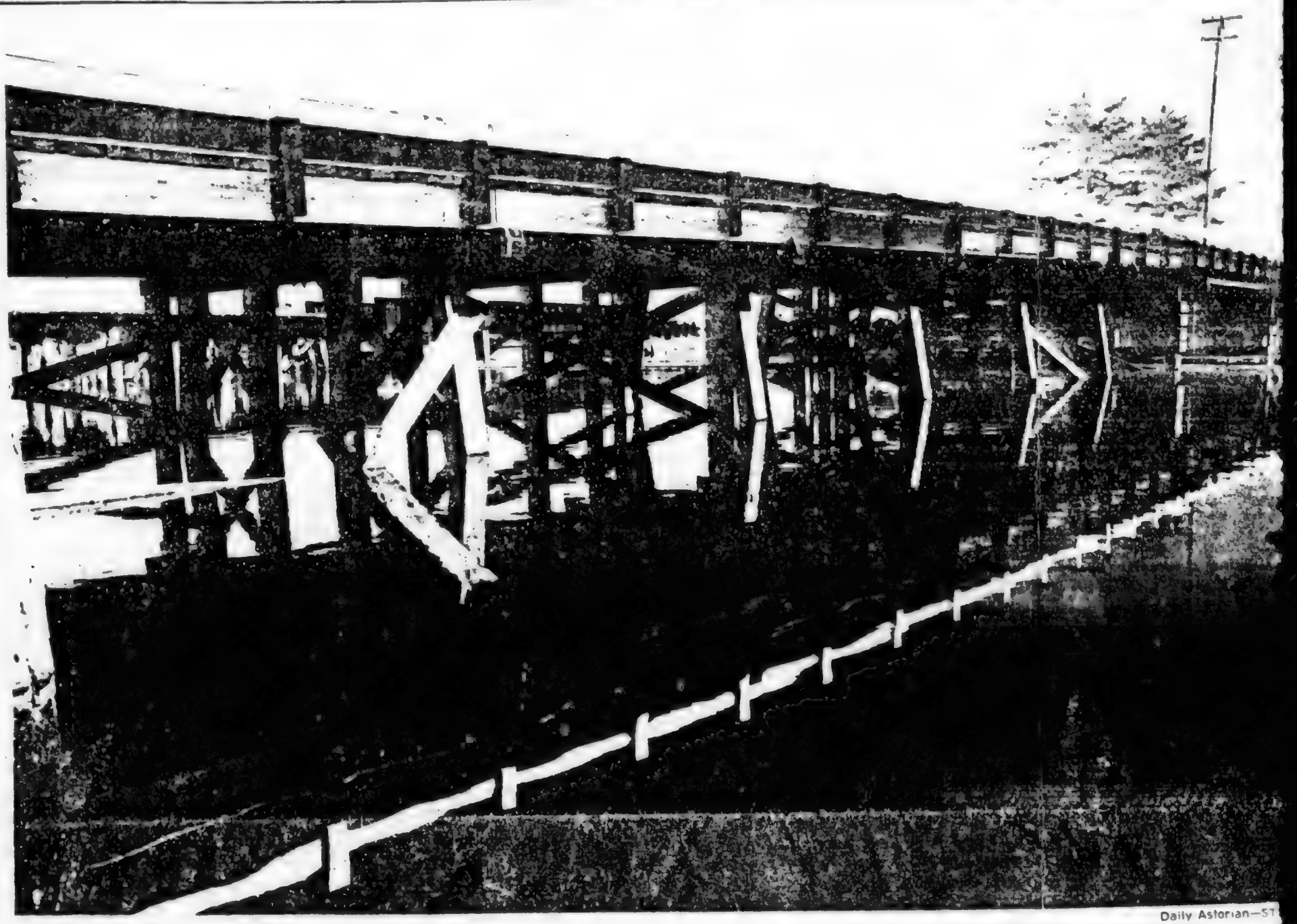
REGION 2 ENGINEER
RECEIVED
JAN 20 1975
RE | RCE | RME | RTE | ROE
ULE | GEO | RSO | ROC | RFE

RECEIVED
JAN 22 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

cc: Ed Hunter ✓
Pat Randolph

THE DAILY ASTORIAN

102ND YEAR NO. 143 THURSDAY, JANUARY 16, 1975



Daily Astorian—ST

After CTIC opposes federal grant

Skipanon Bridge project in dou

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—The on-again, off-again Skipanon Bridge replacement project may be off again.

The Clatsop-Tillamook Intergovernmental Council (CTIC) attached a negative recommendation to the State Highway Division's request for a federal grant for the bridge work this week.

Negative recommendations from local review agencies usually kill such grant requests.

However, Pat Randolph of the State Highway Division said this morning the state still feels full replacement of the span is necessary and is proceeding on the assumption it will get the federal grant.

He said the state would be in a tough spot if it didn't get federal funds as it has strict orders to replace the bridge from the U.S. Coast Guard that are being enforced in court and doesn't have the necessary $2.2 million in its own coffers.

CTIC made its negative recommendations on the basis of a staff report calling the expense "unjustified." It was the feeling of CTIC's staff and membership that the state should bring the bridge up to Coast obsolete by water-oriented upriv r development.

On the last point, it has been noted that if river traffic develops to any great degree with the opening up of the waterway, frequent bridge openings would turn downtown Warrenton into a traffic quagmire, the city's major wood products industry would suffer from truck delays, emergency vehicles would have long waits and the state would be out up to $100,000 a year of taxpayer money to obtain bridgetender services.

CTIC looked at past opening statistics and decided that was unlikely, but others argue statistics collected while a low bridge and logs have blocked the river are meaningless

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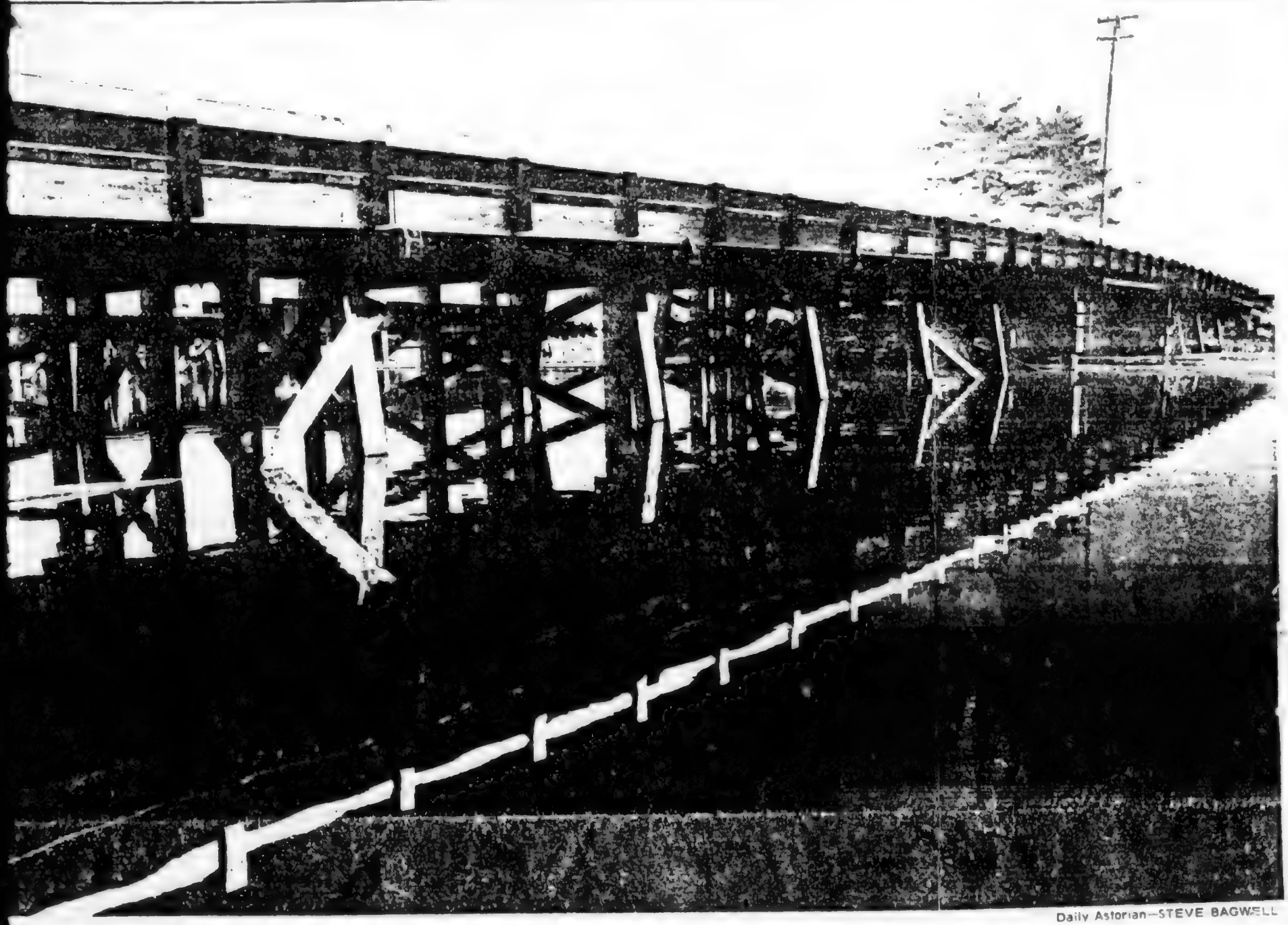
Rittenback explained th hinges on estimates of futur

HE DAILY ASTORIAN

NO. 143 THURSDAY, JANUARY 16, 1975 15 CENTS



Daily Astorian—STEVE BAGWELL

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CTIC made its negative recommendations on the basis of a staff report calling the expense "unjustified." It was the feeling of CTIC's staff and membership that the state should bring the bridge up to Coast Guard standards without completely replacing it.

The State Highway Division originally proposed to do just that, but practically was run out of Warrenton when it unveiled its plans there. City officials were joined by dozens of citizens in saying the remodeling plans were unsuitable.

Opponents of the state's original proposal said the remodeled bridge would be in violation of the city's new land-use plan, wouldn't meet the community's long-range needs, was esthetically unpleasing and could cause serious disruption of downtown traffic patterns.

And though they admitted the remodeled bridge would alleviate the clearance problem the Coast Guard objects to, they said it wouldn't solve serious alignment and approach problems the city objects to.

At that time State Highway Division representatives agreed with the critics. They said they had only proposed the partial replacement because it would be the fastest and cheapest way to proceed.

They said that if the city would agree to help them get a delay in the Coast Guard's order, they would take the time to design a replacement span that would meet the city's long range needs and solve its current bridge problems to everyone's satisfaction.

The officials said they also would use the time to seek federal funds that would be necessary to go the more costly full-replacement route.

The city agreed.

The state complains it would be foolhardy to throw upwards of half a million dollars into a bridge that has an exceedingly narrow and misaligned two-lane roadway and could be made obsolete by water-oriented upriver development.

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Randolph said this morning the state would be unwilling to accept CTIC's recommendation that it try again with a remodeling plan because it fears the temporary solution would become more costly in the long run. He said it didn't appear to be a wise course of action when all factors are taken into consideration.

Randolph said Ed Hunter of the State Highway Division was in Washington D.C. this morning to discuss the bridge matter and other issues with Coast Guard officials, but that there was almost no possibility at all of the Coast Guard modifying its order.

He said that leaves the highway people with two unpalatable options in the event the grant is lost, replacing the span with its own scarce funds or spending a considerable amount remodeling a span considered not suitable for long-range use.

Randolph said the State Highway Division hadn't been aware of the CTIC action and he would be calling Hunter in Washington D.C. to advise him of it.

The City of Warrenton's position has been that only a bridge with increased clearance that would eliminate the need for frequent openings would be acceptable. Clearance can't be increased without replacing the span entirely, so the city agrees with the state on its long-range need for a new bridge rather than a remodeled one.

CTIC was aware of Warrenton's wishes because it had in its possession a letter from the city manager to the effect the span had to have "elevation sufficient to provide for most small boat traffic without lifting" and the letter was read before the body made its recommendation.

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He said that if the city and state huddled on it again and still felt that the best way to go involved multi-million dollar replacement of the Skipanon Bridge, he was sure CTIC would go along and reverse its negative recommendation on the grant application.

Rittenback explained that the issue hinges on estimates of future use of the highway across the river and the river itself. He said he isn't convinced it would necessarily be so great as to cause serious future problems if the bridge was remodeled instead of replaced, but could be persuaded otherwise by state and city officials if they would just reconsider options once more first.

That's something the State Highway Division and City of Warrenton would surely agree to.

8651

DEPARTMENT OF JUSTICE

Memorandum

TO: FILE DATE: January 16, 1975

FROM: Pat Randolph

SUBJECT: Skipanon Bridge

On Thursday, January 16, I received a call from a reporter for the Astoria newspaper who wanted our comments on the recent decision of the Clatsop-Tillamook Intergovernmental Council (the local COG) to refuse support to the State's request for funding a replacement bridge over the Skipanon. The Cog's action was based on a staff recommendation that the cost of the proposed replacement bridge was disproportionate to the highway construction priorities in the area and in the State.

The reporter indicated that he did not feel that the Cog's position was a particularly strong one and that it was generated partly out of a desire to help the State and partly out of ignorance as to the total situation since Warrenton does not participate on the Cog.

I indicated that to my knowledge the State had not yet been made aware of the Cog's position and that I was not aware what impact it would have on the decision by FHWA with respect to federal funds. I further indicated that the State was under order from the Coast Guard to replace the bridge and that it would continue in good faith to process applications and take other steps necessary to obtain the funds to accomplish this replacement.

PAR:hg

cc - E. S. Hunter
Walt Hart
C. O. Frederickson
Elvord Everton

NOTED
E. S. HUNTER

RECEIVED
JAN 20 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE

Local Government Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Leslie Lehmann, Coordinator Ph: 378-3732

STATE A-95 REVIEW CONCLUSIONS

CLATSOP

APPLICANT: Oregon State Highway Division

PROJECT TITLE: Skipanon River Bridge

DATE: January 10, 1975

The state has reviewed your project and reached the following conclusions:

[XX] No significant conflict with the plans, policies or programs of state government have been identified, [redacted]

[XX] Relevant comments of state agencies are attached and should be considered in the final design of your proposal.

[ ] Potential conflicts with the plans and programs of the state agency(s) have been satisfactorily resolved. No significant issues remain.

[ ] Significant conflicts with the plans, policies or programs of state government have been identified and remain unresolved. The final proposal has been reviewed and the final comments and recommendations of the state are attached.

1/17/75
cc: G. L. Green, FHWA
F. B. Klaboe
Victor D. Wolfe
J. B. Boyd
R. E. Royer
J. H. Versteeg
Aeronautics Div.
Gary Potter
City-County
B. L. Gifford
D. E. Swan
E. L. Everton
C. O. Fredrickson

NOTICE TO FEDERAL AGENCY

The following is the officially assigned State Identifier Number:

7412 2 390

This number should be used on all correspondence and particularly on SF 240 as required by OMB A-98.

RECEIVED
STATE HWY ENGR
JAN 20 '75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

A copy of this notification and attachments, if any, must accompany your application to the Federal Agency as required by OMB A-95. Comments of the appropriate local reviewing agencies must also be included.

BEN GIFFORD
12-10-74

PNRS #2

DEC 3 1 1974

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

STATE CLEARINGHOUSE ...TIONS DIVISION

Local Government Relations Division
240 Cottage Street S.E., Salem, Oregon 97310
Leslie Lehmann, Coordinator Phone: 378-3732

PNRS STATE REVIEW

Project #: 7412 2 390 Due Date: JAN 2 1975

To Agency Addressed: If you intend to comment but cannot respond by the return date, please notify us immediately. If no response is received by the due date, it will be assumed that you have no comment and the file will be closed.

PROGRAM REVIEW AND COMMENT

To State Clearinghouse: We have reviewed the subject Notice and have reached the following conclusions on its relationship to our plans and programs:

( ) It has no adverse effect.

( ) We have no comment.

( ) Effects, although measurable, would be acceptable.

( ) It has adverse effects.

( ) We are interested but require more information to evaluate the proposal.

(X) Please coordinate the implementation of the proposal with us.

( ) Additional comments for project improvement.

- - - - - - - - - - -

REMARKS (Please type or print legibly)

The description indicates the bridge will have structural supports in the river thus we request that OSHD coordinate with us during design stage.

Agency Fish By [signature]

865

OREGON STATE HIGHWAY DIVISION
LOCATION SECTION
SOILS AND GEOLOGY UNIT
PROJECT BASE DESIGN

Section: Skipanon River (Warrenton) Bridge
Highway: Warrenton-Astoria (FAR 605)
County: Clatsop
Prefix: 104-1405

Res. Engr.
Approx. Length
Sta. M.P. 0.17
Date January 9, 1975

Mean Truck A.D.T. 269
Traffic Coefficient 8.6
18 kip s. a. per day 89,630

Annual Precipitation 80"±
Frost Penetration - - - -
CBE Total Requirement 28.5"

(1)

Typical Soil

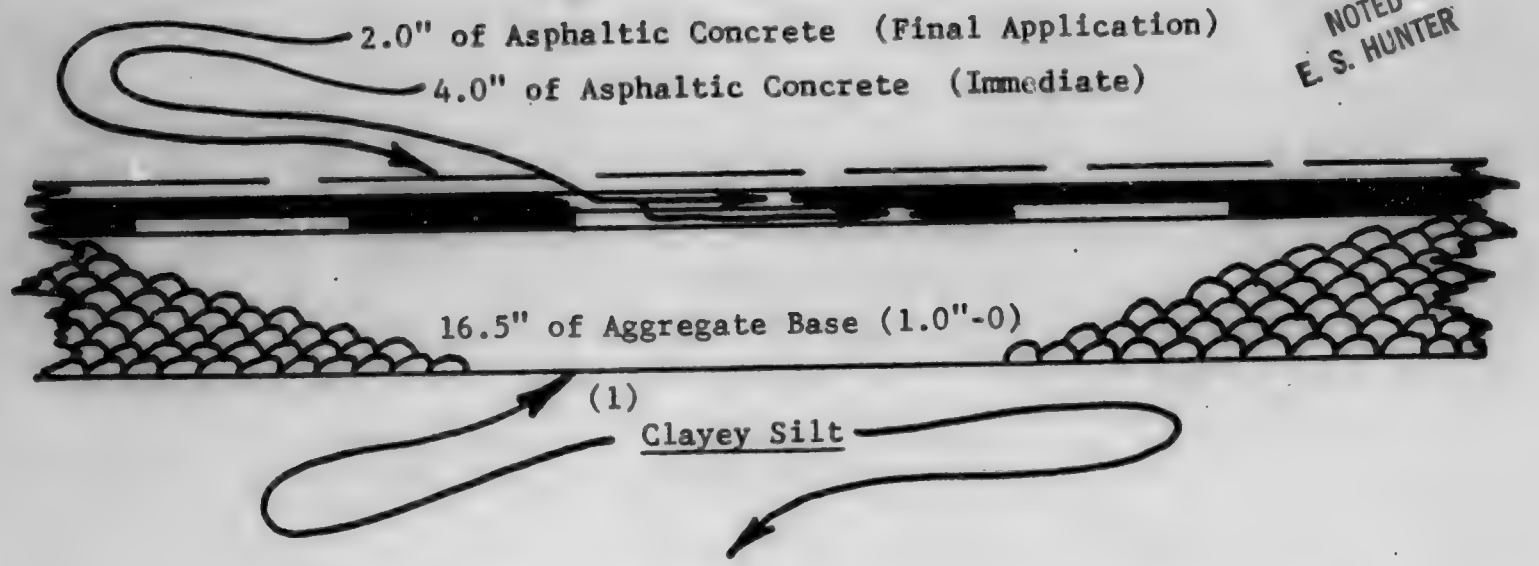
51 LL
14 PI
100 %P 10
87 %P 200
0 % Gravel
2 % C Sand
11 % F Sand
59 % Silt
28 % Clay
6 R Value
A-7-5 AASHO Classif.

Materials Source:

To be determined by the Engineer.

Credit	*Actual Thick.*	*Component*
4.0	2.0	A.C. (F.A.)
8.0	4.0	A.C. (I.)
16.5	16.5	A.B.
28.5	22.5	

STRUCTURAL SECTION



NOTED
E. S. HUNTER

See Remarks on Page 2.

Submitted by E. J. Heyer
Base Design Engineer

Recommended by
Engineer of Materials and Research

Recommended by
Location Engineer

Approved by E. S. Hunter
Asst. State Highway Engineer

F.H.W.A.
Asst. State Highway Engineer
Location Engineer
Construction Engineer
Engineer of Material and Research
Regional Engineer
Resident Engineer
Design Engineer
Specifications Engineer
Final Design Engineer
Regional Geologist

RECEIVED
JAN 22 1975
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

SECTION: Skipanon River (Warrenton) Br.

HIGHWAY: Warrenton-Astoria (FAR 605)

COUNTY: Clatsop

"OTHER ROADS"

Traffic Coefficient	*A.C. Wearing Surface*	*Aggregate Base*	*1.0"-0 Aggregate Base*	*"CBE" Total Requirement*	*Actual Thickness*
7.0 - 8.0	3.5"	---	18.0"	25.0"	21.5"
6.0 - 7.0	3.0"	---	15.5"	21.5"	18.5"
4.8 - 6.0	2.0"	---	14.5"	18.5"	16.5"
Cars Only	2.0"	---	9.5"	13.5"	11.5"

Remarks:

Stage construction has been included as part of the twenty-year design period. The initial stage is based on approximately a five-year design period with a Traffic Coefficient of 7.5 and a C.B.E. Requirement of 25.0". Toward the end of this period a condition survey (visual inspection and deflection measurements, if required) will be made to determine the proper time for placing the "Final Application".

Should substitutions be made use the "CBE" Total Requirement column to obtain the "Total Thickness Required" and the table below for values:

1.0"	Asphalt Concrete	= 2.0"	Aggregate Base
1.0"	Plant Mix Bituminous Base	= 1.8"	Aggregate Base
1.0"	Cement Treated Base	= 1.8"	Aggregate Base
1.0"	Oil Mat	= 1.1"	Aggregate Base
1.0"	Aggregate Subbase	= 0.8"	Aggregate Base
1.0"	Lime Treated Subgrade	= 1.0"	Aggregate Base

Above factors apply to materials that comply with Standard Specifications and Special Provisions.

TRAFFIC ANALYSIS

SECTION: Skipanon River (Warrenton) Br.

HIGHWAY: Warrenton-Astoria (FAR 605)

COUNTY: Clatsop

3400 Present ADT (19 75)

7.4 Percent Trucks

AXLES	TWO WAY TRUCK ADT	EXPANSION FACTOR	TOTAL TADT	MEAN TADT	ONE WAY EWL	AVERAGE ANNUAL EWL
2	115	1.6	184	150	450	67,500
3	16	1.6	26	21	1000	21,000
4	0	---	--	--	1250	- - -
5	75	1.6	120	98	3180	311,640
6	0	---	---	--	2570	- - - -
				269	TOTAL	

TOTAL AVERAGE ANNUAL DESIGN EWL 400,140

TWENTY YEAR EWL 8,002,800

TRAFFIC COEFFICIENT 8.6

SECTION: Skipanon River (Warrenton) Br.

HIGHWAY: Warrenton-Astoria (FAR 605)

COUNTY: Clatsop

PAVEMENT TYPE SELECTION

Principal Factors Governing Selection

1. Traffic Classification: See attached sheet
2. Soils Characteristics: See design chart attached
3. Weather: See design chart attached
4. Performance of Similar Pavements in Area: Good X Fair ____ Poor ____
   Remarks: ____
5. Cost Comparisons: None made -- See remarks.

Secondary Factors Governing Selection

6. Adjacent Existing Pavements: A.C. or Oil.
7. Stage Construction: Part of Design.
8. Depressed, Surface, or Elevated Design: Surface.
9. Conservation of Aggregates: Not a consideration.
10. Stimulation of Competition: Not a consideration.
11. Construction Consideration: Not a consideration.
12. Municipal Preference, Participating Local Government Preference, and Recognition of Local Industry: Not applicable.
13. Traffic Safety: Not a problem.
14. Availability of an Adaption of Local Materials or of Local Commercially Produced Paving Mixes: Local materials are adaptable to this type of construction.

CONCLUSION AND REMARKS:

This is a short section (bridge approaches) and traffic does not warrant the use of C.R.P.C.C.

8661

9

Form FHWA 121 (Rev. 8-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: January 8, 1975

In reply refer to: 1041DB.2

SUBJECT: Oregon Project RS-599(-)
Skipanon River Bridge Section
Warrenton-Astoria Highway
Project Assessment

FROM : G. L. Green, Division Engineer

TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer
Salem, Oregon
Attention: Mr. L. W. Rulien, Project Management Engineer

The project assessment for the subject proposal has been reviewed.

It now appears that secondary impacts will occur with the construction of a new structure which would constitute a major action.

Even though the preliminary decision was to replace the existing structure with a new double-leaf bascule bridge at the same location, all the possible alternates should be considered in a full EIS.

William H. Kappus
for G. L. Green

RECEIVED
STATE HWY ENGR
JAN 23'75
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

cc:
OSHD (G Potter)
Kappus

BEN GIFFORD

Linda Ben
R

RECEIVED
JAN 13 1975
PROJECT MANAGEMENT SECTION

8651 Skipanon River (Warrenton) 1977
Br. Sec. of Warrenton-Astoria Hwy.
(Grade, pave, struc, sign & illum) #3

8651

8

TOM McCALL
GOVERNOR

RECEIVED
ATE HWY ENGR
DEC 30 '74
REFER TO
Hunter-Coulter
FOR
Info | Invest | R/D | DIR | Sign | Act | File

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

December 22, 1974

District Engineer
Corps of Engineers
U. S. Army
Portland District
P.O. Box 2946
Portland, OR 97208

RECEIVED
JAN 13 1975
Office of
Assistant State Highway Engineer

1-13-75
cy Fredrickson

Att: A. J. Heineman, Chief
Navigation Division

Ref: PN 071-OYA-1-001580 (Skipanon River - Submerged Pipe)

Dear Sir:

I approve the project subject to the approval of the final plans by the State Health Division, and subject to the conditions outlined by the Division of State Lands for Material Removal Permit No. 1840. The permit will be issued when the contractor is chosen.

On December 16, 1974, the Department of Environmental Quality certified there was reasonable assurance that the project, as described, would not violate applicable water quality standards.

Sincerely,

Governor

NOTED
A. E. JOHNSON

TM:kp

cc: City of Warrenton
State Highway Division
Division of State Lands
Department of Environmental Quality
Fish Commission of Oregon
Health Division
U. S. Fish and Wildlife Service

cy Haefe
1-13-75

8651

December 16, 1974

RECEIVED
STATE HWY ENGR
DEC 20 74
REFER TO
FOR

State of Washington
Department of Ecology

District Engineer
Department of the Army
Portland District, Corps of Engineers
P. O. Box 2946
Portland, Oregon 97208

Attn: Chief Navigation Division

Re: Status Report - Public Notice No. 071-OYA -1-001580
Skipanon River Mile 2.0

Gentlemen:

On behalf of the State of Washington, we wish to report the subject public notice has not been released because of the agencies listed below and their corresponding responses coded on the attached page:

ECOLOGY: S. W. Region
Shoreline Permit: 10c
Water Quality: 7c

FISHERIES: 1
NATURAL RESOURCES: 1
HIGHWAYS: 1

NOTED
E. S. HUNTER
pc Wolfe
12-26-74

We wish to advise that approval of this work is being held in abeyance by the State of Washington pending the satisfactory resolution of the above mentioned problem.

The applicant may wish to contact the agency noted above to determine the exact status of the review within that agency.

Sincerely,

R. Leighton Pratt

R. Leighton Pratt
Authorization Control &
Compliance Section

RECEIVED
DEC 24 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

cc: Applicant
Above noted agency

STATUS REPORTS

Frequently Used Comments

1. The subject public notice is presently under review.

2. Approval withheld pending receipt and review of a Hydraulics Project Approval Application.

3. Approval withheld pending further investigation.

4. See attached letter.

5. Approval withheld pending receipt of a lease application.

6. Certification is presently under review by the Department of Ecology's Regional Office.

7. The Department of Ecology's Regional Office is awaiting receipt of an affidavit of publication for water quality certification before further action can be taken.

8. Objects to the project as proposed in the subject public notice.

9. A Statement of Exemption is presently under review by the Department of Ecology's Regional Office.

10. If the applicant has not already done so, the local governmental agency having jurisdiction over the work site involved should be contacted to insure that the appropriate action will be taken to comply with the Shoreline Management Act of 1971. Notification of the local governments action should be sent to a,b,c,d,e,f.

    a. Herman Huggins, Department of Ecology, 15345 Northeast 36th, Redmond, Washington 98052, phone (206) 885-1900.

    b. Robert Aggas, Department of Ecology, 15345 Northeast 36th, Redmond, Washington 98052, phone (206) 885-1900.

    c. Department of Ecology, 7272 Cleanwater Lane, Olympia, Washington 98504, phone (206) 753-2353.

    d. James Lyerla, Department of Ecology, East 103 Indiana Avenue, Spokane, Washington 99207, phone (509) 456-2926.

    e. Ben Turner, Department of Ecology, East 103 Indiana Avenue, Spokane, Washington 99207, phone (509) 456-2926.

    f. Doug Clausing, Department of Ecology, 2802 Main St., Union Gap, Washington 98903, phone (509) 248-0981.

    g. Bill Smith, Department of Ecology 2802 Main St., Union Gap, Washington 98903, phone (509) 248-0981.

STATE AGENCY CONTACT LIST

Department of Fisheries
Stream Improvement & Hydraulics
Attention: Hank Harder
5803 Capitol Boulevard South
Olympia, Washington 98504
Ph: (206) 753-6650

State of Washington
Department of Game
600 North Capitol Way
Olympia, Washington 98504
Ph: (206) 753-5713

Department of Highways
Engineering Services Division of
Highway Development
Attention: Bill Gilligan
Highway Administration Building
Olympia, Washington 98504
Ph: (206) 753-7193

Department of Social & Health Services
Environmental Programs
Health Services Division
Attention: John Laubach
Mail Stop 4-1
Olympia, Washington 98504
Ph: (206) 753-3473

Department of Natural Resources
Marine Land Management
Attention: Pat Beehler
Olympia, Washington 98504
Ph: (206) 753-5325

State Parks & Recreation Commission
Attention: Chet Miller
P. O. Box 1128
Olympia, Washington 98504
Ph: (206) 753-2018

Department of Ecology
CORPS Permit Coordination
Attention: Michael Rundlett
Olympia, Washington 98504
Ph: (206) 753-6193

8651

.9

Form 81.734.3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: 104-1405

Salem, Oregon
December 9, 1974

FROM: Gerald W. Wimer
REGION CONSTRUCTION ENGINEER

SUBJECT: Possible Alternate Alignments
Skipanon River Bridge
Warrenton-Astoria Highway

TO: E. S. Hunter
ASSISTANT STATE HIGHWAY ENGINEER

I contacted Warrenton City Manager, Dick Baldwin this morning. It was explained to him, an alternate bridge alignment on 2nd Avenue would not be any more expensive, but it would resolve, in our opinion, the critical intersection problem.

He indicated, Mayor Earl Johnson's resignation makes no difference with them with respect to the alignment. He still thinks the bridge should be located essentially where it is now. He thinks Mr. Johnson will become more vociferous than ever about this alignment.

He is also of the opinion some intersection relief can be obtained, at least for the trucks, by a connection across the tracks in the vicinity of Bay Street. He said he had a plan. By a copy of this letter Resident Engineer, Gary Inloes is instructed to pick up a copy of that plan.

NOTED
E. S. HUNTER

RECEIVED
DEC 10 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

GWW/elk
cc: Walt Hart
Victor Wolfe
H. S. Cox
Eldon Everton
Gareld Inloes
Pat Randolph

8651

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

December 10, 1974

TOM McCALL
GOVERNOR

F. B. KLABOE
Administrator of Highways

TO Executive Department
Federal Aid Coordination Unit

Clatsop-Tillamook
Intergovernmental Council
P.O. Box 488
Cannon Beach, OR 97110

FROM George N. Hopkins
Project Development Engineer

SUBJECT Notice of Intent for F.A. Secondary Rural Funds
State Administrative Dist. No. 1
Skipanon River Bridge Section
Warrenton-Astoria Highway
Clatsop County

In accordance with Executive Memorandum 02-270-20, attached are copies of the Notices of Intents for the subject project.

Early programming of this project for advance planning in anticipation of future construction is necessary; therefore, your prompt attention to this proposal will be appreciated.

Allowing time for your review, we estimate the date of filing for federal-aid funds on this project to be January 20, 1975.

BLG:wm
Attachment

cc: G. L. Green, FHWA
F. B. Klaboe
Victor D. Wolfe
J. B. Boyd
R. E. Royer
J. H. Versteeg
Aeronautics Division
Gary Potter
H. S. Cox
B. L. Gifford
D. E. Swan
E. L. Everton
C. O. Fredrickson

RECEIVED
DEC 11 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

RECEIVED
STATE HWY ENGR
DEC 1 1974
REFER TO
FOR

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

NOTIFICATION OF INTENT TO APPLY FOR FEDERAL AID

For Internal Use Only	1-8] PNRS #	9] CARD TYPE:		Page One

02	12] APPLICANT: State Highway Division [45]	46] DIVISION: Dept. of Transportation [79]			
03	12] APPLICANT ADDRESS STREET: State Highway Building [45]	46] CITY: Salem [60]	76] ZIP: 97310 [80]		
04	12] CONTACT PERSON: L. W. Rulien [45]	46] AREA CODE: 503 [48]	49] PHONE: 378 [55]	56] EXTENSION: 6563 [59]	
01	12] PROJECT TITLE: Skipanon River Bridge	Dist. 1 [71]			
11	12] PROJECT LOCATION CITY: Warrenton-Astoria Highway [45]	46] PROJECT LOCATION COUNTY: Clatsop [79]			
05	12] SUMMARY PROJECT DESCRIPTION (ATTACH SUPPORTING DOCUMENTS AS NECESSARY): The span across the Skipanon River in Warrenton is in violation of its [71]				
06	12] 1916 Federal bridge permit that allowed navigation upstream. To comply with the original permit, a modern, quick-opening, double-leaf bascule bridge will replace [71]				
07	12] the fixed span. The new bridge will have six spans -- three 44-foot, a moveable 80-foot, and two 39-foot spans. The approaches and bridge will improve alignment [71]				
08	12] and will have two 12-foot travel lanes and 10-foot shoulders. The maximum grade is 5% with a 700 feet vertical curve. Vertical clearance from mean sea level to [71]				
09	12] bottom of bridge is about 18 feet. Slopes will be 2:1. The highway shoulders will allow bicycle traffic. A pedestrian crosswalk may be incorporated into the [71]				
10	12] bridge. The project involves two access roads, one near the bridge and one to a city-owned mooring basin. Right-of-way requirement is approximately 1.1 acres. [71]				

12	FEDERAL FUNDS		NON-FEDERAL MATCHING FUNDS		OTHER	TOTAL (over)
	12] (A) Grant [19	20] (B) Other [27	28] (C) State [35	36] (D) Local [43	44] (E) FUNDS [51	52] (F) FUNDS [60
	1,716,000	- -	484,000	- -	- -	2,200,000

13	12] TYPE OF OTHER FEDERAL FUNDS (See 12B) [45	46] TYPE OF OTHER NON-FEDERAL FUNDS (See 12E) [79
14	12] FEDERAL PROGRAM TITLE: Title 23 USC Highways [71	
15	12] FEDERAL AGENCY NAME: U.S. Dept. of Transportation [45	46] FEDERAL SUB-AGENCY NAME: FHWA [79

17

(A) TYPE OF APPLICANT: (Check (X) the single most applicable box)

STATE	INTER-STATE	COUNTY	CITY	SCHOOL DISTRICT	SPECIAL DISTRICT	COMMUNITY ACTION	SPONSORED ORGANIZATION	OTHER
[X] 12	[ ] 13	[ ] 14	[ ] 15	[ ] 16	[ ] 17	[ ] 18	[ ] 19	[ ] 20

(B) TYPE OF ACTION: (Check (X) as many boxes as apply to this action)

NEW GRANT	CONT. GRANT	SUPPL'T GRANT	INCREASE DURATION	DECREASE DURATION	CANCELLATION	INCREASE DOLLARS	DECREASE DOLLARS
[X] 21	[ ] 22	[ ] 23	[ ] 24	[ ] 25	[ ] 26	[ ] 27	[ ] 28

(C) IS THERE A COMPREHENSIVE PLAN? STATE		REGIONAL		LOCAL		(D) REVIEW REQUIRED by A-95		(E) ENVIRONMENTAL IMPACT		(F) HOUSING RELOCATION REQUIRED	
Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
[X] 29	[ ] 30	[ ] 31	[ ] 32	[ ] 33	[ ] 34	[X] 35	[ ] 36	[X] 37	[ ] 38	[ ] 39	[X] 40

(See IV, Page 2)

(G) ESTIMATED APPLICATION FILING DATE:	41] MONTH [42	43] DAY [44	45] YEAR [46
	JANUARY	20	1975

ADDITIONAL INFORMATION – ALL APPLICANTS

FEDERAL CATALOG NUMBER (OR PUBLIC LAW NO. AND TITLE) 20.205 Highway Planning & Construction

II. HAS DISTRICT CLEARINGHOUSE BEEN NOTIFIED? No ☐ Yes ☒ Date: December 10, 1974

III. HAS FUNDING AGENCY BEEN NOTIFIED? No ☐ Yes ☒ Date: December 10, 1974

IV. IF PROJECT INCLUDES STATE FUNDS (12C), IDENTIFY AGENCY State Highway Division

LIST PERTINENT PLANNING DOCUMENTS OR PROJECT STUDIES (See 17C)

Federal Aid Secondary Rural Program

V. EXPLAIN DEVIATIONS (IF ANY) FROM PERTINENT PLAN

(a) Federal Congressional District(s) Number(s) 1
(b) State Representative District(s) Number(s) 2
(c) State Senatorial District(s) Number(s) 1

STATE AGENCIES ONLY

VI. (a) IS PROGRAM BUDGETED ☐ NON-BUDGETED ☐

(b) STATE SHARE

GENERAL FUND CASH	OTHER FUND CASH	IN KIND
$	$	$

(c) FUNDING METHOD

	FEDERAL SHARE	STATE SHARE	TOTAL
First Year	%___ $___	%___ $___	%___ $___
Second Year	%___ $___	%___ $___	%___ $___
Third Year	%___ $___	%___ $___	%___ $___

(d) WILL PROGRAM REQUIRE HIRING OF NEW STATE EMPLOYEES? No ☐ Yes ☐ Number ___

(e) Will accounting for this grant be administered by the Executive Dept. Accounting Division? Yes ☐

REMARKS

17(E) This project is classified as a Category 2 project and a Draft Environmental Statement will be prepared.

This project is proposed by the State Highway Division.

Rights-of-way will be required.

Hearings will be offered.

Summary Description (cont.)
A storage tank and pump and one unoccupied residence are affected. A detour bridge will be erected immediately upstream from the existing bridge.

CORPS OF ENGINEERS

U S ARMY

SKETCH MAP

Data within boxes pertain to Authorized Project.

COLUMBIA RIVER

CHANNEL 30 FEET DEEP 300 FEET WIDE

Mooring Basin 12 Feet Deep with Levee

Skipanon River Bridge

SKIPANON R.

CLATSOP COUNTY

Note:
Mileage indicated in Columbia River is from outer end of ... Base Point of Skipanon Channel, mileage is of deep water in Columbia River about 2100 feet northerly from outer end of bulkheads.

SKIPANON CHANNEL, OREGON

SCALE IN FEET

1000 0 1000 2000

U.S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS

Warrenton

FORM 81-724-5030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE: 104-1405

Salem, Oregon

December 9, 1974

FROM: Gerald W. Wimer
ORIGINAL SIGNED BY GERALD WIMER
REGION CONSTRUCTION ENGINEER

SUBJECT: ~~Possible Alternate Alignments~~
Skipanon River Bridge
~~Warrenton-Astoria Highway~~

TO: E. S. Hunter
ASSISTANT STATE HIGHWAY ENGINEER

I contacted Warrenton City Manager, Dick Baldwin this morning. It was explained to him, an alternate bridge alignment on 2nd Avenue would not be any more expensive, but it would resolve, in our opinion, the critical intersection problem.

He indicated, Mayor Earl Johnson's resignation makes no difference with them with respect to the alignment. He still thinks the bridge should be located essentially where it is now. He thinks Mr. Johnson will become more vociferous than ever about this alignment.

He is also of the opinion some intersection relief can be obtained, at least for the trucks, by a connection across the tracks in the vicinity of Bay Street. He said he had a plan. By a copy of this letter Resident Engineer, Gary Inloes is instructed to pick up a copy of that plan.

RECEIVED
COUNTY & CITY SECTION
DEC 10 1974
ENGR. COOR. UE AE UE
UPE CE RE RPE

GWW/elk
cc: Walt Hart
Victor Wolfe
H. S. Cox
Eldon Everton
Gareld Inloes
Pat Randolph

FORM E-30

~~PRO 4-3~~

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

SALEM, OREGON

DATE December 4, 1974

TO E. S. Hunter
Assistant State Highway Engineer

FROM L. W. Rulien
Project Management Engineer

SUBJECT Assessment and Project Category
Skipanon River Bridge Section
Warrenton-Astoria Highway
Clatsop County

Attached for your information is an assessment on subject section, reviewed by the FHWA, indicating that the following environmental documentation is appropriate: Draft Environmental Impact Statement.

Project Management classifies this section as a Category 2 project. Your authorization for the Location Engineer to proceed with a survey will place this project in the Project Management System with activities henceforth following Action Plan procedures.

BLG:ljt

Attach.

cc: G. L. Green, FHWA
J. B. Boyd
L. E. George
W. J. Hart
C. T. Keasey
J. H. Versteeg
Victor D. Wolfe
Gary A. Potter
R. E. Royer
Gary Sund
H. S. Cox
B. L. Gifford
D. E. Swan
C. O. Fredrickson, Region 2
E. L. Everton, District 1

12-6-74
CC: L.W. Rulien

NOTED
E. S. HUNTER

APPROVED
E.S.H.
E. S. Hunter
Date 12-6-74

RECEIVED
DEC 6 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

NOTED
B. L. GIFFORD

RECEIVED
DEC 6 1974
Office of
Assistant State Highway Engineer

OREGON STATE HIGHWAY DIVISION
ENVIRONMENTAL SECTION

PROJECT ASSESSMENT

Project Manager Dwight Smith Date August 1974

A. PROJECT IDENTIFICATION

Name of Project Skipanon River Bridge RS-599(-) Section

Location of Project Warrenton-Astoria (State Highway 105) Highway

City Warrenton County Clatsop Region Two (2)

Est. Cost $ 2,000,000 R/W & Constr. Only Length ±0.2 miles Prefix 104-1405

B. BRIEF GENERAL DESCRIPTION OF PROJECT

The span across the Skipanon River in Warrenton is in violation of its 1916 Federal bridge permit that allowed navigation upstream. To comply with the original permit, a modern, quick-opening, double-leaf bascule bridge will replace the fixed span. The new bridge will have six spans -- three 44-foot, a moveable 80-foot, and two 39-foot spans. The approaches and bridge will improve alignment and will have two 12-foot travel lanes and 10-foot shoulders. The maximum grade is 5% with a 700 feet vertical curve. Vertical clearance from mean sea level to bottom of bridge is about 18 feet. Slopes will be 2:1. The highway shoulders will allow bicycle traffic. A pedestrian crosswalk may be incorporated into the bridge. The project involves two access roads, one near the bridge and one to a city-owned mooring basin. Right-of-way requirement is approximately 1.1 acres. A storage tank and pump and one unoccupied residence are affected. A detour bridge will be erected immediately upstream from the existing bridge.

C. STATUS OF FHWA-OSHD ACTION

		Date
System Action	☐	NA
Program (PE) Approval	☒	July 30, 1974
Corridor Approval	☒	July 30, 1974
Design Approval	☐	February 1976
P.S. & E. Approval	☐	November 1976*

D. PRELIMINARY STUDY REQUIREMENTS

	Yes	No
Study Area Environmental Inventory	☐	☒
Formal Environmental Classification Study	☒	☐
Formal Environmental Classification Study Completed OSHD only	☒	☐

CATEGORY 2 PROJECT

* Schedule dates throughout Project Assessment furnished by W. Hart, Bridge Design,

E. STATUS OF PROJECT DEVELOPMENT

Reconnaisance ☒ July 73 Preliminary Design (Field) ☐ PNRS No. _____

Location (Field) ☐ Sept 74 Preliminary Design (Office) ☐ Dec 74 Date A-95 Submitted _____

Location (Office) ☐ Nov 74 Final Design ☐ July 75 Date Reply ~~Received~~ to be completed April 7

Contract Plans Completed ☐ May 76 Reply Not Required ☐

Contract letting scheduled for December 1976.

F. STATUS OF PUBLIC HEARINGS

			Date
Hearing Not Required	☐	Corridor Hearing Held	☐ _____
Hearing Not Requested	☐	Design Hearing Held	☐ _____
Hearing to be Requested *	☒	Combination Hearing Held	☒ December 20, 1973

* Revised Design/Corridor Hearing will be held in August 1975.

G. RESOURCE PERSONNEL ALLOCATION

PERSONNEL	EFFORT REQUIRED*			COMMENT
	MINIMUM	AVERAGE	MAXIMUM	
Biologist			X	(NOTE: The research staff provided input to Jeff Zinn on this project in early 1973. Additional research will be necessary to update and supplement that information.)
Urban Economist		X		
Agricultural Economist	X			
Accoustical Engineer		X		
Air Quality Engineer		X		
Sociologist	X			
Urban Planner			X	
Landscape Architect	X			
Geologist		X		
Assistant Project Manager Water Quality			X	

*For the sake of clarification and mutual understanding the terms minimum, average, and maximum effort have been defined as follows:

MINIMUM - Research and Project Management Staff consultation. No formal typewritten report.

AVERAGE - Routine analysis. Short to medium length report including consideration of existing setting, probable impact, and steps to minimize harm.

MAXIMUM - Special detail of analysis. Comprehensive technical report.

H. BRIEF SYNOPSIS OF PROJECT

(Narrative)

TOPICAL AREAS

- History of Project (Begin with origin, if known, including public input).
- Purpose of Project (Expressed need or program relationship).
- Siting (Topographic and resource features).
- Major Effects (High impact features if determined). Expand Under "Basic Considerations", page 4.
- Other General Information.

A. History of Project

The Skipanon River Bridge was constructed in 1916 by Clatsop County and incorporated a hand-operated lift span. The plans, as Federally approved, included a "manually-operated, singly vascul drawbridge providing a horizontal clearance of 33 feet 33 inches in the opened position (a vertical clearance of 15-foot from extreme low tide)." In 1933 the County rebuilt the structure, replacing the left span with a timber "A-framed" float-out span. A waterline was attached to the structure without approval. In 1946, the State assumed jurisdiction over this section of highway when it was designated as State Highway 105. The timber span was replaced by a steel beam floatout span in 1965, again without permit conversion approval. Since 1964, the State and the Coast Guard have been under pressure from local navigational interests to restore the moveable span to the original 1916 configuration. The Commandant of the Coast Guard has put the Highway Division on notice that the existing bridge is in violation of the 1916 permit and that we have until September 1, 1974, to show cause why work cannot commence on restoration to the 1916 permit conditions. The Highway Division is responding to the legal violation and is preparing to construct a new bridge with Federal-aid Secondary monies that satisfies the Coast Guard, the Community of Warrenton and private navigational interests. A combined design/location hearing was conducted in Warrenton in December 1973. The plan presented at that time was not acceptable to the community and rethinking has been necessary. A recent memorandum from the Warrenton Planning

(Use more space if required)

H. Synopsis (cont.)

Commission, dated May 31, 1974, indicates that they find one of our alternatives (eight alternatives were examined) acceptable with some modifications, such as the necessity for restricting the bridge opening hours.

B. Purpose of Project

The purpose of the new bridge is to legally comply with the original Federal permit and to satisfy community demands for a new, modern span with improved alignment. Present and projected traffic volume, as well as the physical condition of the structure, neither indicates nor justifies the need for immediate attention or improvement. The Highway Division, recognizing its legal obligation, is proposing a structural solution to the legal problem.

C. Siting

The present bridge crosses the Skipanon River, a small stream draining a basin of sixteen square miles, just above the rivers confluence with the Columbia River (see sketch map). The topography is coastal floodplain and estuary of the Columbia River. Bogs and marshes occur along the entire course of the river with much vegetation and some stands of conifers, alder and hemlock. The area provides ideal habitat for slough birds, game birds, songbirds, beaver and mink. Although the river appears unproductive due to its browned color, it supports a wide variety of animal species from plankton to coho salmon and cutthroat trout.

The bridge is located near the center of Warrenton (population - 2,000), a lumber, fishing, recreation and small manufacturing community. The Burlington-Northern Railroad river crossing is immediately downstream. Upstream about one-

H. Synopsis (cont.)

half mile is a Soil Conservation Service dam to control flooding. The use of the river upstream to the dam has been for log boom storage. However, this use has now been discontinued. Several charter fishing facilities are located in the Skipanon waterway downstream, and the City of Warrenton operates a morring basin just east of the bridge. The riverfront property upstream is undeveloped except for a few residences.

D. Major Effects

The project will cause changes which will affect the aquatic and terrestrial environment. Five impacts are anticipated to occur in the aquatic environment; they are: 1) turbidity, 2) increased foreign materials, 3) possible release of toxic substances, 4) creation of local eddies adjacent to piers and footings, and 5) alteration of upstream river use patterns. Three impacts on the terrestrial environment are foreseen: 1) disruption of existing vegetative cover, 2) disturbance to local wildlife communities, and 3) disruption of nesting areas and possible nesting activities. The major social effect will be the possible traffic delay due to bridge openings. Upstream navigation will encourage recreation use and riverfront development.

E. Other General Information

The city waterline now attached to the bridge will be relocated under the streambed. Telephone utilities are presently located under the stream. According to present scheduling,the 20-month construction period for the new bridge will start in January 1977 with completion in August 1978.

I. BASIC CONSIDERATIONS

(Use whatever space is required but be brief)

1. RIGHT OF WAY REQUIREMENT

None or Not Significant [X] Significant Amount [ ] (Explain and Assess)

The additional right-of-way requirement is approximately 1.1 acres of Burlington-Northern Railroad, City of Warrenton, and private properties. The realignment affects a storage tank and pump and one unoccupied residence. Small amounts of right-of-way will be needed to build two access roads.

2. WILL PROJECT CHANGE ANY FUNCTIONAL CHARACTERISTICS OF:

a. Existing Facility? No [ ] Yes [X] (Explain and Assess)

A fixed span will be replaced by an opening span, thus allowing upstream navigation and causing intermittent vehicular traffic delays while the bridge is open. Vocation in the corridor will not alter existing traffic patterns, and no future changes in flow patterns are anticipated.

b. Adjacent Land Use? No [ ] Yes [X] (Explain and Assess)

Upstream navigation of the Skipanon River will encourage private and commercial development of riverfront property. City zoning ordinances would control and direct the land use conversions.

c. Adjacent Land Access? No [ ] Yes [X] (Explain and Assess)

The higher gradeline of the bridge will sever the entrance roads to the City-owned mooring basin and a small parking lot for the moorage. A new entrance-exit road to the moorage will be built at the east end. A short access road on the southeast side of the bridge will make a connection with a fishing charter office and public parking.

I. BASIC CONSIDERATIONS (Continued)

3. ARE SPECIAL CONSTRUCTION METHODS REQUIRED?

No [X] Yes [ ] (Explain and Assess)

Although no special construction methods are required, special consideration should be given to minimizing detrimental effects on water quality and natural habitat during construction of the detour structure and new bridge, and removal of old bridge and detour facilities.

4. WHAT LOCATION OR DESIGN ALTERNATIVES HAVE BEEN IDENTIFIED?

Eight alternatives for the replacement of the Skipanon River Bridge have been investigated. In addition, a northerly route which would provide a fixed-bridge river crossing with a 60-foot vertical clearance about one-half mile downstream from the existing bridge was examined and subsequently discarded due to the 6.5 million estimated cost. (See Appendix A.) A "no-action" alternative has been considered, but is not legally feasible.

5. IDENTIFY ANY SIGNIFICANT POTENTIAL FOR FUTURE CONTROVERSIAL ISSUES.

(Social, Economic, Natural Resource)

An agreement must be reached between the Coast Guard and the State of Oregon (OSHD) concerning bridge opening rules. Coast Guard regulations (CFR, title 33, Navigation and Navigable Waters, Section 117.740) state that the bridge shall be "promptly opened for the passage of vessels or other water-craft." Potential upstream development and increased volume of water traffic will result in frequent openings of the bridge. This would disrupt vehicular traffic in the Warrenton area if opening "on demand" is not revised.

J. TYPE OF DOCUMENT REQUIRED

Draft E. I. S.	[X] OK	Negative Declaration	[ ]	Statewide Negative Declaration	[ ]
See schedule, Appendix B					
Final E. I. S.	[ ]	Section 4(f)	[ ]	Environmental Assessment	[ ]

K. PRELIMINARY FHWA CONCURRENCE

Approval of Type of Document _____ Date _____ FHWA AREA ENGINEER

CORPS OF ENGINEERS

U S ARMY

SKETCH MAP

COLUMBIA RIVER

Data within boxes pertain to Authorized Project.

To Ft Stevens

Skipanon Channel

CHANNEL 30 FEET DEEP 200 FEET WIDE

Prouty Mill TURNING BASIN

Mooring Basin 2 Feet Deep with Levee Protection

Skipanon River Bridge

SKIPANON R.

CLATSOP COUNTY

Note:
Mileage indicated in Columbia River is from outer end of jetties. Base Point of Skipanon Channel, mileage is at deep water in Columbia River, about 2100 feet northerly from outer end of bulkheads.

SKIPANON CHANNEL, OREGON

SCALE IN FEET

1000 0 1000 2000

U.S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS

REVISED SEPT 1964

APPENDIX A

ALTERNATIVES - SKIPANON RIVER BRIDGE

Alternative	Corridor	Bridge	Type	Delay (minutes)	Detour	Construction time (mos.)	Estimated cost
1	Same, improved alignment	New	Swing span (single- or double-leaf could be constructed)	10-15	Reg'd	12	$1,383,000
2	Same	Reconstruction	Towers added and a 40-foot span lifted by cables	10-15	Reg'd	9	308,000
3	New (southerly)	New	Fixed span (30-foot clearance)	None	Not Reg'd	9	1,423,000
4	New (more southerly)	New	Fixed span	None	Not Reg'd	12	1,343,000
5	Same	Reconstruction	Double-leaf Bascule	10-15	Reg'd	12	873,000
6	Same	Reconstruction	Unbalanced swing type	10-15	Reg'd	12	834,000
7	Same	Reconstruction	Single-leaf bascule, opened by a hydraulic-powered system	10-15	Reg'd	9	563,000
8	Same	Reconstruction	Two spans of moveable steel girders	30	Reg'd	6	358,000
-	New (northerly)	New	Fixed span (60-foot clearance)	None	Not Reg'd	-	6,500,000
Project Proposal	Same, improved alignment	New	Double-leaf bascule	10-15	Reg'd	20	2,000,000

APPENDIX B

TENTATIVE SCHEDULE*

Environmental Impact Statement Work on Skipanon River Bridge

Activity	Schedule Date
Draft EIS Preparation	August 1974 - February 1975 (26 weeks)
Study Committee	February 1975 (2 weeks)
Administrative Approval DEIS	March 1975 (1 week)
FHWA Approval DEIS	March 1975 (1 week)
Circulate DEIS	March - April 1975 (6 weeks)
Corridor/Design Hearing	August 1975
Final EIS	August - December 1975 (20 weeks)

*Schedule prepared by W. Hart, Bridge Design, July 1974

8651

2

PALMBERG CONSTRUCTION CO.

P. O. BOX 448 WARRENTON, OREGON 97146

PHONE 503-861-1542

Dec. 2, 1974

Oregon State Highway Division
Highway Building
Salem, Oregon 97310

NOTED
E. S. HUNTER 12-4-74
cc Fredrickson
Hart
Randolph

Attn: E. S. Hunter

828-5

Re: Skipanon River Bridge

Dear Mr. Hunter,

Your letter of Nov 21, 1974, is appreciated, but not the schedule therewith indicating a probable minimum of another 4 years before providing passage under the reference bridge.

To our Knowledge, an "interim" bridge has not been suggested in the latest discussions. Our last suggestion was a request to hinge one end of the existing span and lift the other end with hydraulic rams (possibly 12 to 15 feet) to provide an interim solution that would accommodate the majority of vessels. Pins could be provided to permit lif-out of the span for vessels requiring greater clearance. Such a solution would probably reflect greater savings to vehicular traffic than the public funds expended and would permit commencing redevelopment of the waterway above the bridge with additional benefit to navigation interests.

We make no committment as to the number of span openings that will be required for the reason that we cannot represent all interests that might desire use of this waterway. Suffice it to say that it might be expedient for the State to be prepared to quickly provide an interim solution.

No word of your indicated withdrawal of objections to upstream development plans has yet been received.

Very truly yours,

Palmberg Construction Co.

by H. G. Palmberg
H. G. Palmberg

cc: USCG Bridge Engr., Wash. D. C.
USCG, Seattle, Washington
City of Warrenton, Warrenton, Ore.
U. S. Attorney, Portland, Ore.

RECEIVED
DEC 3 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

mai 14-1-1
Skipanon
Br.

FILE: Br. 11226

November 21, 1974

828-J

Mr. H. G. Palmberg
Palmberg Construction Company
P. O. Box 448
Warrenton, Oregon 97146

Dear Mr. Palmberg:

Skipanon River Bridge
Warrenton, Oregon
Construction Schedule

Your letter of November 11, 1974 requests information regarding the Highway Division's intended action relative to the new bridge across the Skipanon River at Warrenton, Oregon.

Attached for your information is a critical path schedule of activities as submitted to the Coast Guard. Many steps are involved before construction can begin. Some of these steps are required by Federal regulation while others are required to permit construction. In total they are time-consuming.

At the meeting in Astoria on September 18, 1974 we indicated to the Coast Guard that we would attempt to find a less time-consuming solution to the problem. This matter is being studied. During the meeting the State indicated it would "float out" the existing span on a limited schedule basis and did not regard it as feasible to construct an "interim" bridge to be replaced by a more elaborate bridge in a few years. The City of Warrenton was in accord and opposed hasty solutions which result in a waste of public monies.

At that meeting you agreed it unlikely that major development in the upstream channel would occur within the next three years and that the need for passage of construction equipment for your activities and those of the Corps of Engineers would require bridge openings approximately six times per year. Such a "limited schedule" is satisfactory to the State.

You may rest assured that the Highway Division is pursuing this matter as rapidly as possible within the restraints presented by Federal regulations, desires of local interests, and required activities.

In order to demonstrate a cooperative attitude in this matter, the Highway Division has advised the Governor of its withdrawal of objections to development plans upstream from the bridge site. You will no doubt soon be advised of this action by the appropriate agency.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

Attachment

RWE:ag js

bc: F. B. Klaboe
A. E. Johnson
Walt Hart
L. W. Rulien
C. O. Fredrickson
H. S. Cox

ACTIVITY	July '74	Jan. '75	1 Year	'76
Project programming and preliminary engineering approval FHWA				
Corridor approval FHWA				
Review reconnaissance studies				
Project prospectus				
Negative declaration or draft EIS				
EIS Study committee				
Administrative approval draft EIS				
FHWA Approval draft EIS				
Circulate draft EIS				
Field location survey				
Geological study and report and base design				
Preliminary R/W data				
Complete field location survey and review				
Bridge foundation exploration				
Preliminary structural design				
Gather corridor/design or design hearing documents				
Advertise corridor/design or design hearing				
Corridor/design or design hearing				
Final EIS or special investigation				
Corridor/design or design approval FHWA				
Coast guard permit				
Local government approval				
Program R/W and construction FHWA				
Final structural design				
FHWA Review final design				
Acquire DEQ permit, watermain relocation				
Acquire Corps of Engineer permit, watermain relocation				
Watermain relocation				
Division of state lands easements				
Roadway plans				
R/R encroachment maps and descriptions				
Division of state land and geology permits				
R/W Map and description				
R/R Agreements				
Approval of R/W Acquisition FHWA				
Appraisal and appraisal review				
Take possession				
Contract specification and estimates				
Prepare and submit PS&E data				
PS&E approval FHWA				
Advertise project				
Award contract				
Construction				

Jan. '75 | 1-Year | Jan. '76 | 2-Years | Jan. '77 | 3-Years | Jan. '78

SKIPANON RIVER BRIDGE

Time: 1" = 10 Weeks

Critical pa

Non critic

2 Years | Jan. '77 | 3 Years | Jan. '79 | 4 Years

SKIPANON RIVER BRIDGE

Time 1" = 10 Weeks

Critical path schedule item

Non-critical schedule item

PALMBERG CONSTRUCTION CO.

P. O. BOX 448 WARRENTON, OREGON 97146
PHONE 503-861-1542

Nov. 11, 1974

Oregon State Highway Division
Highway Building
Salem, Oregon

Attn: Mr. Klaboe

Dear Sir,

Following the meeting held Sept. 18, 1974, in Astoria, Oregon, with Capt. Kirkland, Chief, Bridge Division, U. S. Coast Guard and Capt. Hackney and Mr. Shields of the 13th Coast Guard District, and attended by representatives of the Oregon State Highway Division, the City of Warrenton, and the undersigned, the enclosed memo on interim and future solutions to the reference bridge problem was submitted by the undersigned to the City of Warrenton. Subsequently, a fourth interim solution, consisting of hydraulic rams lifting one side of the span with opposite side hinged, was suggested as possibly being acceptable to navigation interests pending availability of Federal funds for the new bridge planned to be built in the next 2 or 3 years.

Having heard nothing since the aforesaid meeting, and being representative of navigation interests, we request to know what solutions, if any, are planned.

Substantial losses are being sufferred by navigation interests that are being denied use of this waterway. If the situation is not remedied by early 1975, inconvenience to vehicular traffic will be the full responsibility of the Highway Division.

Your prompt reply stating your intended action would be appreciated.

Very truly yours,

Palmberg Construction Co.

by H. G. Palmberg
H. G. Palmberg

Encl: Memo

cc: U.S.C.G., Washington D.C.
13th U.S.C.G. District, Seattle
City of Warrenton

RECEIVED
NOV 13 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

RECEIVED
NOV 13 1974
BRIDGE DIVISION

RECEIVED
STATE HWY ENGR
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REFER TO
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RD DIR

11-13 Walt R/W Eld

[illegible] RIVER Sept. 25, 1974

Following are historic and future solutions to Multnomah River problem. For community interest and betterment, related benefits which should be considered so as not to local taxpayers include channel dredging and interest on permanent street improvements.

A. Historic solutions guiding new bridge:
   1. Temporary arrangement to hinge and cable lift existing span(2-bridge tender required during summer season; temporary three facilities shore and below bridge for periods of no tender with minimum clearance notice to pull tender). Requires channel dredging to permit navigation under bridge at low tides, thus eliminating high tide bridge openings.
   2. Install hydraulic jacks to lift existing span about 10 feet(tender, three-up and tender call provisions enclose; also design arrangement to disconnect jacks and float out span when higher clearances required for dredges, pleasurers, etc.). Requires dredging as above.
   3. Install float out barge with hydraulic jacks and cable winch control for quick lifts and removability(needs tender shifts, three-up and tender call provisions or other) Requires dredging as above.

B. Future bridge construction possibilities:
   1. Provide 10 to 50-foot clearance at MLLW with entrance to Hearing Basin as at present, with barrels open.
   2. Provide 50-foot clearance at MLLW with alignment to provide underpass with 15.5-foot clearance into Hearing Basin at present location, with barrels open(alternate span design could have hydraulic jacks to lift span an additional 10 to 50 feet with shroud action, and designed to disconnect jacks and float out by arrangement if extremely high clearance might be required at times.)
   3. Provide 50-foot clearance at MLLW with entrance to Hearing Basin moved to Salem Street, with span provisions as in 2.(Widening of Hearing Basin road with flying west of Salem Street entrance would be required to provide turning traffic and turn-around; present Hearing Basin entrance would be eliminated.)

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[illegible]
A.E. [illegible]

823-J

November 19, 1974

TO Mr. C. L. Green, Oregon Division Engineer
Federal Highway Administration

FROM K. S. Hunter
Assistant State Highway Engineer

SUBJECT Siuslaw River Bridge Section
Florence-Astoria Highway, FAS 605
Florence, Oregon
Bridge No. 11226A

Your letter of November 5, 1974 requested information concerning the original bridge permit for the subject structure and information relative to Coast Guard responsibilities for assisting in the upgrading of the facility to a level beyond that required by the original permit.

A copy of the original permit (with drawings) as issued by the Corps of Engineers is attached. Also attached are copies of letters between the Coast Guard and the Oregon State Highway Division giving a chronological history of events relative to reconstruction of the bridge.

The sequence of events with the Coast Guard began with a letter dated October 8, 1971 soliciting comments on a letter they had received requesting that the Siuslaw River Bridge float-out span be replaced with a bascule span in compliance with the original permit. The State responded by reciting the history of the structure and stating that it was not in the public interest to expend public funds on such replacement work. By letter of June 26, 1972, the Coast Guard ordered

the State to begin reconstruction work within one year and complete within two years. Additional correspondence resulted in agreement on a schedule for construction of a single leaf tower-assisted bascule span for the existing structure (see OSHD Dec. 5, 1972). The schedule indicated construction would be completed in May, 1972. The new span would be a fast-opening electrically-operated facility and an improvement over the old original hand-operated span. The proposed construction was presented at a public hearing in Warrenton and the reaction was adverse. The OSHD letter of May 1, 1974 to the Coast Guard cited this reaction and the apparent need for a structure with a higher grade line which would improve navigation conditions and thus be eligible for Truman-Hobbs Act funding. The Coast Guard responded that the work was not "going forward in a deliberate and timely manner", that we should "furnish an affirmative commitment to commence actual work before September 1, 1974 or show cause within 30 days why work cannot commence by that date", and that Truman-Hobbs funds are not available to restore the bridge to permit compliance as required by the Coast Guard. By letter of June 23, 1974 the State did show cause and presented critical path scheduling showing a contract letting date of January, 1977.

Subsequently, the Commandant of the Coast Guard, Washington, D.C., was changed and a meeting between all parties involved, including the new Commandant, was held at Astoria, Oregon on September 17, 1974. As a result, the Coast Guard agreed to a brief delay in any Coast Guard action until OSHD is able to propose plans for a more speedy solution to the problem.

We are currently working on a plan which will result in a new structure at an earlier date than previously reported to the Coast Guard. Apparently Truman-Hobbs Act financing is not available because the Coast Guard requirements would be satisfied by merely replacing the existing float-out span with a bascule span. Such a solution is not satisfactory to local interests and our efforts are directed toward a new structure with a double leaf bascule span, closed vertical clearance about the same as the existing structure, and slightly improved horizontal alignment.

If further information is needed, please advise.

RTE:dh:ljt
Att.

cc: W. J. Hart
L. W. Rulien
C. O. Fredrickson
H. S. Cox

8651

RESIDENT ENGINEER'S NARRATIVE
November 17, 1974

Skipanon River Bridge (Warrenton)
Clatsop County
Warrenton- Astoria Hwy.
Prefix 104-1405-901
Res. Engr: Gareld Inloes

LOCATION SURVEY

A survey commenced on August 13, 1973for this project in which information was gathered to provide remodel of the existing structure with a quick-opening double bascule lift span. On December 20, 1973 a corridor-design hearing was held at Warrenton City Hall. The public input from this hearing rejected the remodeling plan.

On August 2, 1974 a request was submited to allow a further survey to provide design of a complete new structure and roadway. The horizontal alignment was slightly shifted north of the existing highway, the vertical alignment was raised to provide more navigation clearance, (Finish roadway grade 24 feet± above M.L.L.) and a quick opening lift span. This proposal required a detour and did not allow access to the west end of boat basin.

On 9-10-74 the City of Warrenton requested that the existing boat basin west access be maintained.

On 9-18-74 instructions were given to design for a fix span structure with 24.5 feet vertical clearance.

The survey that is being submitted provides the following.
A 44 foot roadway section with minor alignment change to the existing highway; a fix replacement structure,(800 feet± length), with maximum navigation clearance of 24.5; allows existing one-way access, under new structure, to the west end of boat basin; requires no detour, construction traffic will be handled by stage construction. The west end of project ends at a confussing five-way intersection,(Hwys. 104&105). This intersection was to be included with this survey, but time did not permit. A survey will be submitted for this intersection at a later date.

Right-Of-Way purchases will need be made from the following owners: Burlington Nothern R.R., Clatsop County, John McGee, Vanderveldt Constr, Inc. and the City of Warrenton. Access to the Service Station owned by Harold C. Hendrickson and the residence garage of Reddy Woodrow will be poor. Access to Delbert Bodie's fuel storage tank will be severed.

Soils explorations have been made; fills height above 6-8 feet would require counter balance. The maximum fill of this design is 8 feet. The water line on the existing structure requires moving and a permit application is in process for the City of Warrenton; the City is responsible for the moving of line.

The buried telephone cable of P.N.W. Bell lies just upstream of existing structure. This cable will require adjustment.

With no detour required of this design. A substantial savings is realized. If a bridge opening was required during construction, a problem would exist. Normally, the lift span is floated downstream of existing structure. If for some reason it is impossible to bring the float-out span upstream, I would suggest that negotiations be made with Herb Palmberg, to assure that no openings be necessary during bridge construction. This could mean providing him equipment morrage at a different location rather than at his Skipanon property.

Addendum by James E. Chaney

This project was the subject of a review by the Region on December 2, 1974.

The proposed horizontal alignment depicted on the vicinity map illustrates problems of vertical clearance, restricted sight distance caused by the vertical curvature and the close proximity of the east end of the bridge to the boat basin access road.

Walter Hart, who participated in the review, suggested that the location data available at this time be transmitted for further study by the Bridge Section of the structural problems.

A print of the vicinity map has been sent to the R/W Unit for their estimate of R/W cost.

8651

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RECEIVED
NOV 13 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

November 13, 1974

cc - E. S. Hunter
C. T. Keasey
C. O. Fredrickson
H. S. Cox
E. L. Everton
James Chidsey

Mr. Leo G. Farr, Jr.
Director, Public Health Engineering
Health Division
State Office Building
1400 S. W. 5th Street
Portland, OR 97201

Dear Leo,

NOTED
L. E. HUNTER

City Water Line Relocation Across Skipanon River
Warrenton, Oregon

Enclosed is a copy of the drawings we submitted to the Corps of Engineers showing the proposed relocation of the City of Warrenton water line across the Skipanon River. Also enclosed is a copy of a letter from the City of Warrenton itemizing their requirements for the water line. Since that letter was written the City has requested that the size of the line be increased to 10 inches to provide for future city expansion.

As I indicated to you on the telephone yesterday, we are acting as the City's agent in acquiring from the Corps of Engineers a permit for this water line crossing.

The Highway Division will pay the cost of relocation since the relocation is necessary because of anticipated state bridge replacement work. Any improvements to the water line will be at the expense of the City of Warrenton. Ownership of the water line will remain in the name of the City of Warrenton.

It was a pleasure becoming reacquainted with you by telephone yesterday, and I am looking forward to seeing you soon. If there are any further questions regarding this water line permit application, don't hesitate to call me.

Very truly yours,

Walter J. Hart
Bridge Engineer

ORIGINAL SIGNED
R.W. ELLISON

RWE:dh
Enclosures

R. W. Ellison
Bridge Administration Engineer

8651

8

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

REPLY TO ATTENTION OF: NPPND-RF-1

7 November 1974

NOTED
L. R. HUNTER

PUBLIC NOTICE
071-OYA-1-001580
SUBMERGED PIPE
SKIPANON RIVER MILE 2.0 - AT WARRENTON, OREGON

Interested parties are hereby notified that application has been made for a Department of the Army permit for work in navigable waters of this Engineer District under Section 10 of the River and Harbor Act of March 3, 1899 (30 Stat. 1151; 33 U. S. C. 403)

Name of Applicant: City of Warrenton, Warrenton, Oregon 97146.

Character and Purpose of Work: To lay a 10 inch submerged water line across the waterway approximately 75 feet upstream of the existing bridge structure as shown on the attached drawing marked 001580 (Skipanon River - Submerged Pipe). A clamshell bucket will be utilized to dig a trench for the pipe, placing the spoil along one side, to be used later as backfill.

Additional Information: Additional information may be obtained from Oregon State Highway Division, Highway Engineer, State Highway Building, Salem, Oregon 97310, telephone (503) 378-6888.

The requested permit if issued will be subject in part to the following conditions:

1. All construction debris will be disposed of on land in such a manner that it cannot enter into the waterway.

2. Care will be taken to prevent any petroleum products, chemicals or other deleterious materials from entering the water.

3. All areas along the bank disturbed or newly created by the construction activity will be seeded, riprapped or given some other equivalent type of protection against subsequent erosion.

4. Work in the waterway will be done so as to minimize turbidity increases in the water which tend to degrade water quality and damage aquatic life.

5. If a bucket dredge of any type, including but not limited to grab or clamshell, dipper, dragline or backhaul bucket, is used, all digging passes of the bucket shall be completed without any material once in the bucket being returned to the wetted area except as approved.

(840)

RECEIVED
NOV 12 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

NPPND-RF-1
Re: 071-OYA-1-001580
(Skipanon River - Submerged Pipe)

Additional Requirements: A permit for the proposed work will not be issued until certification as required under Section 401 of the Federal Water Pollution Control Act Amendments of 1972 has been received from the Oregon State Department of Environmental Quality. State law requires that leases, easements or permits be obtained for certain works or activity in the described waters. These state requirements must be met where applicable and the Department of the Army permit obtained before any work waterward of the ordinary high water line may be accomplished.

Interested parties are requested to submit in writing any comments or objections they may have to the proposed work.

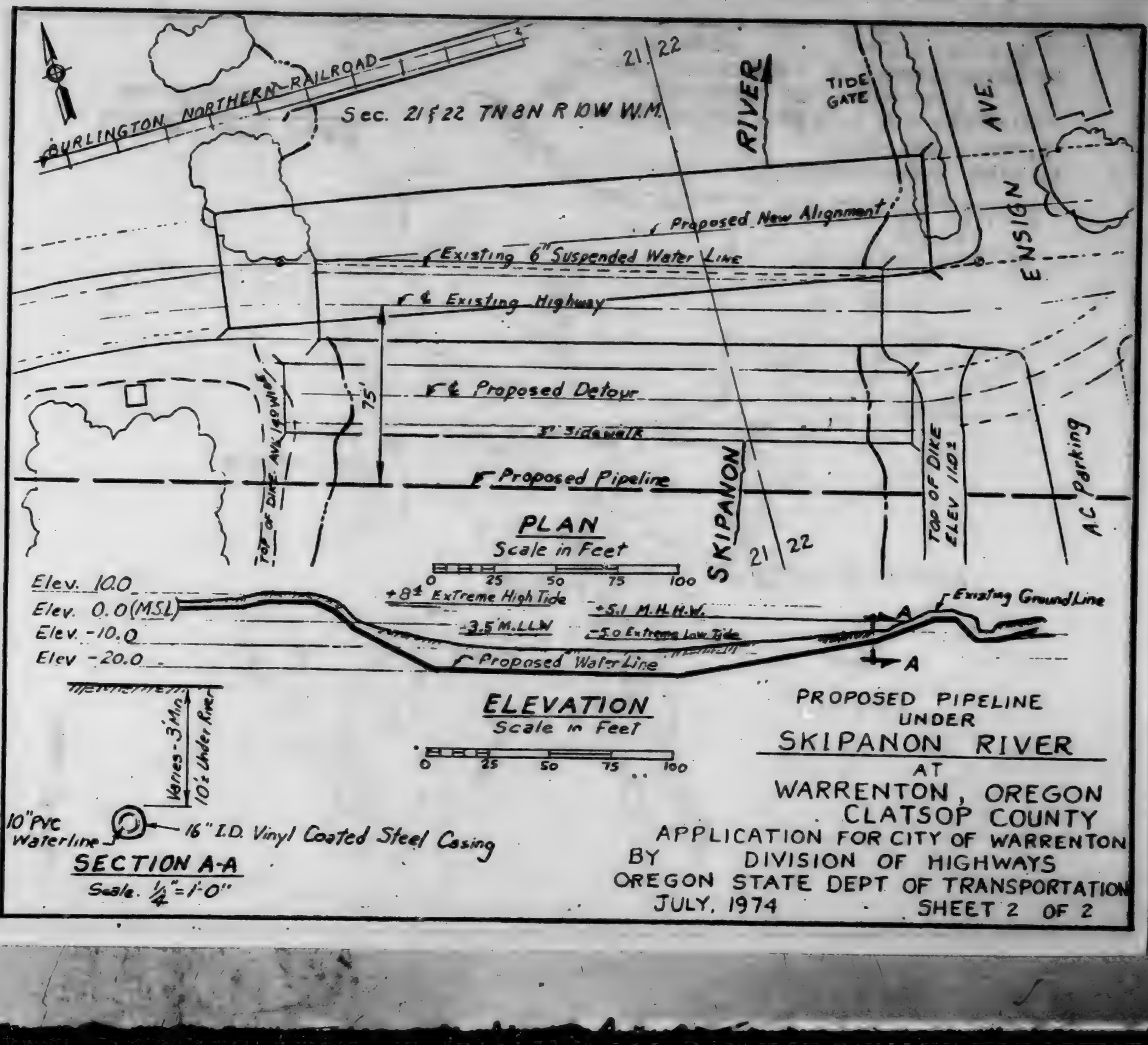
The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

A preliminary determination has been made that an environmental impact statement is not currently required for the proposed work.

Replies to this notice should be mailed to reach this office not later than 9 December 1974.

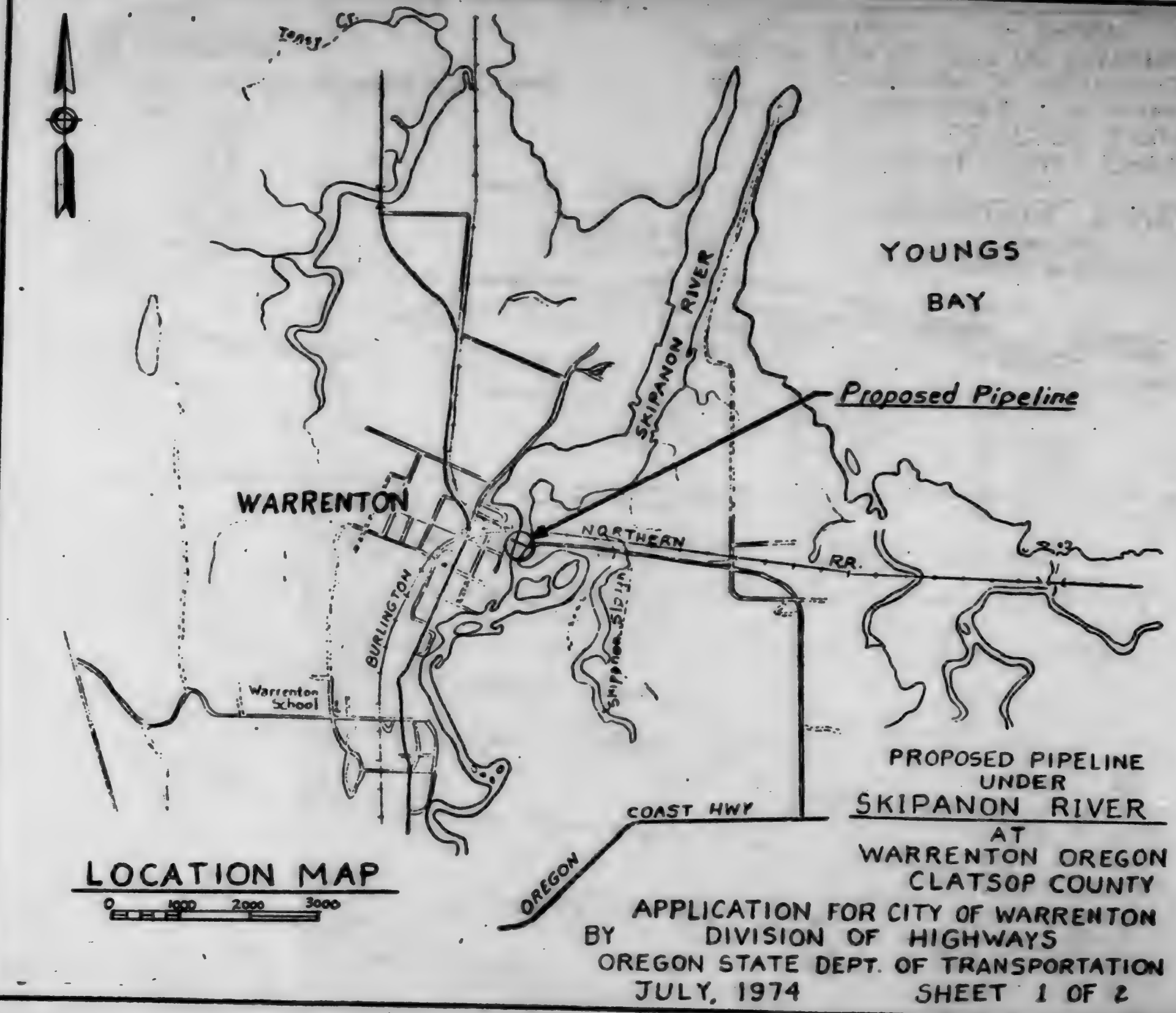
A. J. HEINEMAN
Chief, Navigation Division

0015800 (Skipanon River - Submerged Pipe)



PROPOSED PIPELINE
UNDER
SKIPANON RIVER
AT
WARRENTON, OREGON
CLATSOP COUNTY
APPLICATION FOR CITY OF WARRENTON
BY DIVISION OF HIGHWAYS
OREGON STATE DEPT OF TRANSPORTATION
JULY, 1974 SHEET 2 OF 2

001580 (Skipanon River - Submerged Pipe)



PROPOSED PIPELINE
UNDER
SKIPANON RIVER
AT
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION FOR CITY OF WARRENTON
BY DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1974 SHEET 1 OF 2

FILE: Br. 11226A

October 3, 1974

Mr. F. R. Brockschink
Chief, Regulatory Functions Branch
Department of the Army
Portland District Corps of Engineers
P. O. Box 2946
Portland, Oregon 97208

Dear Mr. Brockschink:

Skipanon River
Submerged Water Pipe
Application No. 071-07A-1-001580

Your letter of September 18, 1974 requested additional information regarding the subject application. That information in the form of a listing of property owners, a property ownership map, and a completed application form are attached.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

Attachments

RWE:ag js

bc: F. B. Klaboe
A. E. Johnson
W. J. Hart
C. O. Fredrickson

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

REPLY TO ATTENTION OF:

NPPND-RF-1

18 September 1974

Oregon State Highway Division
Highway Building
Salem, OR 97310

Attn: E. S. Hunter, Asst. State Highway Engineer

Dear Sir:

Your application for work on the navigable waters of the Portland District has been received by this office.

Number 071-OYA-1-001580 has been assigned to your application and this number will follow the application through its' processing. If a valid permit is the result of this processing, it will bear this same number. All future correspondence with regard to this application should contain the above assigned number.

A review of your application indicates that there is insufficient information to start processing of your request. Please furnish the information checked on the attached sheet at your earliest convenience.

If you have any questions, please feel free to contact the Permits Processing Section, (503) 777-4441, extension 304.

Sincerely,

F. R. BROCKSCHINK
Chief, Regulatory Functions Branch

Attachment
As Stated
Application Form
For City of Warrenton
Sub pipe - Skipanon River

RECEIVED
SEP 20 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

NOTE

Item #9 on this permit application form has been changed and should read as follows:

9. List names and mailing addresses of all property owners within 100 feet of the property upon which this proposed project is to be constructed.

The back of this note may be used for additional names and mailing addresses.

DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS

APPLICATION FOR PERMIT TO WORK IN NAVIGABLE WATERS

1 DATE OF APPLICATION: September 6 19 74

APPLICATION NUMBER (TO BE ASSIGNED BY CORPS OF ENGINEERS): 071-OYA-1-

2 NAME, ADDRESS AND TELEPHONE NUMBER OF APPLICANT
City of Warrenton, Warrenton, Oregon 97146
Attn. Mr. E. R. Baldwin, Auditor & Police Judge
Phone 861-2223

3 LOCATION OF PROPOSED WORK
STATE: Oregon
COUNTY: Clatsop
WITHIN THE CORPORATE LIMITS OF: Warrenton
OR
NEAR THE CITY OF:

4 NAME, ADDRESS, TELEPHONE NUMBER AND TITLE OF APPLICANT'S AUTHORIZED AGENT FOR PERMIT APPLICATION COORDINATION AND CORRESPONDENCE: Oregon State Highway Division
State Highway Building, Salem, Oregon 97310
Attn. Mr. E. S. Hunter, Asst. Highway Engineer
Phone 378-6888

5 DESCRIBE FACILITY (PIER, FLOAT, BULKHEAD, DREDGING, FILL, ETC.)
Water pipe line

6 WATERWAY: Skipanon River

7 PURPOSE OR USE OF PROPOSED WORK
A water pipe line to supply water to City of Warrenton.
This water line is presently attached to the highway bridge.

8 IS THE STRUCTURE OR WORK
[X] EXISTING
[ ] PROPOSED
IF EXISTING, YEAR BUILT:
LIST ANY KNOWN PERMITS OR APPROVALS COVERING THE WORK: State Highway Division approval

9 NAMES AND MAILING ADDRESSES OF ALL ADJOINING PROPERTY OWNERS WHOSE PROPERTY ALSO ADJOINS THE WATERWAY
A See attached
B

10 ARE YOU THE OWNER OF THE UPLAND PROPERTY [ ] YES [ ] NO IF NOT, GIVE NAME AND ADDRESS OF OWNER
See attached

11 FEE INCLUDED IN THE AMOUNT OF: -0-

12 IF DREDGING OR FILLING WILL OCCUR:
STATE THE TYPE AND COMPOSITION OF MATERIALS INVOLVED, THEIR VOLUME IN CUBIC YARDS, AND THE PROPOSED METHOD OF ACCOMPLISHING THE WORK (VOLUME SHOULD BE ESTIMATED ANNUAL MAXIMUM)
None

13 ESTIMATED CONSTRUCTION TIME IN MONTHS: 4

15 FOR OFFICIAL USE ONLY

14 MAPS AND SKETCHES WHICH SHOW THE LOCATION AND EXTENT OF EACH STRUCTURE OR ACTIVITY MUST BE ATTACHED TO THIS APPLICATION

16 APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE

A. J. Schneider
SIGNATURE OF APPLICANT
for E. S. Hunter, Asst. State Hwy. Engr.

18 U.S.C. SECTION 1001 PROVIDES THAT:
WHOEVER, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF THE UNITED STATES KNOWINGLY AND WILFULLY FALSIFIES, CONCEALS OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE A MATERIAL FACT, OR MAKES ANY FALSE, FICTITIOUS OR FRAUDULENT STATEMENTS OR REPRESENTATIONS, OR MAKES OR USES ANY FALSE WRITING OR DOCUMENT KNOWING SAME TO CONTAIN ANY FALSE, FICTITIOUS OR FRAUDULENT STATEMENT OR ENTRY, SHALL BE FINED NOT MORE THAN $10,000 OR IMPRISONED NOT MORE THAN FIVE YEARS, OR BOTH.

NPP FORM 18(OT)
NOV 1973

INSTRUCTIONS

Please print or type the required information in boxes 1 through 13.

1. Self Explanatory.

2. Self Explanatory.

3. Identify the town if actually within the incorporated limits thereof. Otherwise, state which town, hamlet, etc. is nearest the proposed work site.

4. If you have authorized another party to answer correspondence and/or enter into agreements on your behalf concerning the proposed work outlined in this application, their full name, address and telephone number should be entered in this block. If you have not authorized someone to speak on your behalf, this item should be left blank.

5. This block should contain a listing or description of the items which you wish to have considered for coverage under a Department of the Army permit if and when issued. If the work proposed consists of a fill or pile-supported structure, all buildings which you intend to place on the fill or structure must be shown in plan & elevation and their use described.

6. This block should contain the name of the water body on which the work is to be conducted. For example, Pacific Ocean, Columbia River, Multnomah Channel, King Slough, Baker Bay, Drift Creek, Oswego Canal, etc.

7. Purpose or use of the proposed work should be simply described such as "A commercial dock to be used as a fish receiving station" or "A commercial dock to support a plant for the freezing of otherwise unprocessed fish" or "A private float and four piling for swimming and mooring a sail boat", etc.

8. If some of the work shown on the application drawing(s) is existing and additional work is proposed, check both blocks. List all governmental approvals or permits, Federal, state & local. Enter word none if applicable.

9. (a) The name and address of the upstream property owner who's property also adjoins the waterway.
   (b) The name and address of the downstream property owner who's property also adjoins the waterway.

10. In conjunction with this block concerning property ownership, the applicant must provide the legal description of the property, such as that shown on the applicant's county tax statement. This information can be placed in this block, on the required drawings, or as a separate enclosure with the application.

11. Application fee. If filling is involved, either by dredging or from the landward side (including riprap), a filing fee of $10.00 is required when the amount of fill is 2,500 cubic yards or less, and a fee of $100.00 if the quantity is over 2,500 cubic yards. Checks must be made payable to the Treasurer of the United States.

12. This block, if appropriate to your work, should contain the type of material, such as dredge spoils, materials from land excavating, etc. The composition of the material should be indicated, such as sand, silt, gravel, dirt, or organic debris, etc. The quantity of material involved in the dredging or filling operation should be expressed in cubic yards, and the method of measurement of these materials indicated. In the case of dredging, the type of equipment used should be noted, such as "dragline bucket", "clamshell bucket", "hydraulic pipeline dredge", etc.

13. Self Explanatory.

14. Refer to the pamphlet entitled "Applications for Department of the Army Permits for Activities in Waterways".

15. For Official Use Only.

16. Self Explanatory.

NOTE: If more space is needed to answer the questions on the form, or you desire to submit additional information, please use additional sheets of standard typing-size paper.

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

NPPND-RF-1

Applicant:

To expedite the processing of permit applications, we have compiled a list of conditions that various State and Federal agencies have required applicants to agree to prior to the agency approving of the work requested in an application for a Department of the Army permit. If you agree to the conditions checked below, pertinent to your proposed work, please sign one copy and return with your application.

☒ 1. All construction debris will be disposed of on land in such a manner that it cannot enter into the waterway.

☒ 2. All piling and lumber treated with creosote or other protective material will be completely dry before use in or near the waterway.

☒ 3. Care will be taken to prevent any petroleum products, chemicals or other deleterious materials from entering the water.

☐ 4. Slope of the riprap, bank, or excavation, etc. will be no steeper than _____-foot horizontal to _____ _____-foot vertical.

☒ 5. Only clean, durable riprap will be used.

☒ 6. All areas along the bank disturbed or newly created by the construction activity will be seeded, riprapped or given some other equivalent type of protection against subsequent erosion.

☒ 7. Work in the waterway will be done so as to minimize turbidity increases in the water which tend to degrade water quality and damage aquatic life.

☐ 8. Not less than _____(period of time) prior to the commencement of _____(describe the work feature such as "dredging"), the permittee shall notify _____ (governmental agency) of such commencement.

☐ 9. Excavation or dredging shall be conducted behind a berm of sufficient size to isolate the operation from the free flowing stream.

☐ 10. Dredging shall be limited to the period from _____ to _____, and from _____to _____.

☐ 11. Land disposal of dredging spoils will be accomplished behind adequately maintained protective berms which will prevent the materials from returning to the waterway.

☐ 12. If a bucket dredge of any type, including but not limited to grab or clamshell, dipper, dragline or backhaul bucket, is used, all digging passes of the bucket shall be completed without any material once in the bucket, being returned to the wetted area except as approved.

☐ 13. If a hydraulic dredge is used, the dredge is to be operated with the intake on or below the surface of the material being removed.

☐ 14. Backwashing of the hydraulic dredge intake line is to be held to an absolute minimum and, when backwashing is necessary, the intake be raised no more than _____ feet above the bed material.

☐ 15. Waste water from hydraulic dredging operations shall comply with appropriate water quality standards.

I agree to conditions no. _____
as checked above pertinent to my proposed work. In addition, I agree to furnish such reasonable and complete information in regard to the proposed work as may be required by the District Engineer for the preparation of an environmental evaluation, assessment or impact statement.

for E.S. Schroeder

Name for E.S.Hunter, Asst. State Hwy. Engr.

State Highway Bldg.

Address Salem, Oregon 97310

10/3/74

Date

Skipanon R. Br. - Warrenton Oregon. 1974
Property owners within 100' of site,

2300	264-167 -386 285-378	Johnson, Earl E. 1307 S.W. Main Phone: 861-1198 Rawls, Noel B. & Eleanor R.
2600	266-300	Bodie Delbert O. 755 N.W. Main Warrenton, OR

Southern Pacific Transportation Co,
324 Union Station
Portland, Ore. 97209
Att.: Mr. Kendrew.

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BRIDGE DIVISION

C.	2300	264-167; 264-386; 285-378	Johnson, Earl Rawls, Noel B. & Eleanor R	8-10-21 AD
nes Eben H.	2600	266-300	Bodie, Delbert O. & Martha M.	
es C., en H.	2700	276-280	Alderman, Mildred 17628 Santa Maria Fountain Valley, Calif.	Phone 714-847-9422
nes C., en H.	2800	214-404; 214-406; Less TL.#2801; Less TL.#2802	Hartley, William S.	
(c)	2801	276-282	Alderman, G.W. & Mildred	
	2803	400-33	Hendricksen, Harold C. & Evelyn Ann P.O. Box 23 Astoria, OR 97103	Phone: 325-3982
	2900	13-717; 214-393; 327-162	Gale, David E. & Betty L. Johnson, Jimmie L. & Betty Y.	
	3100	~~245-372-95;~~ ~~5-19-58~~ 400-33	~~Hartley, William S. & Wilma D.~~ Hendricksen, Harold C. & Evelyn Ann P.O. Box 23 Astoria, OR 97103	Phone: 325-3982

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OCT 2 1974
BRIDGE DIVISION

8-10-22
& Index

1300	266-35; 271-296; 302-197	Vanderveldt Const.,Inc.	2200

., Or

1400	275-393; 291-520; 326-753	McGee, John; Dezendorf, James C.,Trustees

1500	162-149	Clatsop County

1600	148-617	City of Warrenton 147 S. Main Phone 861-2223

1700	77-539	Clatsop County Courthouse, Astoria Phone 325-7441

1800	148-617 Less TL 1801 (AC 73-8)	City of Warrenton 147 S. Main Phone 861-2223

1801	AC 73-8	City of Warrenton % Pacific Silvers, Inc. (Lessee)

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BRIDGE DIVISION

810 21AD

3200	296-886; 333-593 396/148-149	Carlson, ~~Raymond O.~~ John C. 1609 S.W. Westwood Ct. Portland, OR 97201 Phone: Business 244-4356 Residence 245-2588	3900	254-207	Moore,
3201	7-16-56; 237-96	Bodie, Delbert O. & Martha M. 755 N.W. Main Warrenton, OR Phone: 861-1049	4000	193-105	Moore,
3300	228-302; Less TL.# 3301; Less TL.# 3302; 313-855	Bodie, Delbert O. & Martha M.	4100	220-665; 261-618	Moore,
3301	232-330; 313-855	Bodie, Delbert O. & Martha M.	4200	108-626; EST.#4417	Nichols,
3400	140-24	City of Warrenton	4300	293-297; EST.#3855 314-997 378-911	Ellsi,
3500	140-24	City of Warrenton	4400	237-66; 272-269	Peterse

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Map "A"

SKIPANON

See Map "B"

Meander Line

AVE.

1st

ST.

AVE.

ANCHORAGE

S.E.

(3rd)

(STEVENS)

AVE.

2nd

(ST.)

(ST.)

30-04

(2nd) W. HARBOR ST.

(VACATED ST)

MARKET ST.

WATER (ST.)

S. MAIN

3601

3600

3301

3300

3702

4500

4400

4300

3700

4200

4700

4600

4900

4800

5400

5500

5300

5200

5600

5601

6100

6000

5900

5800

5700

6500

6300

6600

3200

3201

2803

2801

2900

2800

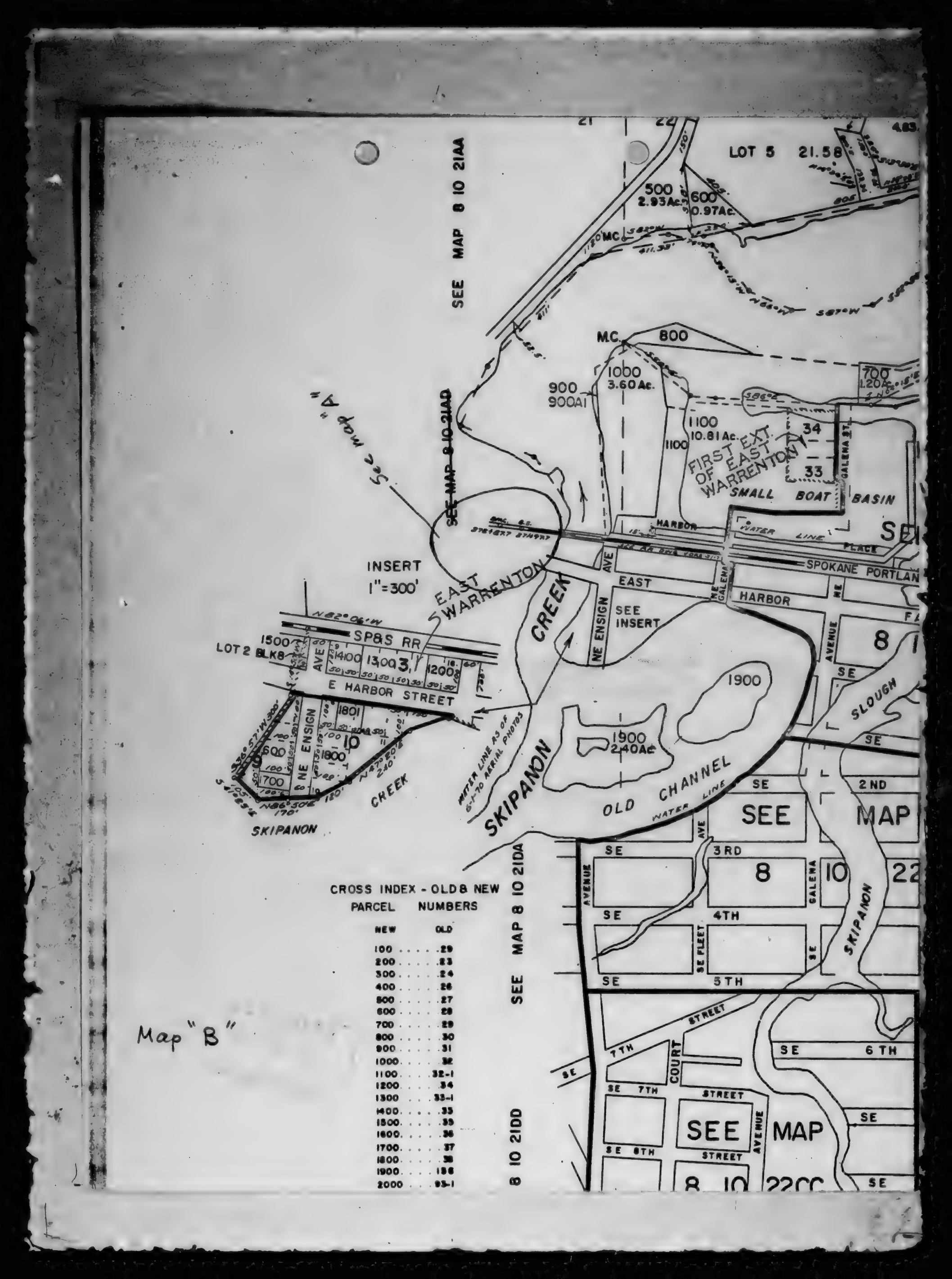
2700

2600

2300

2000

2201



CROSS INDEX - OLD & NEW PARCEL NUMBERS

NEW	OLD
100	29
200	23
300	24
400	26
500	27
600	28
700	29
800	30
900	31
1000	32
1100	32-1
1200	34
1300	33-1
1400	33
1500	35
1600	36
1700	37
1800	38
1900	186
2000	93-1

Map "B"

8651

Form FHWA 121 (Rev. 5-73)

UNITED STATES GOVERNMENT

Memorandum

RECEIVED
STATE HWY ENG
NOV 8 '74
RETURN TO
Hunter

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

SUBJECT: Oregon Project RS-599(-)
Skipanon River Bridge
Warrenton-Astoria Highway

DATE: November 5, 1974

In reply refer to: 1041DB.2

FROM : G. L. Green, Division Engineer

NOTED
A. E. JOHNS

TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer
Salem, Oregon
Attention: Mr. L. W. Rulien

A field review of the Skipanon River Bridge in the City of Warrenton, Oregon was made on May 21, 1974 by State, FHWA Division & Region office personnel. A project assessment field review was also made on August 27, 1974.

It is apparent from these reviews that the bridge is adequate for present and projected traffic and is also in satisfactory structural condition. However, as the structure now does not adequately fulfill the requirements of the 1916 Coast Guard permit, it must be rebuilt to conform to the subject permit.

To assist this office in reviewing the proposal and to assure an orderly progression of the development of the project, we would need the specific information on the Coast Guard permit issued for this bridge.

NOTED
E. S. HUNTER

Rulien
R/D - confer with Hart.
Ed H

Secondary impacts may be developed if the proposal for replacing the existing structure is approved. If this is true, the impact statement will have to cover these facts.

It would be helpful if you would furnish the information concerning the permit and information as to Coast Guard responsibilities for assisting in the upgrading of a facility to a level beyond that required by the original permit.

cc: Hart

for G. L. Green

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NOV 8 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

October 22, 1974

The Honorable Tom McCall
Governor of Oregon
State Capitol
Salem, Oregon 97310

Dear Governor McCall:

In August of 1973 the Oregon State Highway Division indicated objection to a development project upstream from the Skipanon River Bridge at Warrenton, Oregon, because of pending bridge reconstruction work. It was reasoned that installation and construction of a detour structure, plus reconstruction of the existing bridge, would create considerable activity at the site. The additional activity of the developer moving floating equipment through the site would create interference with the bridge construction.

At the time of objection it was estimated that the bridge reconstruction might be completed in early 1975. This is no longer the case. Through the public hearing process, this project has been revised and a new bridge is now planned. Because of the need for environmental assessment, additional public hearings, right-of-way acquisition, project design and other required precontracting activities, it is now estimated that the earliest date for completion of the structure is mid-1978.

The Highway Division does not desire to delay upstream development for this extensive period and is willing to withdraw its objections to the Corps of Engineers' Public Notices 70-10 and 70-12 (Piling and Dredging in the Skipanon River). This withdrawal is made in a spirit of cooperation, providing the developer will also cooperate by minimizing movement through the work area if bridge construction should occur simultaneously with his development activities.

Attached is a suggested letter for use in contacting the Corps of Engineers about this matter. Since the Department of

Environmental Quality is interested in developments along estuaries, it would be appropriate to send them a copy also.

Very truly yours,

F. B. Klaboe, Administrator
and State Highway Engineer

Attachment

bc: A. E. Johnson
E. S. Hunter
Walt Hart
C. O. Fredrickson

RWE:dh srb

October 22, 1974

SUGGESTED REPLY FOR THE GOVERNOR'S CONSIDERATION

District Engineer
U. S. Army Corps of Engineers
Portland District
Post Office Box 2946
Portland, Oregon 97208

Dear Sir:

Re: Public Notices 70-10 and 70-12
Piling and Dredging in Skipanon River

In my letter of August 31, 1973, I indicated the State's objection to work covered by these Public Notices. This objection was based on then current plans to reconstruct the Skipanon River Bridge and the possible conflict between bridge reconstruction activities and passage of the upstream developer equipment through the site.

Through public involvement procedures, plans have changed and, instead of reconstructing the bridge, a new structure is proposed. Considering the necessary preconstruction activities and actual construction time, the new structure may not be completed until mid-1978. It is not the Highway Division's intention to delay upstream development plans for that length of time; therefore, the previous objection is withdrawn.

cc: Oregon Transportation Commission
City of Warrenton
Clatsop County Board of Commissioners
Department of Environmental Quality
H. G. Palmberg (Palmberg Construction Company, P. O. Box 448, Warrenton, OR 97146)

RWE:dh srb

TOM McCALL
GOVERNOR

RECEIVED
STATE HWY ENGR
SEP 7 '73
REFER TO
FOR
Info | Prep | Hnd | Sig | Sign | Ret | File

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

August 31, 1373

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OCT 2 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

District Engineer
Corps of Engineers
U. S. Army
Portland District
Post Office Box 2946
Portland, Oregon 97208

Re: Public Notices 70-10 and 70-12,
Piling and Dredging in Skipanon R.

Dear Colonel Gilkey:

Thank you for your letter of August 8, 1973. It is true the Oregon Highway Commission has initiated a program of reconstructing their bridge over the Skipanon River at Warrenton.

Construction of the bridge will create considerable activity at the site. A detour span will also constrict the waterway.

For this reason it would not be the State's best interest to issue the applicants' permits at this time.

The new span might be available as early as sometime in 1975. If you or the applicants will remind us of the permit request sometime when the work is nearing completion, I will be pleased to consider it at that time.

Sincerely,

RECEIVED
SEP 10 1973
BRIDGE DIVISION

9-7-73
cy Waiter ✓
Bridge

Governor

RECEIVED
OCT 2 1974
BRIDGE DIVISION

TM:cf

cc: ✓Oregon Highway Commission
City of Warrenton
H.G. Palmberg
Clatsop County Board of Commissioners

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SEP 7 1973
HIGHWAY
ADMINISTRATIVE SERVICES

COPY

NOTED
W. J. HART

Ivan Merchant

MAINT

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • • • SALEM, OREGON • • • 97310

August 16, 1971

Mr. Kessler R. Cannon
Assistant to Governor
Natural Resources
Program Coordination
208 State Capitol
Salem, Oregon 97310

NOTED
C.A. GARDNER

Dear Mr. Cannon:

Confirming conversations and summarizing data on H. G. Palmberg's applications (Public Notices 70-10 and 70-12) to drive piling and dredge in the Skipanon River, we report as follows:

1. The first record of this bridge indicates that it was constructed by the County in 1916.

2. The pamphlet "Bridges over the Navigable Waters of The United States" Part 4, Pacific Coast, issued in 1961 by the Corps of Engineers, on page 25 indicates that a permit was issued to Clatsop County on September 15, 1916 to construct a bascule bridge. The connotation "bascule" means either a single or double leaf opening vertically in the same style as the Burnside or the Morrison Bridges in Portland.

3. The next item is an entry in the Highway Commission minutes of December 30, 1946 indicating that this route and hence the structure were taken into the State Highway System.

4. In 1965 repairs to the bridge were necessary and an application was made to the Corps of Engineers to permit lowering the clearance. This application was unsuccessful. The bridge has been maintained at the same width of span and elevation of opening above low water which existed when the Commission took this bridge over from Clatsop County.

NOTED
IVAN D. MERCHANT

RECEIVED
AUG 17 1971
BRIDGE DIVISION

NOTED
W. J. HART

Form E-123

5. The bridge was constructed to include a "float-out" span. When a request for opening is received a barge is hired, placed under the movable span which lifts it out of place with the rising tide. The span is cleared for water traffic. The span is refitted into position on the out-going tide. The delay to traffic during such opening is several hours.

6. The average daily traffic on this bridge in 1970 was 3,250 cars. There are alternate routes to Astoria involving 1.5 miles additional travel.

7. Skipanon River is permanently closed to travel by a dike directly across its course less than one-half mile upstream from this location.

8. The next to the last paragraph of Colonel Triem's letter indicates, of course, that the State Highway Division does not have a valid permit for the bridge and that we are subject to redress by the U.S. Coast Guard. As delineated by the data above, this condition was not brought about by the Highway Division but by an act of Clatsop County in the original construction, approximately 55 years ago. A new bridge of the type required by the existing permit would cost several hundred thousand dollars. We had not felt that this would be a prudent expenditure of Highway Division funds.

Very truly yours,

ORIGINAL SIGNED
R. L. PORTER

R. L. Porter
State Highway Engineer

cc Tom Edwards
A. E. Johnson
Victor D. Wolfe
E. S. Hunter
R. N. Bothman
J. B. Boyd
Ivan Merchant

RECEIVED
AUG 17 1971
BRIDGE DIVISION

8651

10-7-74

MEMO TO FILE

NOTED
E. S. HUNTER

FROM: Pat Randolph
TO: File (cc: Ed Hunter, Walt Hart, C. O. Fredrickson)
RE: Discussions with Coast Guard on Bridge Planning

On Tuesday, September 17, Walt Hart, C. O. Fredrickson, Eldon Everton and I went to Astoria to meet with Ed Shields, Coast Guard District Bridge Consultant, Captain Hackney, Coast Guard District Commandant, Captain John Kirkland, Coast Guard Bridge Division Commandant, Hal Snow, Warrenton City Attorney, Judge Baldwin, Warrenton City Administrator, Jiggs Johnson, Mayor of Warrenton, and Ed Palmberg, a citizen of Warrenton with interests in the area around the Skipanon Bridge.

The purpose of the meeting was to discuss the present situation relating to this bridge. The request for the meeting came as somewhat of a surprise to me, since I had earlier reached an oral understanding with Coast Guard representatives in Washington, D. C. with regard to our course of conduct on this problem. However, Captain Kirkland has since succeeded Captain Wiman as Commandant in the Washington, D. C. office and this has apparently occasioned a review of the whole issue.

The night before the meeting, Highway Division representatives and Coast Guard representatives met informally. At this time I explained to Captain Kirkland the understanding I had earlier reached with his office. He obviously did not feel that this understanding was binding upon him and, in fact, indicated that subsequent to my visit to Washington, the entire file had been forwarded to the United States Attorney's office in Portland for action. (We have been contacted by the U. S. Attorney but at present do not expect that he will take any action.)

At the meeting the next day, the Coast Guard indicated that it was concerned that Mr. Palmberg and others be given some freedom of movement in the Skipanon Channel during the period of planning and construction for the new bridge. We indicated that the Highway Division recognizes the interest in navigation in the channel, and that we would "float out" the existing bridge on a limited schedule basis, but that we did not regard it as feasible to construct an "interim" bridge to be replaced by a more elaborate bridge a few years later.

Warrenton indicated that it supported our present bridge plan and that it opposed hasty solutions which resulted in a waste of public monies.

Mr. Palmberg indicated that he desired to develop the area up-

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OCT 7 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

stream from the Skipanon Channel and that he felt that the Highway Department was his principal obstacle in accomplishing this development. He further indicated that when this development was completed there would be a need for frequent passage beneath the Skipanon Bridge. When questioned, however, Mr. Palmberg agreed that it was unlikely that any such major development in the upstream channel would occur within the next three years. During that time, he stated that he felt that the need for passage of construction equipment for his activities and those of the Corps of Engineers would require bridge openings approximately six times per year.

I indicated that it was my understanding that the Highway Division had no interest in opposing Mr. Palmberg's activities in the upstream Skipanon Channel so long as the bridge problems could be resolved.

There were frequent side discussions of engineering problems among Fredrickson, Hart, Shields and Hackney. Walt Hart indicated that still incomplete soil analysis indicated that there was going to be some problem in establishing footings for any bridge at the present site. Walt and Chuck reported afterward that, as a result of the conversations, they felt that the Coast Guard may be willing to accept a less elaborate bridge than we had originally planned, especially if this would result in a shorter time schedule.

After the meeting, Walt, Chuck Fredrickson, and I agreed that Ed would supervise development of alternate bridge plans that might be built somewhat sooner than the original proposal. These plans would include a fixed span bridge with 24' clearance and a center lift span bridge with similar clearance. It was agreed among us that until policy decisions have been made, the various bridge options considered, and a satisfactory timetable worked out, the best interests of all parties would be served by Mr. Kirkland retaining control of the file, rather than the local Coast Guard representatives.

The proposed bridge alternates that Walt is designing may take less time to build because: (1) a negative declaration, rather than a full EIS, may be possible; (2) construction materials will be more accessible and construction time will be less.

After talking with Walt, I discussed with Gary Potter some of the environmental questions relating to the bridge. Gary indicated that he did not feel that even the presently proposed bridge would require an Environmental Impact Statement. However, he agreed that a bridge which required less right of way acquisition and less interference with existing traffic patterns would be more likely to qualify for a negative declaration than the present bridge, and might go through environmental processing somewhat faster.

I have recently spoken with Captain Kirkland by telephone and communicated to him that we would prefer that the Skipanon Bridge file be kept in his office during the planning and policy phases of the project and that we would appreciate a brief delay in any action by the Coast Guard until we are able to propose plans for a somewhat faster resolution to the problem. He agreed to both suggestions. He indicated that he had visited the site of the present Skipanon channel and was quite sympathetic with our engineering and political problems.

svh

8651

8

September 13, 1974

Mr. E. R. Baldwin
Auditor and Police Judge
City of Warrenton
P. O. Box 250
Warrenton, Oregon 97146

Dear Mr. Baldwin:

Thank you for your recent letter advising us of the possible difficulties we may encounter in relocating the City's water line upstream from the existing Skipanon River Bridge.

Our Regional Engineer, Mr. Fredrickson, will be contacting your Public Works Superintendent, Mr. Birkholz, in the very near future to work out the necessary details.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

ESH:js

bc: F. B. Klaboe
A. E. Johnson
V. D. Wolfe
W. J. Hart
C. O. Fredrickson - Please contact the City and work out the details.

CITY OF WARRENTON

WARRENTON, OREGON
97146

P. O. BOX 250
TELEPHONE 861-2233

10 September 1974

Mr. E. S. Hunter
Assistant State Highway Engineer
Oregon State Highway Division
State Highway Building
Salem - OREGON - 97310

Dear Mr. Hunter:

In your letter of September 6, 1974, to the District Engineer, Corps of Engineers, you suggested the present plan of moving the city's water line approximately 75 feet up-stream from the center line of the existing structure.

We should call your attention to the fact that this would be extremely difficult since the line would normally have to cross the river in line with the existing main. Elbows and bends create a very serious problem from a hydraulic standpoint.

The state should also be aware that this would conflict with a sewer line presently under approval from the port of Astoria to connect with the city's sewage disposal system, and also would conflict with buried cable of Pacific Northwest Bell Telephone.

We would appreciate having one of the engineers on your staff confer with the city's public works superintendent, Alvin J. Birkholz, to work out terms of the relocation of the water line.

Sincerely,

CITY OF WARRENTON

E. R. Baldwin
Auditor & Police Judge

ERB:jb
cc: John Payne

RECEIVED
SEP 11 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

8

September 6, 1974

District Engineer
Corps of Engineers
P. O. Box 2946
Portland, Oregon 97028

Attention: Mr. John Payne

Dear Sir:

City of Warrenton Water Main
Across Skipanon River

The water line for the City of Warrenton, Oregon is presently attached to the State Highway bridge crossing the Skipanon River in Warrenton. In order that the bridge may be remodeled or replaced at a future date, the water line must be placed in the bottom of the river channel. It is anticipated that this relocation of the water line will be done sometime prior to any work on the bridge itself.

It is presently planned that the water line be relocated to a crossing location approximately 75 feet upstream from the centerline of the existing structure. This will allow room to install a detour structure between the present bridge and the relocated line at the time the bridge is replaced or remodeled.

The attached drawings (3 sheets) show the proposed water line relocation. The vertical alignment of the proposed water line is such that the line passes through the dikes on either side of the river at an elevation of +5.1 (MHHW) or higher.

It is presently anticipated that relocation work will begin during the first half of 1975; however, the actual commencement date is contingent upon availability of federal funding.

The attached copy of a letter from the City of Warrenton, dated August 26, 1974, constitutes authority for the State Highway Division to act as the City's agent relative to this work.

Your approval of this work in the Skipanon River at Warrenton is hereby requested.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

Attachment

RWE:dh js

bc: F. B. Klaboe
A. E. Johnson
V. D. Wolfe
W. J. Hart
C. O. Fredrickson w/att.
H. S. Cox w/att.
L. W. Rulien
Eldon Everton w/att.
Pat Randolph

Mr. E. R. Baldwin
Auditor and Police Judge
City of Warrenton
Warrenton, Oregon 97146

CITY OF WARRENTON

WARRENTON, OREGON
97146

P. O. BOX 250
TELEPHONE 861-2233

26 August 1974

NOTED
E. S. HUNTER

8-28-74
cc Hunt - Ashendale
Perkins

E. S. Hunter, Assistant
State Highway Engineer
Oregon State Highway Divn.
Salem - OREGON - 97310

re: Skipanon River Bridge 11226A
water main

Dear Mr. Hunter:

The city of Warrenton appreciates the state's concern and the problem with the city water main in the vicinity of the Skipanon Bridge and believes that your suggestion for a pipe size increase is desirable.

In the relocation area, this should be increased to ten inches. All of the specifications for type of pipe, casing, etc. would remain the same except for the proportionate increase in size. The city understands that it will be responsible for any costs above the original pipe diameter.

The city would also request that you obtain the crossing permit from the U. S. Corps of Army Engineers at such time as you are getting the other permits.

Sincerely,

CITY OF WARRENTON

E. R. Baldwin
Auditor & Police Judge

ERB:jb

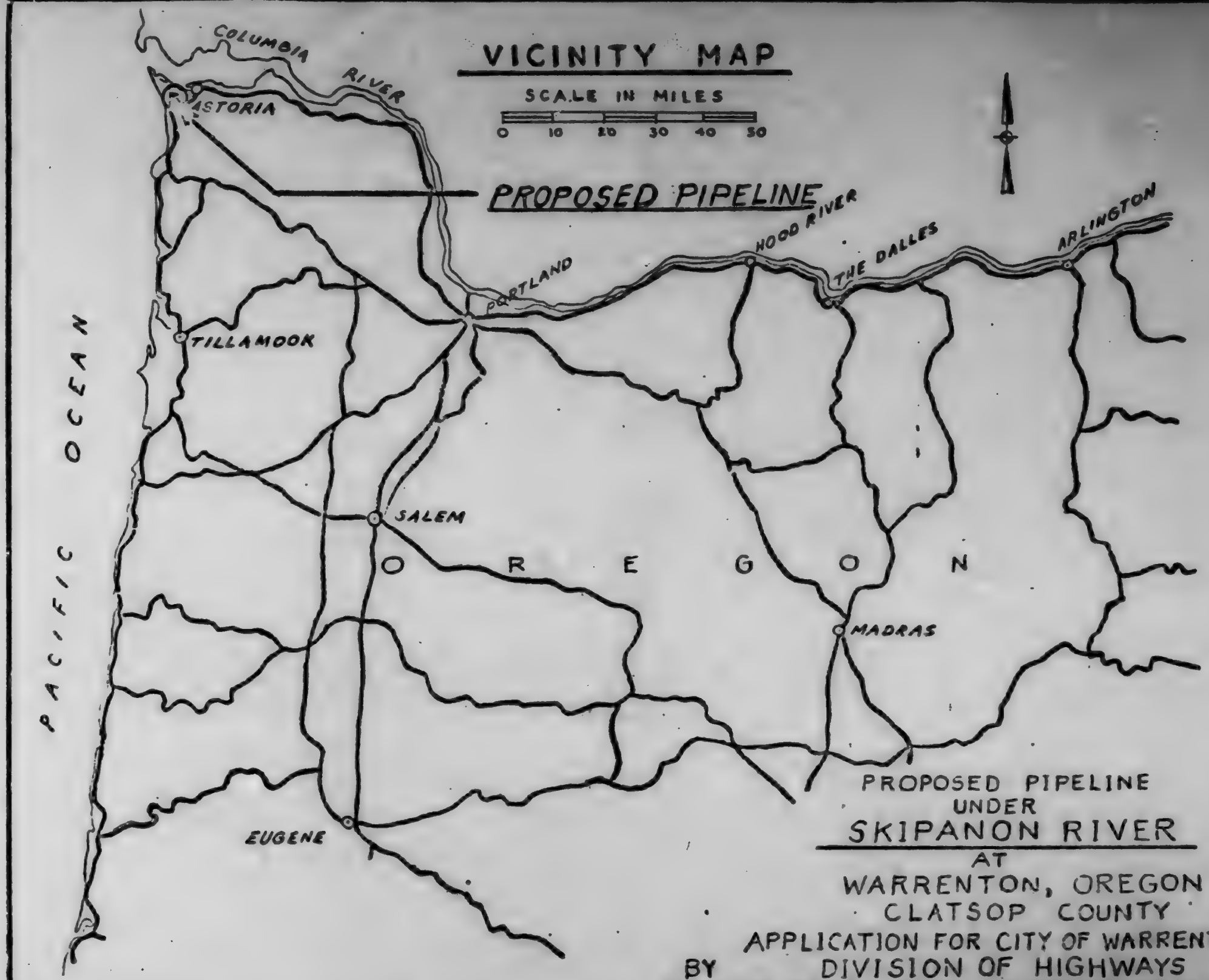
RECEIVED
AUG 27 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

RECEIVED
AUG 23 1974
NOTED
BRUCE W. ELLISON

VICINITY MAP

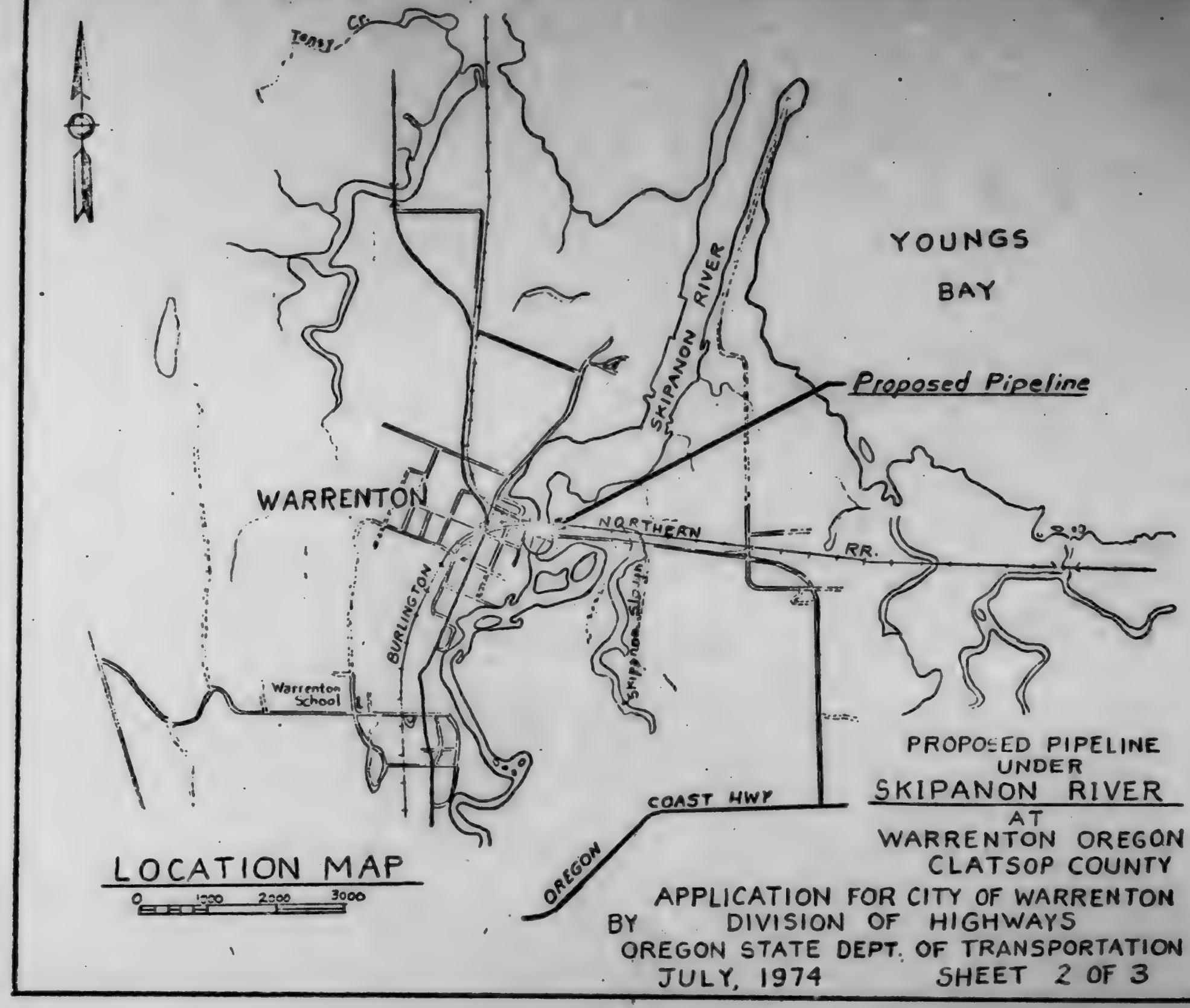
SCALE IN MILES

0 10 20 30 40 50



PROPOSED PIPELINE
UNDER
SKIPANON RIVER
AT
WARRENTON, OREGON
CLATSOP COUNTY

APPLICATION FOR CITY OF WARRENTON
BY DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1974 SHEET 1 OF 3



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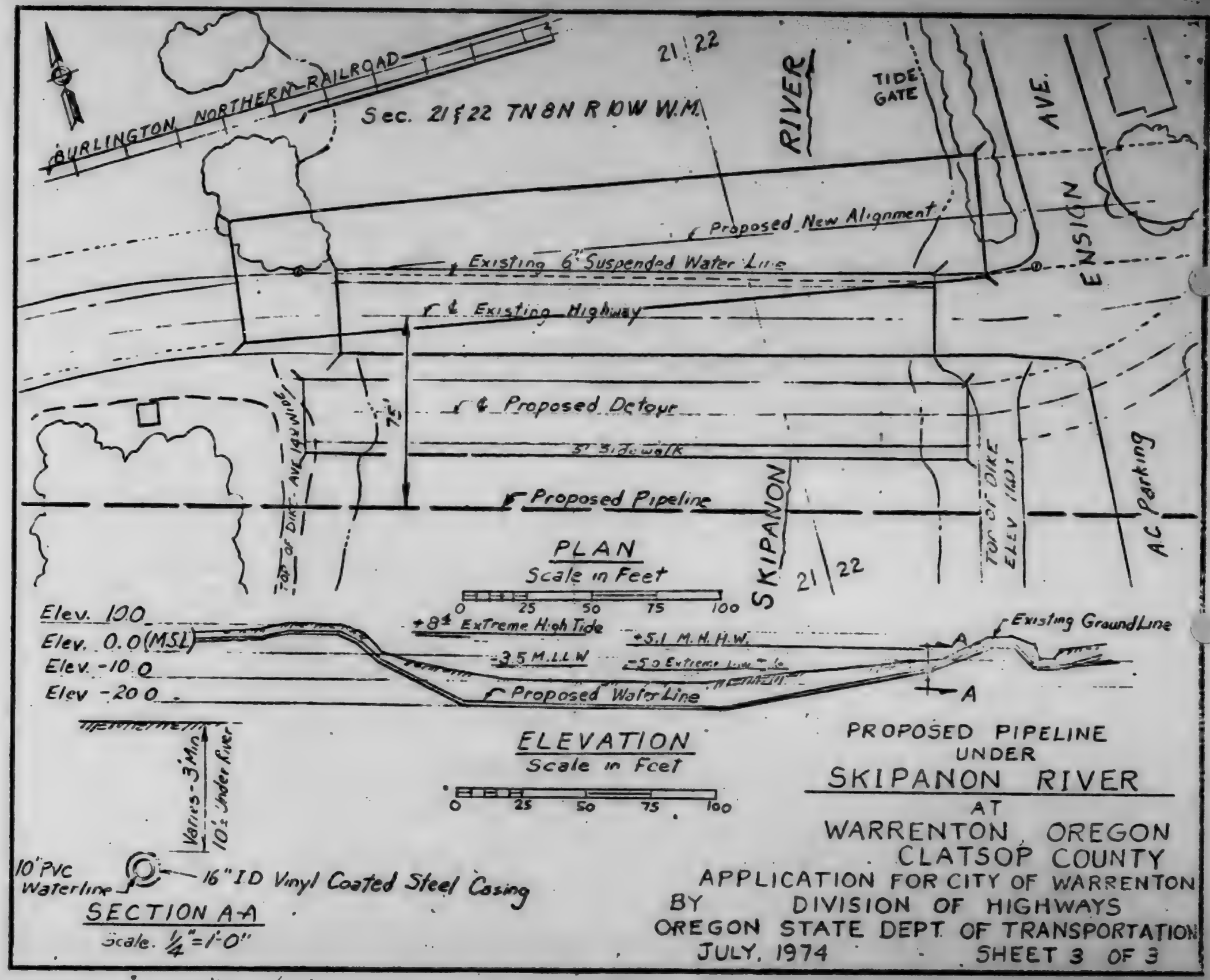
CLATSOP COUNTY

APPLICATION FOR CITY OF WARRENTON
BY DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1974 SHEET 2 OF 3



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BY DIVISION OF HIGHWAYS
OREGON STATE DEPT OF TRANSPORTATION
JULY, 1974 SHEET 3 OF 3

8651

Form FHWA 121 (Rev. 8-73)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Box 300
Salem OR 97308

DATE: August 30, 1974

In reply refer to: 1041DB.2

SUBJECT: Oregon Project Route #602
Skipanon River Bridge
Warrenton-Astoria Highway

FROM : G. L. Green, Division Engineer

TO : Mr. F. B. Klaboe, Administrator & State Highway Engineer
Salem, Oregon
ATTN: L. W. Rulien

Attached is an approved copy of the Project Assessment for the subject project in which the type of document to be prepared will be a negative declaration. This decision was made following a field review on August 27, 1974 with Dwight Smith, Project Manager, Gerry Wimer, Region Construction Engineer, and Ed Welch, Regional Environmentalist.

for G. L. Green

Attachment
Assessment

NOTED
A. E. JOHNSON

RECEIVED
STATE HWY ENGR
SEP 4 '74
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

ORIGINAL TO
Rulien w/attach. TAA
Copy To Ditter
9-4-74

NOTED
R. L. SCHROEDER

RECEIVED
SEP 4 1974
Office of
Assistant State Highway Engineer

OREGON STATE HIGHWAY DIVISION
ENVIRONMENTAL SECTION

PROJECT ASSESSMENT

Project Manager Dwight Smith 8508 Date August 1974

A. PROJECT IDENTIFICATION

Name of Project Skipanon River Bridge Section

Location of Project Warrenton-Astoria (State Highway 105) Highway

City Warrenton County Clatsop Region Two (2)

Est. Cost $ 2,000,000 (R/W & Constr. Only) Length ±0.2 miles Prefix 104-1405

B. BRIEF GENERAL DESCRIPTION OF PROJECT

The span across the Skipanon River in Warrenton is in violation of its 1916 Federal bridge permit that allowed navigation upstream. To comply with the original permit, a modern, quick-opening, double-leaf bascule bridge will replace the fixed span. The new bridge will have six spans -- three 44-foot, a moveable 80-foot, and two 39-foot spans. The approaches and bridge will improve alignment and will have two 12-foot travel lanes and 10-foot shoulders. The maximum grade is 5% with a 700 feet vertical curve. Vertical clearance from mean sea level to bottom of bridge is about 18 feet. Slopes will be 2:1. The highway shoulders will allow bicycle traffic. A pedestrian crosswalk may be incorporated into the bridge. The project involves two access roads, one near the bridge and one to a city-owned mooring basin. Right-of-way requirement is approximately 1.1 acres. A storage tank and pump and one unoccupied residence are affected. A detour bridge will be erected immediately upstream from the existing bridge.

C. STATUS OF FHWA-OSHD ACTION

		Date
System Action	☐	NA
Program (PE) Approval	☒	July 30, 1974
Corridor Approval	☒	July 30, 1974
Design Approval	☐	February 1976
P.S. & E. Approval	☐	November 1976*

D. PRELIMINARY STUDY REQUIREMENTS

	Yes	No
Study Area Environmental Inventory	☐	☒
Formal Environmental Classification Study	☒	☐
Formal Environmental Classification Study Completed OSHD only	☒	☐

Project Assessment furnished by W. Hart, Bridge Design,

E. STATUS OF PROJECT DEVELOPMENT

Reconnaisance ☒ July 73 Preliminary Design (Field) ☐ PNRS No. _____

Location (Field) ☐ Sept 74 Preliminary Design (Office) ☐ Dec 74 Date A-95 Submitted _____

Location (Office) ☐ Nov 74 Final Design ☐ July 75 Date Reply ~~Requested~~ to be completed April 7

Contract Plans Completed ☐ May 76 Reply Not Required ☐

Contract letting scheduled for December 1976.

F. STATUS OF PUBLIC HEARINGS

			Date
Hearing Not Required	☐	Corridor Hearing Held	☐ _____
Hearing Not Requested	☐	Design Hearing Held	☐ _____
Hearing to be Requested *	☒	Combination Hearing Held	☒ December 20, 1973

* Revised Design/Corridor Hearing will be held in August 1975.

G. RESOURCE PERSONNEL ALLOCATION

PERSONNEL	EFFORT REQUIRED*			COMMENT
	MINIMUM	AVERAGE	MAXIMUM	
Biologist			X	(NOTE: The research staff provided input to Jeff Zinn on this project in early 1973. Additional research will be necessary to update and supplement that information.)
Urban Economist		X		
Agricultural Economist	X			
Accoustical Engineer		X		
Air Quality Engineer		X		
Sociologist	X			
Urban Planner			X	
Landscape Architect	X			
Geologist		X		
Assistant Project Manager Water Quality			X	

*For the sake of clarification and mutual understanding the terms minimum, average, and maximum effort have been defined as follows:

MINIMUM - Research and Project Management Staff consultation. No formal typewritten report.

AVERAGE - Routine analysis. Short to medium length report including consideration of existing setting, probable impact, and steps to minimize harm.

MAXIMUM - Special detail of analysis. Comprehensive technical report.

H. BRIEF SYNOPSIS OF PROJECT

(Narrative)

TOPICAL AREAS

- History of Project (Begin with origin, if known, including public input).
- Purpose of Project (Expressed need or program relationship).
- Siting (Topographic and resource features).
- Major Effects (High impact features if determined). Expand Under "Basic Considerations", page 4.
- Other General Information.

A. History of Project

The Skipanon River Bridge was constructed in 1916 by Clatsop County and incorporated a hand-operated lift span. The plans, as Federally approved, included a "manually-operated, singly vascul drawbridge providing a horizontal clearance of 33 feet 33 inches in the opened position (a vertical clearance of 15-foot from extreme low tide)." In 1933 the County rebuilt the structure, replacing the left span with a timber "A-framed" float-out span. A waterline was attached to the structure without approval. In 1946, the State assumed jurisdiction over this section of highway when it was designated as State Highway 105. The timber span was replaced by a steel beam floatout span in 1965, again without permit conversion approval. Since 1964, the State and the Coast Guard have been under pressure from local navigational interests to restore the moveable span to the original 1916 configuration. The Commandant of the Coast Guard has put the Highway Division on notice that the existing bridge is in violation of the 1916 permit and that we have until September 1, 1974, to show cause why work cannot commence on restoration to the 1916 permit conditions. The Highway Division is responding to the legal violation and is preparing to construct a new bridge with Federal-aid Secondary monies that satisfies the Coast Guard, the Community of Warrenton and private navigational interests. A combined design/location hearing was conducted in Warrenton in December 1973. The plan presented at that time was not acceptable to the community and rethinking has been necessary. A recent memorandum from the Warrenton Planning

(Use more space if required)

H. Synopsis (cont.)

Commission, dated May 31, 1974, indicates that they find one of our alternatives (eight alternatives were examined) acceptable with some modifications, such as the necessity for restricting the bridge opening hours.

B. Purpose of Project

The purpose of the new bridge is to legally comply with the original Federal permit and to satisfy community demands for a new, modern span with improved alignment. Present and projected traffic volume, as well as the physical condition of the structure, neither indicates nor justifies the need for immediate attention or improvement. The Highway Division, recognizing its legal obligation, is proposing a structural solution to the legal problem.

C. Siting

The present bridge crosses the Skipanon River, a small stream draining a basin of sixteen square miles, just above the rivers confluence with the Columbia River (see sketch map). The topography is coastal floodplain and estuary of the Columbia River. Bogs and marshes occur along the entire course of the river with much vegetation and some stands of conifers, alder and hemlock. The area provides ideal habitat for slough birds, game birds, songbirds, beaver and mink. Although the river appears unproductive due to its browned color, it supports a wide variety of animal species from plankton to coho salmon and cutthroat trout.

The bridge is located near the center of Warrenton (population - 2,000), a lumber, fishing, recreation and small manufacturing community. The Burlington-Northern Railroad river crossing is immediately downstream. Upstream about one-

H. Synopsis (cont.)

half mile is a Soil Conservation Service dam to control flooding. The use of the river upstream to the dam has been for log boom storage. However, this use has now been discontinued. Several charter fishing facilities are located in the Skipanon waterway downstream, and the City of Warrenton operates a morring basin just east of the bridge. The riverfront property upstream is undeveloped except for a few residences.

D. Major Effects

The project will cause changes which will affect the aquatic and terrestrial environment. Five impacts are anticipated to occur in the aquatic environment; they are: 1) turbidity, 2) increased foreign materials, 3) possible release of toxic substances, 4) creation of local eddies adjacent to piers and footings, and 5) alteration of upstream river use patterns. Three impacts on the terrestrial environment are foreseen: 1) disruption of existing vegetative cover, 2) disturbance to local wildlife communities, and 3) disruption of nesting areas and possible nesting activities. The major social effect will be the possible traffic delay due to bridge openings. Upstream navigation will encourage recreation use and riverfront development.

E. Other General Information

The city waterline now attached to the bridge will be relocated under the streambed. Telephone utilities are presently located under the stream. According to present scheduling,the 20-month construction period for the new bridge will start in January 1977 with completion in August 1978.

I. BASIC CONSIDERATIONS

(Use whatever space is required but be brief)

1. RIGHT OF WAY REQUIREMENT

None or Not Significant [X] Significant Amount [ ] (Explain and Assess)

The additional right-of-way requirement is approximately 1.1 acres of Burlington-Northern Railroad, City of Warrenton, and private properties. The realignment affects a storage tank and pump and one unoccupied residence. Small amounts of right-of-way will be needed to build two access roads.

2. WILL PROJECT CHANGE ANY FUNCTIONAL CHARACTERISTICS OF:

a. Existing Facility? No [ ] Yes [X] (Explain and Assess)

A fixed span will be replaced by an opening span, thus allowing upstream navigation and causing intermittent vehicular traffic delays while the bridge is open. Vocation in the corridor will not alter existing traffic patterns, and no future changes in flow patterns are anticipated.

b. Adjacent Land Use? No [ ] Yes [X] (Explain and Assess)

Upstream navigation of the Skipanon River will encourage private and commercial development of riverfront property. City zoning ordinances would control and direct the land use conversions.

c. Adjacent Land Access? No [ ] Yes [X] (Explain and Assess)

The higher gradeline of the bridge will sever the entrance roads to the City-owned mooring basin and a small parking lot for the moorage. A new entrance-exit road to the moorage will be built at the east end. A short access road on the southeast side of the bridge will make a connection with a fishing charter office and public parking.

I. BASIC CONSIDERATIONS (Continued)

3. ARE SPECIAL CONSTRUCTION METHODS REQUIRED?

No [X] Yes [ ] (Explain and Assess)

Although no special construction methods are required, special consideration should be given to minimizing detrimental effects on water quality and natural habitat during construction of the detour structure and new bridge, and removal of old bridge and detour facilities.

4. WHAT LOCATION OR DESIGN ALTERNATIVES HAVE BEEN IDENTIFIED?

Eight alternatives for the replacement of the Skipanon River Bridge have been investigated. In addition, a northerly route which would provide a fixed-bridge river crossing with a 60-foot vertical clearance about one-half mile downstream from the existing bridge was examined and subsequently discarded due to the 6.5 million estimated cost. (See Appendix A.) A "no-action" alternative has been considered, but is not legally feasible.

5. IDENTIFY ANY SIGNIFICANT POTENTIAL FOR FUTURE CONTROVERSIAL ISSUES.

(Social, Economic, Natural Resource)

An agreement must be reached between the Coast Guard and the State of Oregon (OSHD) concerning bridge opening rules. Coast Guard regulations (CFR, title 33, Navigation and Navigable Waters, Section 117.740) state that the bridge shall be "promptly opened for the passage of vessels or other water-craft." Potential upstream development and increased volume of water traffic will result in frequent openings of the bridge. This would disrupt vehicular traffic in the Warrenton area if opening "on demand" is not revised.

J. TYPE OF DOCUMENT REQUIRED

Revised to a neg. declaration after field review.

Draft E. I. S. [X] See schedule, Appendix B

Final E. I. S. [ ]

Negative Declaration [X]

Section 4(f) [ ]

Statewide Negative Declaration [ ]

Environmental Assessment [ ]

Approval of Type of Document

K. PRELIMINARY FHWA CONCURRENCE

8-28-74
Date

FHWA AREA ENGINEER

SKETCH MAP

COLUMBIA RIVER

Data within boxes pertain to Authorized Project.

Note:
Mileage indicated in Columbia River is from outer end of jetties
Base Point of Skipanon Channel mileage is of deep water in Columbia River, about 2100 feet northerly from outer end of bulkheads.

Skipanon River Bridge

CLATSOP COUNTY

SKIPANON CHANNEL, OREGON

SCALE IN FEET
1982 0 1000 2000

U.S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS

REVISED SEPT 1984

APPENDIX A

ALTERNATIVES - SKIPANON RIVER BRIDGE

Alternative	Corridor	Bridge	Type	Delay (minutes)	Detour	Construction time (mos.)	Estimated cost
1	Same, improved alignment	New	Swing span (single- or double-leaf could be constructed)	10-15	Reg'd	12	$1,383,000
2	Same	Reconstruction	Towers added and a 40-foot span lifted by cables	10-15	Reg'd	9	308,000
3	New (southerly)	New	Fixed span (30-foot clearance)	None	Not Reg'd	9	1,423,000
4	New (more southerly)	New	Fixed span	None	Not Reg'd	12	1,343,000
5	Same	Reconstruction	Double-leaf Bascule	10-15	Reg'd	12	873,000
6	Same	Reconstruction	Unbalanced swing type	10-15	Reg'd	12	834,000
7	Same	Reconstruction	Single-leaf bascule, opened by a hydraulic-powered system	10-15	Reg'd	9	563,000
8	Same	Reconstruction	Two spans of moveable steel girders	30	Reg'd	6	358,000
-	New (northerly)	New	Fixed span (60-foot clearance)	None	Not Reg'd	-	6,500,000
Project Proposal	Same, improved alignment	New	Double-leaf bascule	10-15	Reg'd	20	2,000,000

APPENDIX B

TENTATIVE SCHEDULE*

Environmental Impact Statement Work on
Skipanon River Bridge

Activity	Schedule Date
Draft EIS Preparation	August 1974 - February 1975 (26 weeks)
Study Committee	February 1975 (2 weeks)
Administrative Approval DEIS	March 1975 (1 week)
FHWA Approval DEIS	March 1975 (1 week)
Circulate DEIS	March - April 1975 (6 weeks)
Corridor/Design Hearing	August 1975
Final EIS	August - December 1975 (20 weeks)

*Schedule prepared by W. Hart, Bridge Design, July 1974

Questions and comments on project assessment
- Skipanon River Bridge

A. Bridge design not finished yet - no review from bridge section yet.

B. Bridge design has to comply with 1916 Fed bridge permit.

C. Design - (roadway) - 5% grade max. - speed has to be 40 MPH or less.
- vertical curve - what is degree of curvature
- 2:1 slopes - guardrail is needed.

D. W.11 allowance of bicycle traffic cause any special design of lanes.

E. ~~Do we have to worry about regulations concerning opening of bridge~~ yrs.

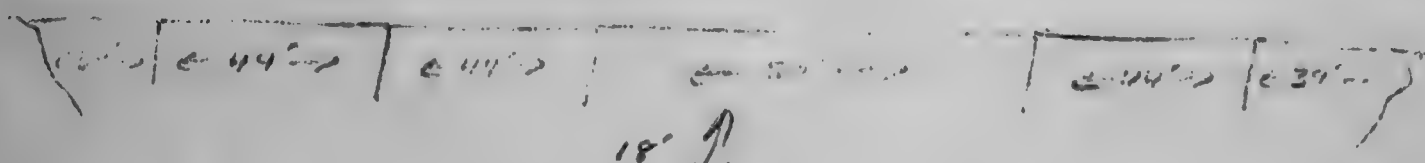
A. What is potential of development up stream
B. If potential is great what traffic problems will occur
c. Could potential traffic problems warrent a high spand structure.

F Any economic impacts
1. any economic justification

Project

1. Skipanon River Bridge - State Highway 105
   #2716 0.2 miles

Violation of 1916 Fed. bridge permit - allowing navigation
- to comply, quick-open - double-leaf bascule bridge



18' ℄

2 - 12' lanes
10' shoulders
(Terrain) - Flat 5% minimum grade (speed limit ?) 40 MPH or less
200' vertical curve - degree ?
2:1 slopes - Guardrail needed
allow bicycle traffic - any spec reqs

May 31, 1974

recommended by Warrenton - original plan prohibited by city
any reqs
A. Open hours be restricted >- need congress approval
B. provide detour
C. quick open span
d. bridge @ present location
alternate I - contains realignment of highway by removing curve

Coast Guard

- Since 1964, state under pressure to restore navigational interests
- Coast Guard put HD on notice that bridge is in violation of 1916 permit & have until 9-1, 74 to show cause why work can't commence
- response - HD planned to use Fed. Aid so there is too much red tape to go thru to make deadline.

Purpose - to legally comply with Fed permit
otherwise not needed - how can we comply with this

Use of river stream - log boom storage - discontinued
- riverfront property upstream is undeveloped

Aquatic

Impacts - turbidity - temp.
increased foreign materials - temp.
possible release of toxic substance - temp.
local eddie creation - Long term - is this adverse
alt. of upstream river use patterns - " "

Terrestrial

1. disruption veg.
2. disturbance wildlife
3 disruption nesting

Soc. I
[illegible] any economic impacts (Justification)

[illegible] development & Upstream navigation

1 waterline - relocated under streamroad

R-O-W requirement - 1.1 acres needed
relocation - storage tank, pump & unoccupied residence

Functional changes.
Existing facility - allow upstream drainage flow
cause traffic delays

Landuse
development of riverfront property

Land access
have to relocate access roads

Constr. Considerations
environmental mitigation of adverse effects on wildlife

alt.
& design

Controversial
- bridge opening rules must be agreed upon

8651

August 23, 1974

Mr. E. R. Baldwin
Auditor and Police Judge
City Hall
Warrenton, Oregon 97146

Dear Mr. Baldwin:

Skipanon River Bridge
Bridge 11226A
Water Main

Construction of the proposed new bridge on the Warrenton-Astoria Highway across the Skipanon River at Warrenton will require relocation of the City's six-inch water main. The main is now carried by the existing bridge and will be relocated to the river bottom to allow construction of the new bridge. The actual cost of relocation will be eligible for federal participation as a part of the bridge replacement project. However, any improvement to the water main will not be eligible for such funding and will be the responsibility of the City.

If increased capacity of this line will be required in the future, it might be to the City's advantage to consider installing a larger pipe through the construction area when the relocation is made. The cost would be minimal compared to laying a larger main at a later date.

It is anticipated that relocation of the water main will be completed prior to commencement of work on the bridge.

A Corps of Engineers' permit for relocation of the main will be required. It is possible for the State, acting as the City's agent, to acquire the permit. If you would like to have us proceed in this manner, please provide written authorization for the State to so act.

A copy of the drawings which will accompany the permit application are attached for your review and comment.

Your cooperation through all phases of this project is greatly appreciated.

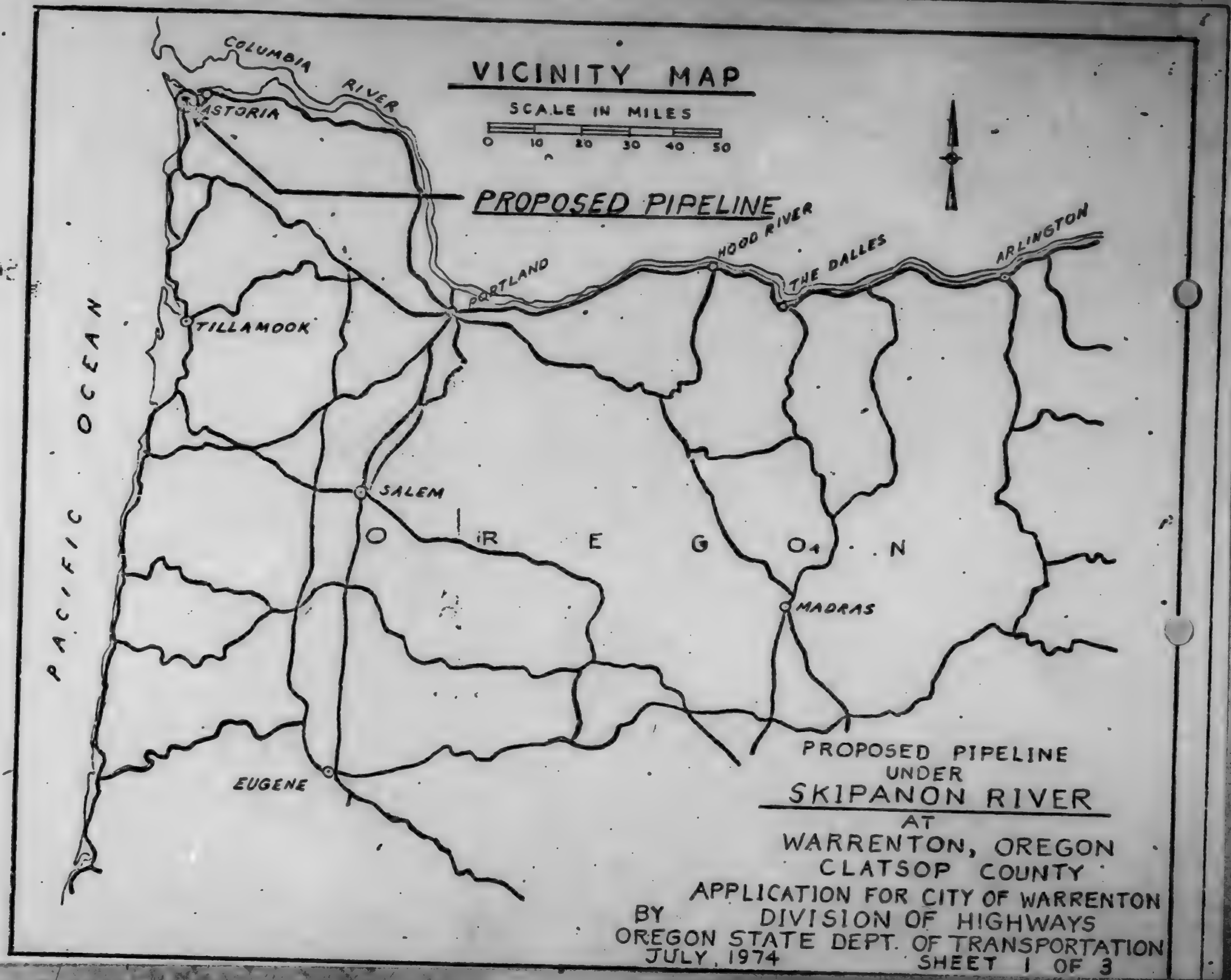
Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

Attachments

bc: F. B. Klaboe
A. E. Johnson
H. S. Cox w/att.
W. J. Hart w/att.
C. O. Fredrickson w/att.
Jim Chidsey w/att.

RWE:dh js



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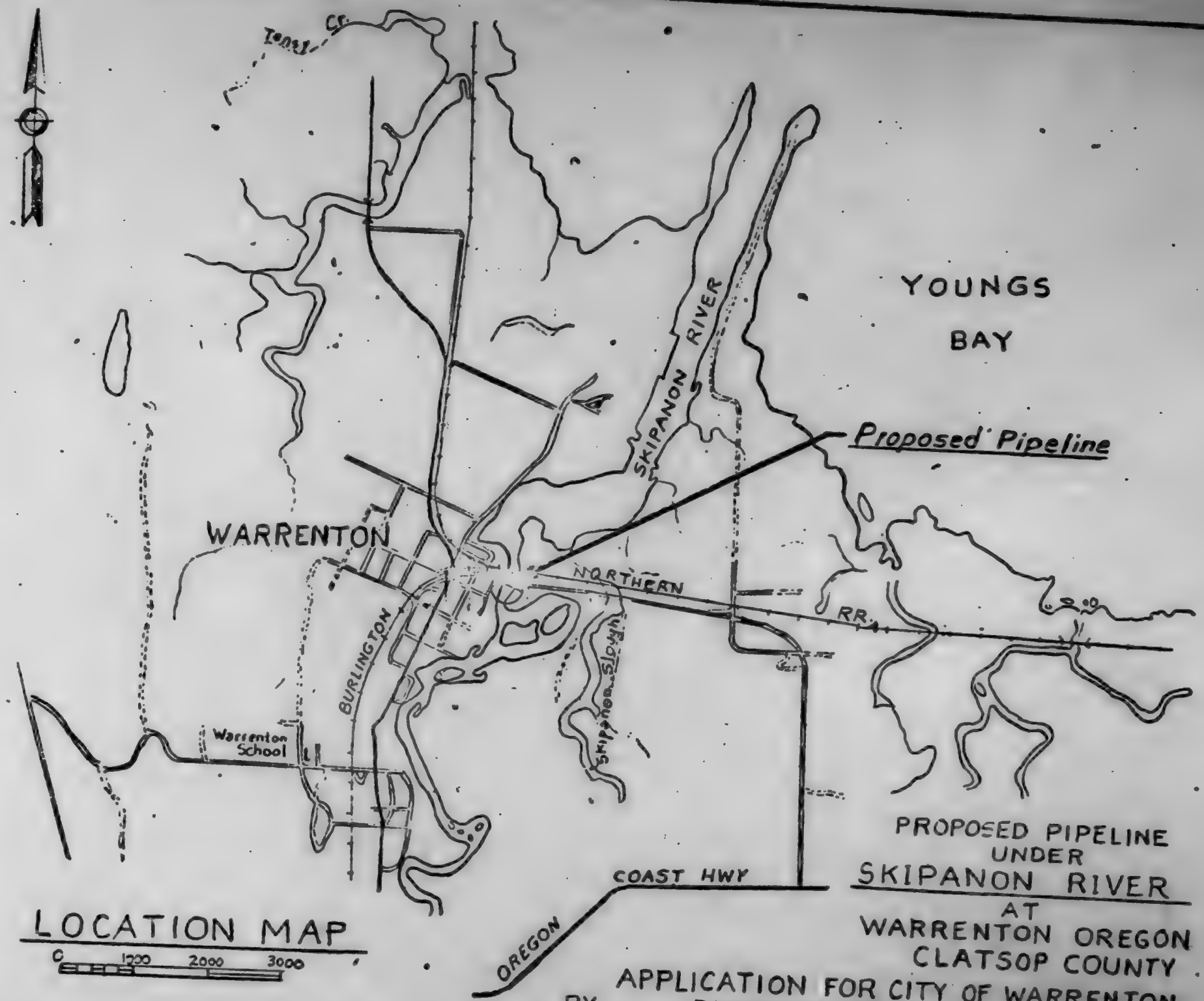
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1974 SHEET 1 OF 3



LOCATION MAP

0 1000 2000 3000

PROPOSED PIPELINE
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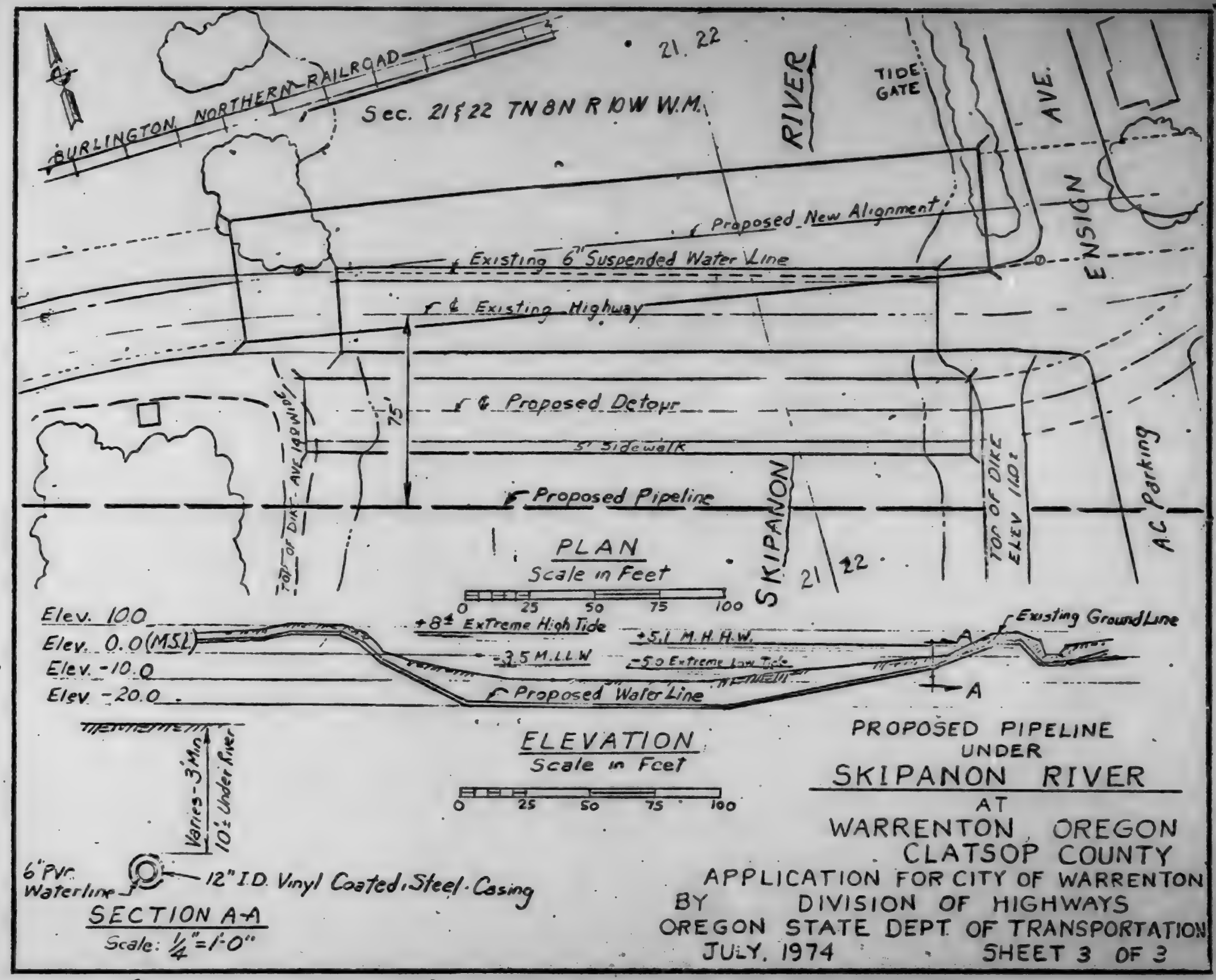
WARRENTON OREGON
CLATSOP COUNTY

APPLICATION FOR CITY OF WARRENTON
BY DIVISION OF HIGHWAYS
OREGON STATE DEPT. OF TRANSPORTATION
JULY, 1974



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CLATSOP COUNTY
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BY DIVISION OF HIGHWAYS
OREGON STATE DEPT OF TRANSPORTATION
JULY, 1974 SHEET 3 OF 3

9651

8

8-12-74

STATE OF OREGON)
) ss
COUNTY OF MARION)

I, C. W. Head, Commission Services, Department of Transportation, Highway Division, do hereby certify that the attached excerpt from the minutes of the meeting of the Oregon Transportation Commission of July 30, 1974, to be entered in Volume 2 of the minute book, which minutes have not yet been approved by the Transportation Commission, pertaining to the approval of the construction of the Skipanon River Bridge at Warrenton in Clatsop County, has been compared with the original and that the same is a true and correct copy of said portion of the minutes and of the whole thereof.

DATED this 12th day of August, 1974.

C. W. Head, Supervisor
COMMISSION SERVICES

8/12/74
4 copies
sent to
Pat Randolph

4e Consideration was given to the construction of the Skipanon River Bridge at Warrenton on the Warrenton Highway in Clatsop County. Mr. Klaboe pointed out that the Commandant of the U. S. Coast Guard has put the Highway Division on notice that this bridge at Warrenton is in violation of a 1916 navigation permit for that crossing. The Skipanon River Bridge was constructed in 1916 by Clatsop County and incorporated a hand-operated lift span. The County in 1933 rebuilt the structure, replacing the lift span with a float-out span. In 1946, the State assumed jurisdiction over this section of highway when it was designated as Highway 105, the Warrenton Secondary Highway. The proposal is to construct a new bridge to modern standards with a movable span which will satisfy the needs of navigation. The project is proposed as a Federal-aid Secondary Project at an estimated cost of $2,000,000. Mr. Klaboe recommended approval of the project and to add it to Federal Aid Program XIIA. The Commission approved the project.

8651

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
TRIAL DIVISION
108 STATE OFFICE BUILDING
SALEM, OREGON 97310
TELEPHONE: (503) 378-6313

August 7, 1974

NOTED
E. S. HUNTER

Mr. Mescher
United States Coast Guard
400 Seventh Street, NW
Washington, D. C.

Dear Mr. Mescher

I recently returned from a short leave and reviewed the letter which our department had already sent to you in response to Capt. Wiman's June 24 letter. I thought it might be appropriate to detail a few further facts to you in light of our conversation last month.

Upon my return I discussed with our engineers your concern about the immediate relocation of the city waterline. It was my understanding that your concern was that problems in disconnecting the waterline were causing delays in the opening of the floatout span bridge. My engineers indicated that, because of the lead time which is already necessary in order to take advantage of tidal patterns in floating out the span, the disconnecting of the waterline is really not a factor which delays the opening of the present bridge.

We have had several conversations with Mr. Palmberg and his attorney and are pursuing efforts to reach an accommodation which will permit him to move his equipment in the Skippanon channel without unduly disrupting land traffic or adversely affecting his operations during the planning process for the new bridge. As you and I discussed, when a reasonable solution can be found, we may approach the Coast Guard for permission to adjust our bridge opening regulations to conform with the agreement.

I am enclosing certified copies of the minutes of the Transportation Commission meeting of July 30, 1974 at which the Commission approved the funding for the replacement of the Skippanon River Bridge.

I have also kept George Baldwin aware of our conversations and the response thereto. He asked me to convey his best personal

RECEIVED
AUG 9 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

regards. The July 23 letter to your office was executed by Fred B. Klaboe as the chief executive officer of the Highway Division of the Department of Transportation.

I appreciate your candid approach to our meeting last month and I believe that that meeting was helpful to us in formulating the response we have made. I trust that you will find this arrangement agreeable and in conformance with our discussion.

Please let me know if you have any further questions or comments.

Sincerely

Patrick A. Randolph, Jr.

Patrick A. Randolph, Jr.
Assistant Attorney General

sd

cc: George Baldwin
Fred B. Klaboe
[redacted]

MAI 14-1-1
3p.
Skipanon

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-WBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE 202-426-0942

• 3271

24 JUN 1974

Mr. E. S. Hunter
• Assistant State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

NOTED
E. S. HUNTER

Dear Mr. Hunter:

This is in reply to your letter dated 1 May 1974 received on 5 June 1974. It appears that your letter should be dated 1 June 1974 in view of the date received.

Your letter and the Project Time Schedule leads us to the view that compliance with the Order of 26 June 1972 is not going forward in a deliberate timely manner. According to the schedule the design and specifications are now complete. There is no apparent reason why the invitations to bid cannot be issued now and award of contract made forthwith.

Your letter indicates that your progress is clouded by a number of issues upon which compliance with the Order are dependent. These dependencies are not acceptable as conditions for compliance with the Order. No further Coast Guard approval is required to commence restoration of the bridge to the 1916 permit.

The waterline is integral to the illegal structure and its removal is required for compliance with the Order. The ability to obtain a permit for its relocation is irrelevant to the case as are any other local issues arising from the Order.

Opportunity is hereby given to furnish an affirmative commitment to commence actual work before 1 September 1974 or show cause within 30 days why work cannot commence by that date. In the alternative the Coast Guard will consider seeking injunctive relief under 33 U.S.C. 406 or otherwise as appropriate.

With respect to your question regarding the Truman-Hobbs Act, funding under this Act is not available for compliance with an order to remove or restore an illegally altered bridge. The burden of cost and other related responsibilities rests with the owner of the illegal bridge.

Sincerely,

RECEIVED
JUN 26 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

K. G. WIMAN
Captain, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

mai 14-12
Skipanon
Dr.

July 23, 1974

Captain K. G. Wiman
U. S. Coast Guard
400 Seventh Street N. W.
Washington, D. C. 20590

Dear Captain Wiman:

Skipanon River Bridge

Your June 24 letter provided the Highway Division with the opportunity to furnish an affirmative commitment to commence actual work before September 1, 1974 or show cause within thirty days why work cannot commence by that date.

This letter is to advise you of the following facts regarding the Skipanon River Bridge project:

1. The original Highway Division proposal of replacing the float-out span with a lift span and towers is not acceptable to the City of Warrenton. Enclosed for your information is a sketch of that proposal and a copy of the letter received from the Warrenton City Council stating their position with regard to the project proposed earlier.

2. Recently enacted City zoning regulations prohibit a tower for the lift span of the type and height proposed for replacement of the float-out span.

3. Preliminary plans for construction of a deck level single or double bascule with clearance in the closed position of approximately 18' to 20' above mean, or low, water have been started. A copy of the plan and profile are enclosed for your information.

4. The only funds available in an amount necessary to cover complete reconstruction of the bridge are Federal Aid Secondary Funds. Initial steps have been taken to program the replacement and modernization of the Skipanon River Bridge crossing with the Federal Highway Administration.

5. The procedural requirements of the Federal Highway Administration covering the planning and construction of highway projects as set forth in the Federal statute is detailed and explicit. A critical path schedule which will keep the Skipanon project within these guidelines and lead to the earliest possible bid letting date is enclosed.

6. The Oregon Department of Transportation Commission is being asked at its July 30, 1974 meeting to place on the construction program the complete replacement of the Skipanon River Bridge consistent with the City of Warrenton's request. This action by the Commission will make funds available from the current Federal Aid Secondary appropriations.

As you can see from the enclosed project critical path, it will be impossible for the Highway Division to contract this project sooner than January 1977 because of the time needed to fulfill all the requirements of Federal statutes and rules and regulations of the Federal Highway Administration.

The problem of restoring the Skipanon River Bridge to a movable span status has been long and frustrating. A resolution of the many conflicting views and opinions has also been time consuming. We appreciate your cooperation and indulgence during this period and hereby respectfully submit this letter and the accompanying data as evidence of a firm commitment by the Oregon State Highway Division to rebuild the Skipanon River Bridge within the concepts outlined and consistent with the project critical path enclosed.

Very truly yours,

F. B. Klaboe
Administrator and
State Highway Engineer

Enclosures
bc: A. E. Johnson
E. S. Hunter
L. W. Rullen
W. J. Hart
V. D. Wolfe
C. O. Fredrickson
Glenn L. Jackson
Walt Barrie
FHWA
ESH:kmb

CC - Pat Randolph w/att.
8-2-74

CITY OF WARRENTON
WARRENTON, OREGON
97146

EARL E. JOHNSON
MAYOR

EMERSON R. BALDWIN
AUDITOR AND POLICE JUDGE

P. O. Box 250
TELEPHONE 861-2233

5 June 1974

Oregon State Highway Division
Highway Building
Salem - OREGON - 97310

E. S. HUNTER

ATTENTION: E. S. Hunter, Assistant Engineer

Gentlemen:

Enclosed is a memorandum from the Warrenton Planning Commission to the City Commission relating to the Skipanon Bridge contraversy on state secondary 105. The Warrenton City Commission adopted the recommendation as city policy.

Specifically, the city insists that the bridge be maintained at its present location and that it be understood that alternate I contains the re-alignment of the highway by removing the curve from the present bridge. The detour route should be in the immediate vicinity of the present location. It is recommended that the quick-opening span be a bascule type rather than swing.

The request for restricted opening hours, of course, will have to eventually go before either the coast guard or the corps of engineers and probably be approved by the Congress of the United States.

The other recommendation is strictly the problem of the city commission in attempting to have further studies made to see if any other solution is available; however, this will be done while the State Highway Department is making application for federal funds.

Sincerely,

CITY OF WARRENTON

E. R. Baldwin
Auditor & Police Judge

ERB:jb
Encl.1

RECEIVED
OFFICE OF
ASSISTANT STATE ...

May 31, 1974

M E M O R A N D U M

TO: MAYOR AND COMMISSIONERS, CITY OF WARRENTON

FROM: WARRENTON PLANNING COMMISSION

The Planning Commission on May 29, 1974 met in a work session to discuss the Skipanon Bridge. The many options and alternatives regarding the bridge makes a decision which would please everyone an impossible task. Our recommendation took into consideration that a new bridge will be built and secondly, the structure proposed by the Highway Department in order to meet the Coast Guard deadline is not acceptable to the community. After thoroughly reviewing the various proposals and weighing the alternatives, the following motion was unanimously passed by the Planning Commission:

It is recommended that alternate number 1 as submitted by Oregon Highway Division with the following provisions be accepted.

1. Opening hours be restricted.
2. A detour route be provided near the present location.
3. That a quick opening span be provided.
4. The bridge be at the present location.

We also recommend the City Council make further studies to see if any other solutions can be found while the Highway Division is making application for federal funds.

SKIPANON RIVER BRIDGE

Original Highway Proposal
Desired by City of Warrenton

July 1 '74

ACTIVITY
Project programming and preliminary engineering approval FHWA
Corridor approval FHWA
Review reconnaissance studies
Project prospectus
Negative declaration or draft EIS
EIS Study committee
Administrative approval draft EIS
FHWA Approval draft EIS
Circulate draft EIS
Field location survey
Geological study and report and base design
Preliminary R/W data
Complete field location survey and review
Bridge foundation exploration
Preliminary structural design
Gather corridor/design or design hearing documents
Advertise corridor / design or design hearing
Corridor/design or design hearing
Final EIS or special investigation
Corridor/design or design approval FHWA

Jan. '75

1-Year

Jan. '76

SKI

2-Years

Jan. '77

3-Years

SKIPANON RIVER BRIDG

Time : 1" = 10 Weeks

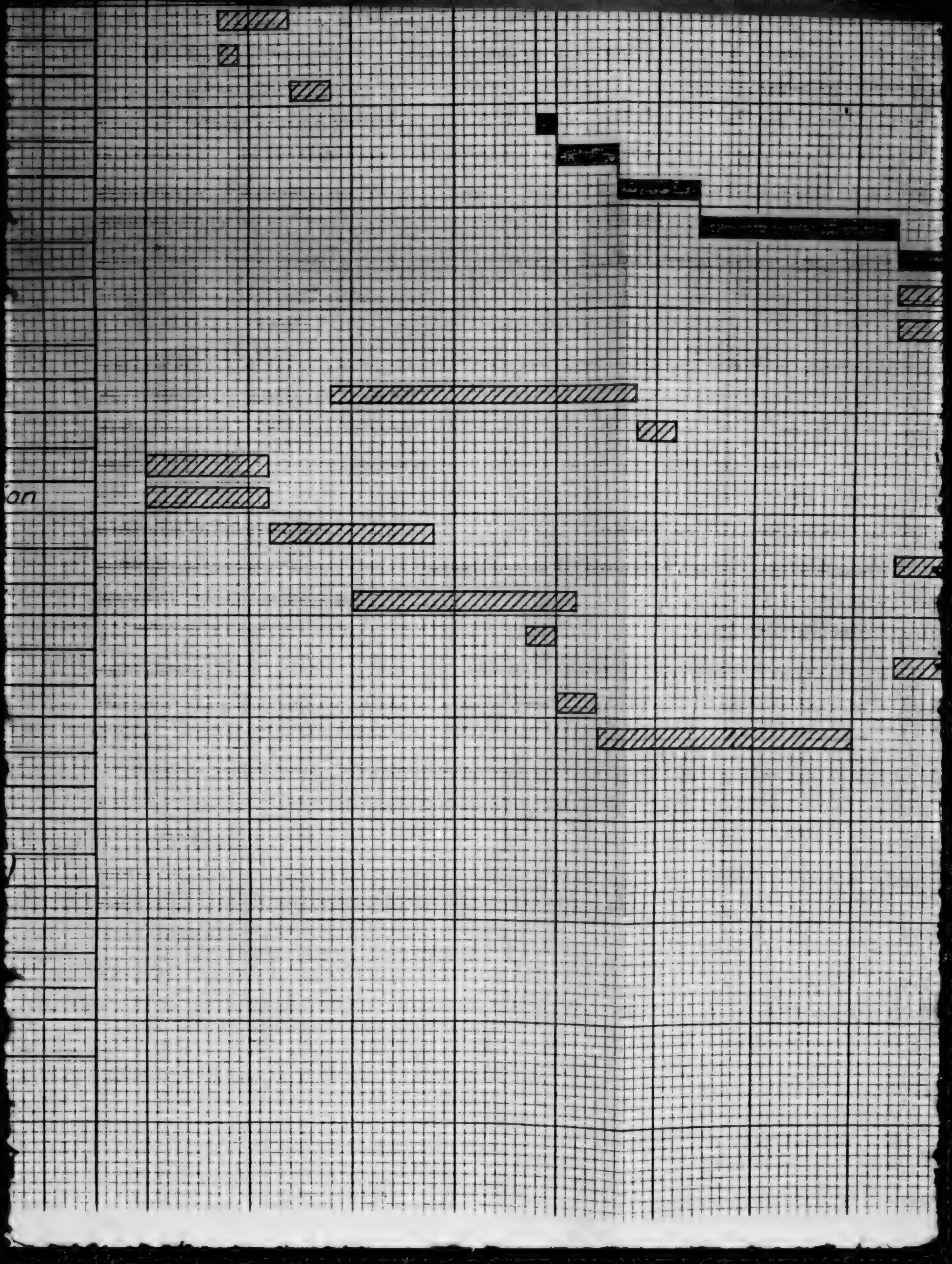
4-Years

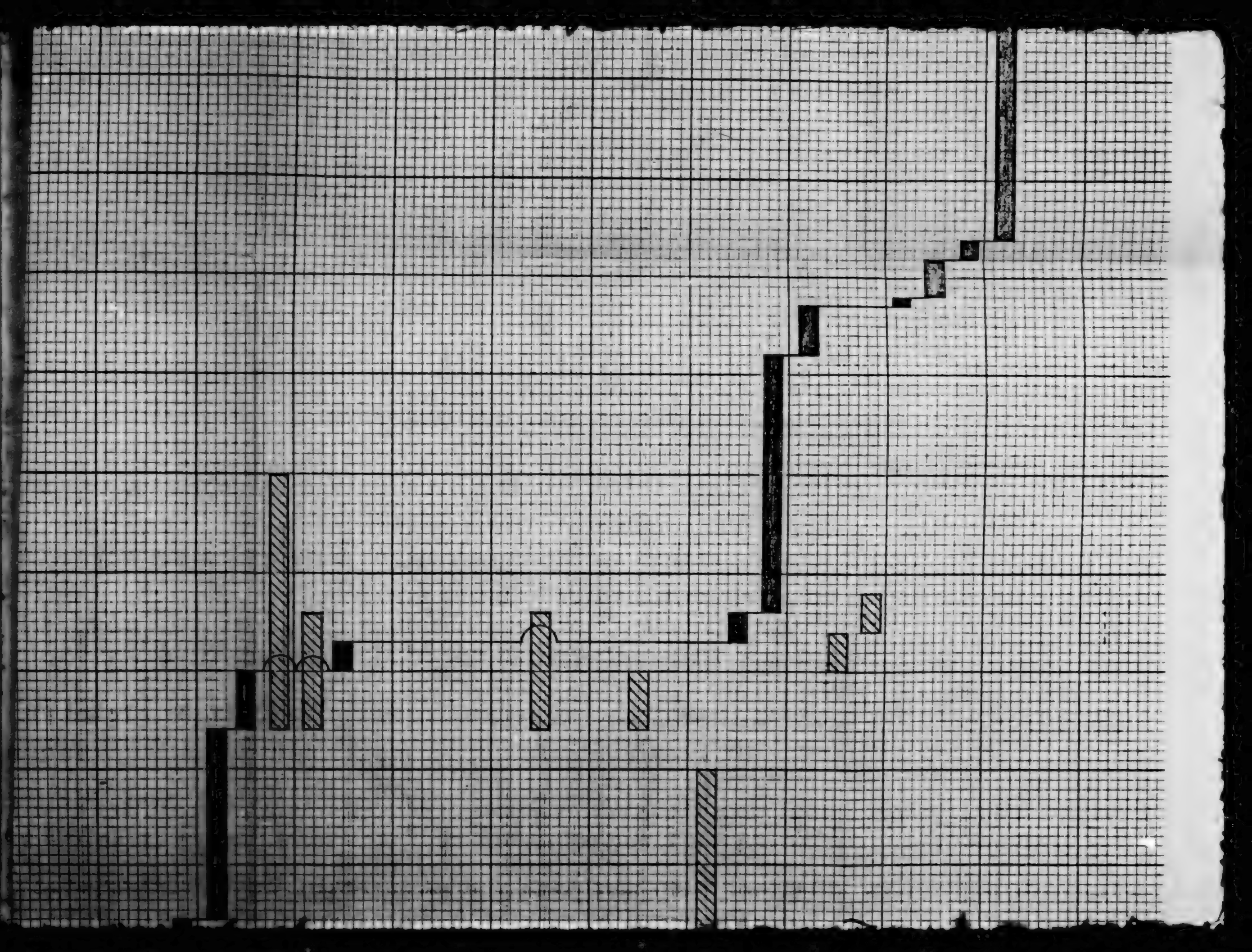
Jan. '78

BRIDGE

3-Years

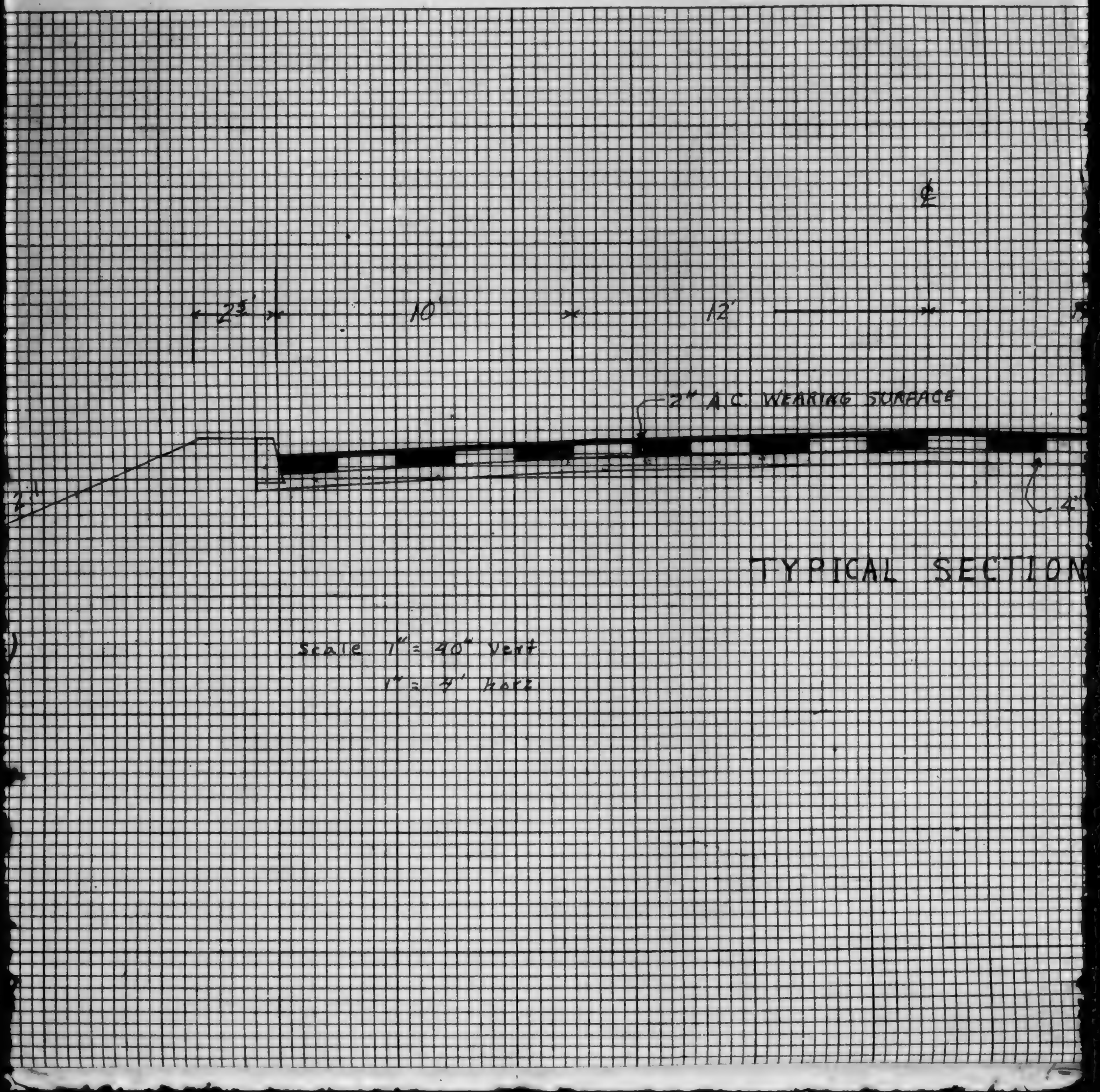
	Preliminary R/W data
	Complete field location survey and review
	Bridge foundation exploration
	Pretiminary structural design
	Gather corridor/design or design hearing documents
	Advertise corridor / design or design hearing
	Corridor/design or design hearing
	Final EIS or special investigation
	Corridor/design or design approval FHWA
	Coast guard permit
	Local government approval
	Program R/W and construction FHWA
	Final structural design
	FHWA Review final design
	Acquire DEQ permit ; Watermain relocation
	Acquire Corps of Enigneer permit, watermain relocation
	Watermain relocation
	Division of state lands easements
	Roadway plans
	R/R encroachment maps and descriptions
	Division of state land and geology permits
	R/W Map and description
	R/R Agreements
	Approval of R/W Acquisition FHWA
	Appraisal and appraisal review
	Take possession
	Contract specification and estimates
	Prepare and submit PS&E data
	PS&E approval FHWA
	Advertise project
	Award contract
	Construction





Critical path schedule item

Non critical schedule item



TYPICAL SECTION

Scale 1" = 40' Vert
1" = 4' Horz

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4" A.C. BASE

4" AGGREGATE BASE

2'

TYPE C CURB

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K+E 10 X 10 TO THE INCH
KEUFFEL & ESSER CO.
PRINTED IN U.S.A.

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PROFILE AS PROPOSED BY STATE ALONG 5% MAX. GRADE VOL'S W.C.
(DESIGN SPEED STATE: 90 , AASHO: 60)

PROFILE AS PROPOSED BY H. HALMBEKG
USING 5% MAX. GRADE 3610 V.C.
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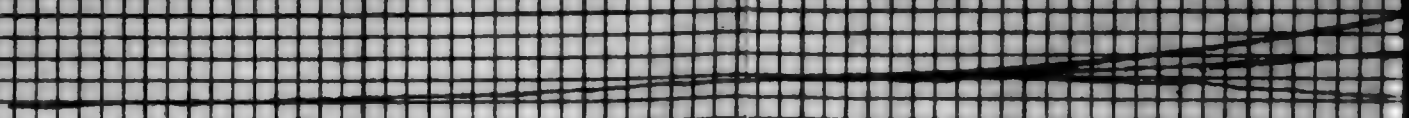

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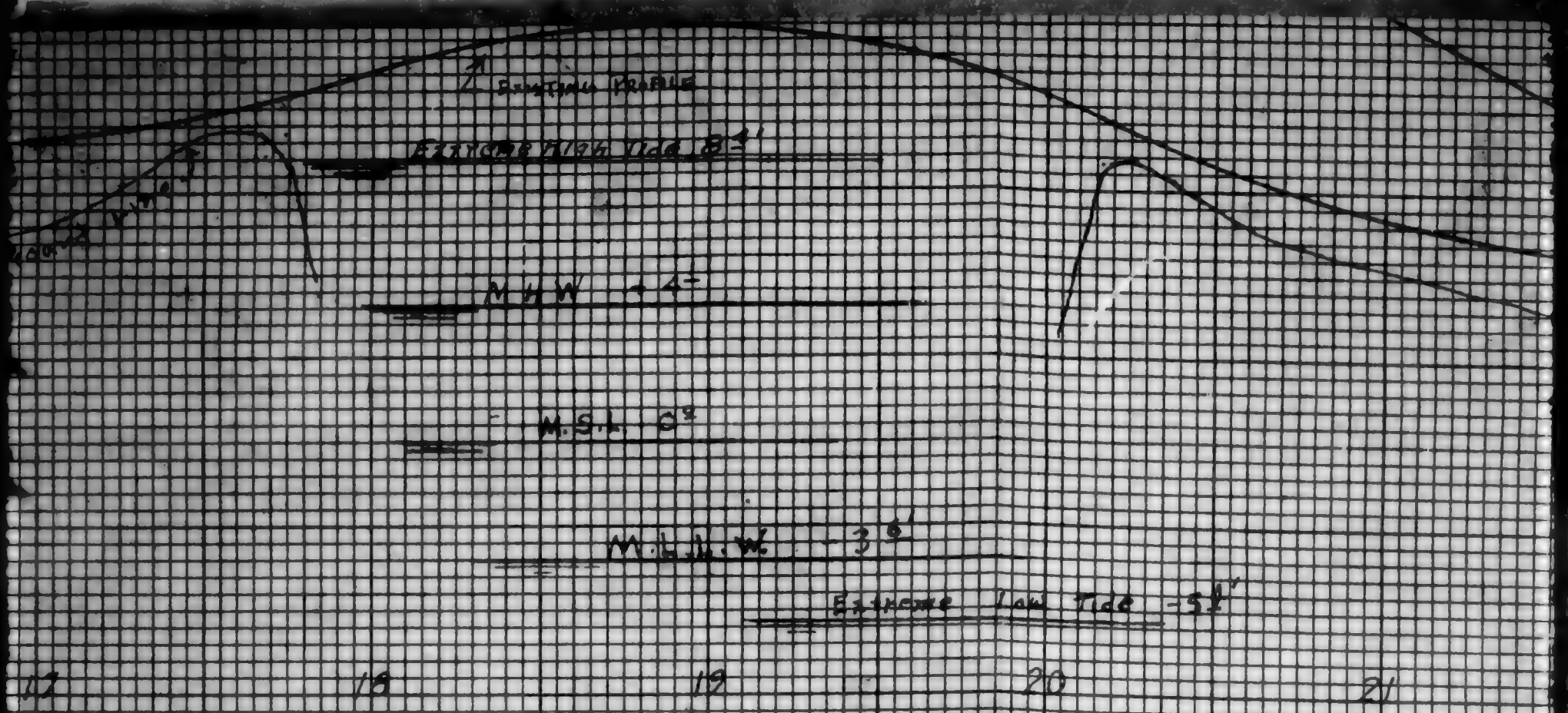
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EXISTING HIGH TIDE 8'-1"
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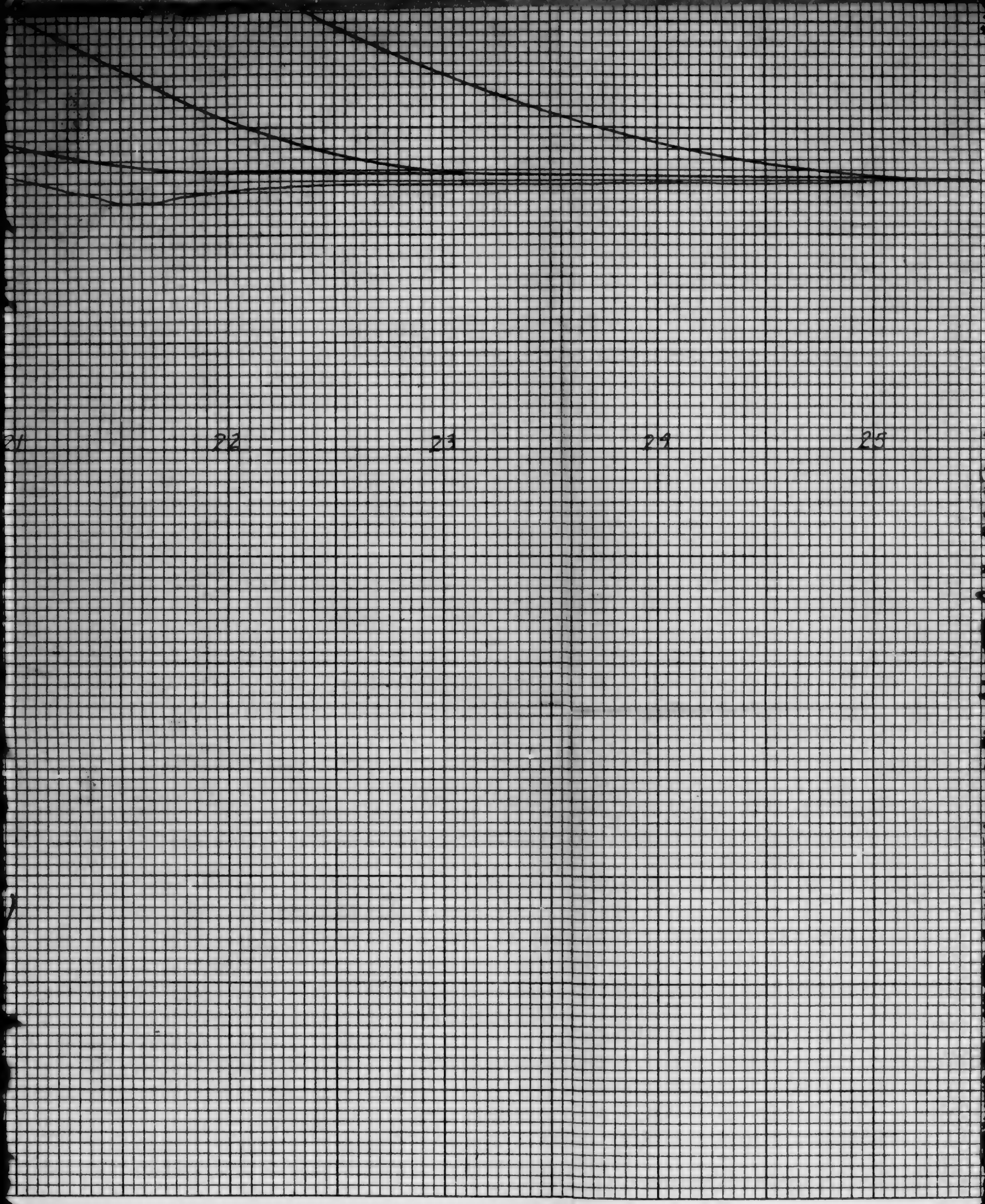
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SKIPANON RIVER BRIDGE

Warrenton - Astoria Highway

Clatsop County

OREGON STATE HIGHWAY DIVISION

WARRENTON

WARRENTON - ASTORIA HWY.

Reconnaissance Map (Uncontrolled)

Photogrammetrically Compiled
from July, 1972 Aerial Photography

Approx. Scale 1"=50' Traced [redacted]

Photo Symbol CLB 22

2' Contour Interval

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SUBJECT TO CHANGE

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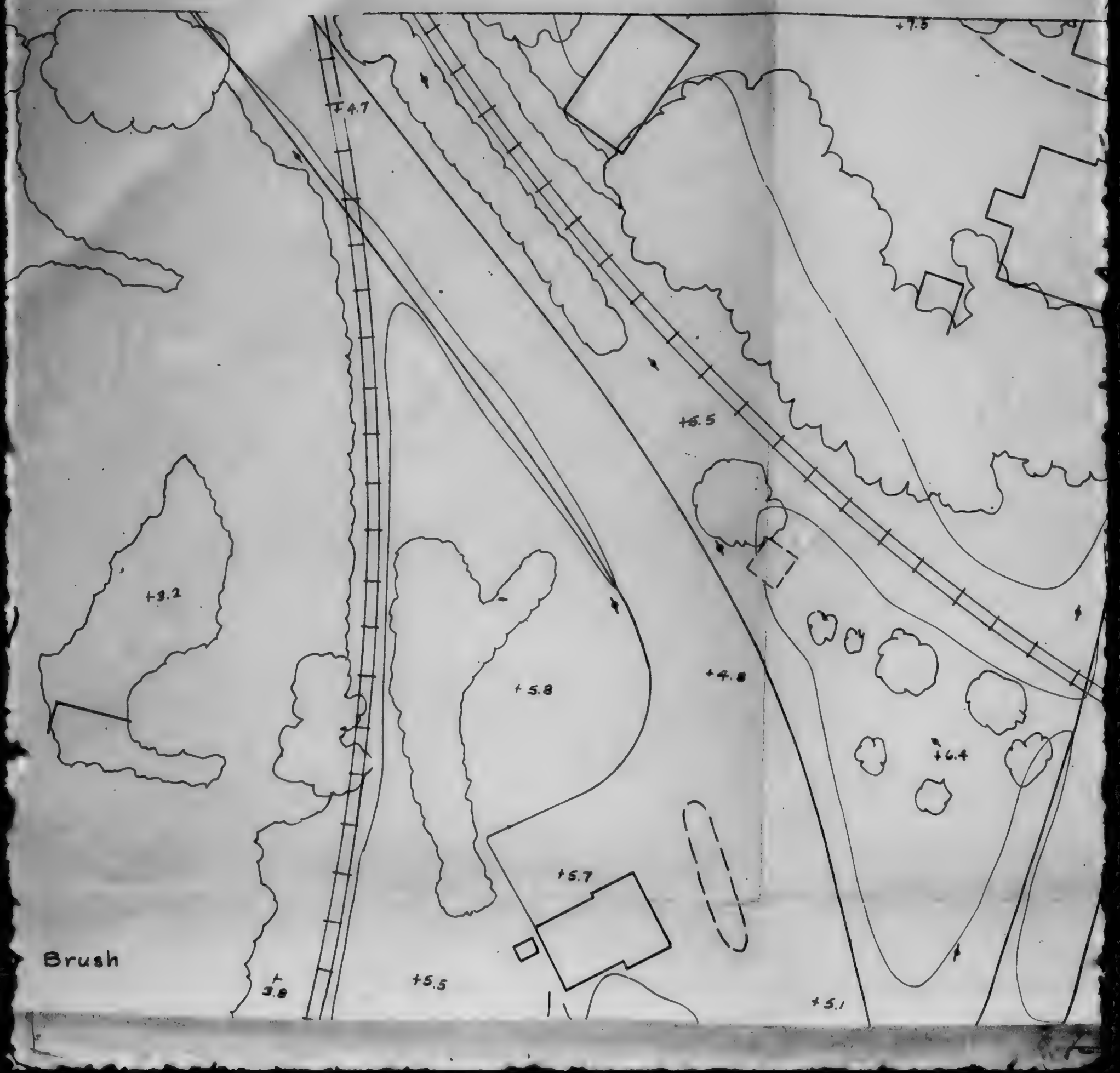
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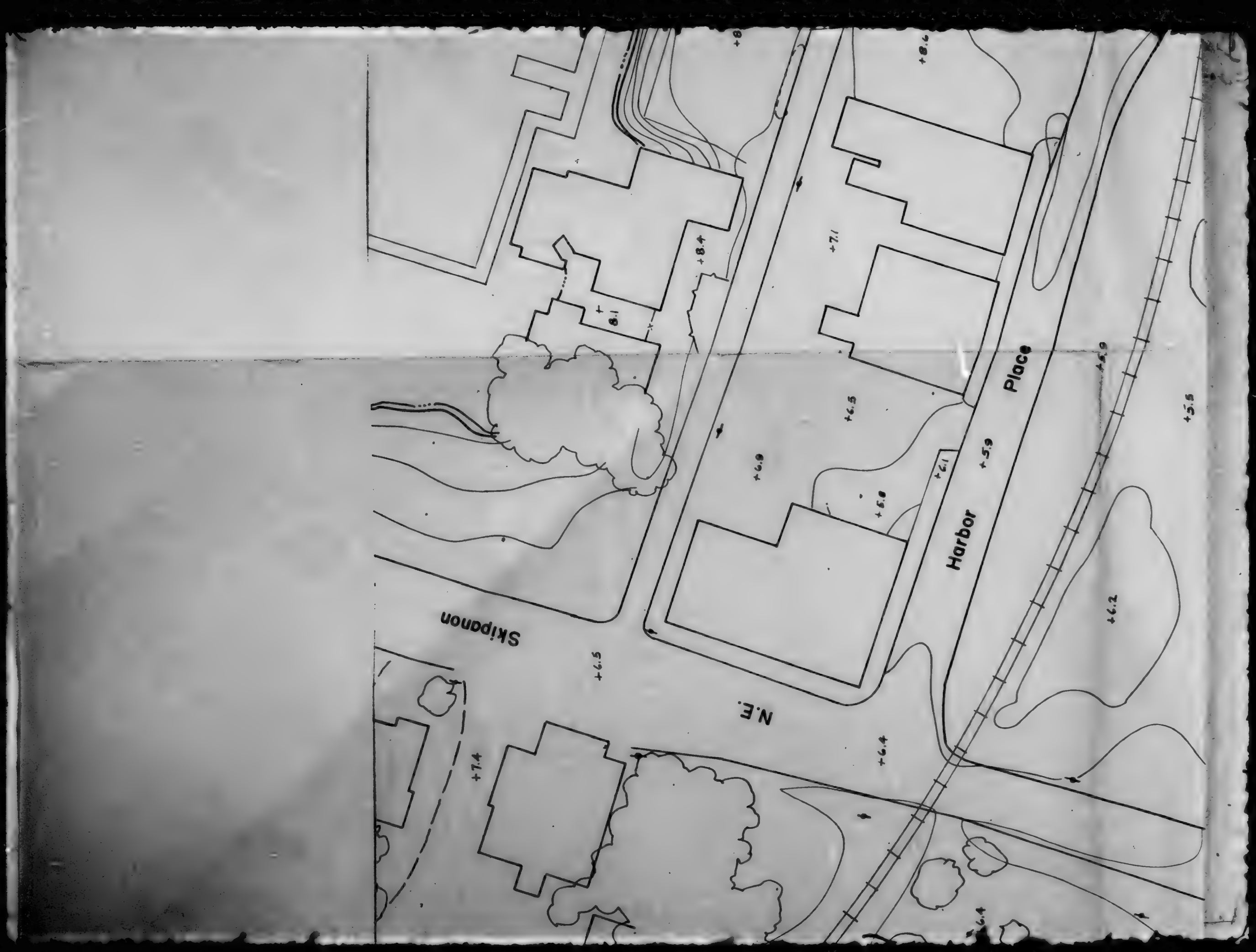
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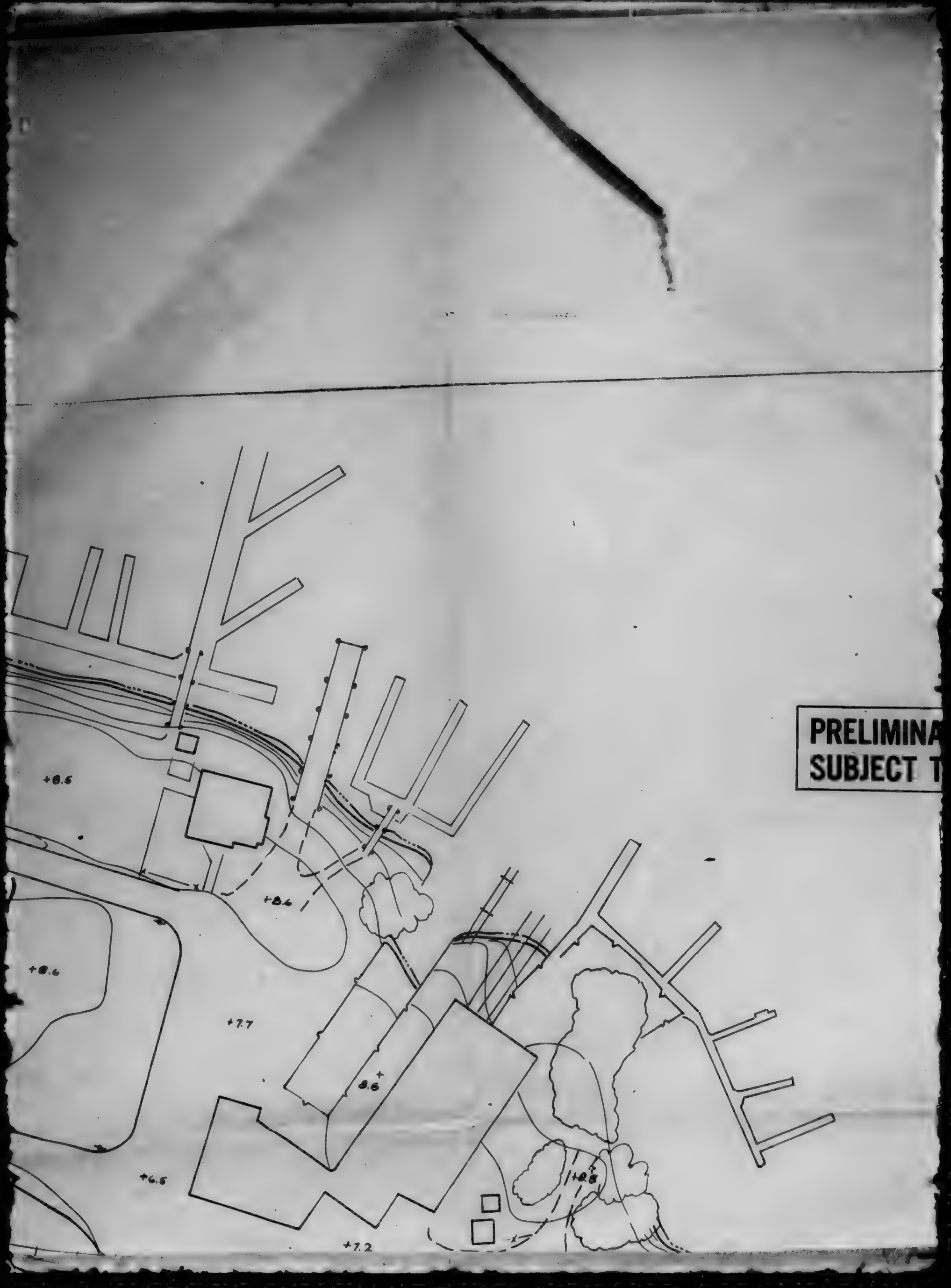
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Brush

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+3.9

+2.5

+7.2

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Parking

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160'SP

+2.2

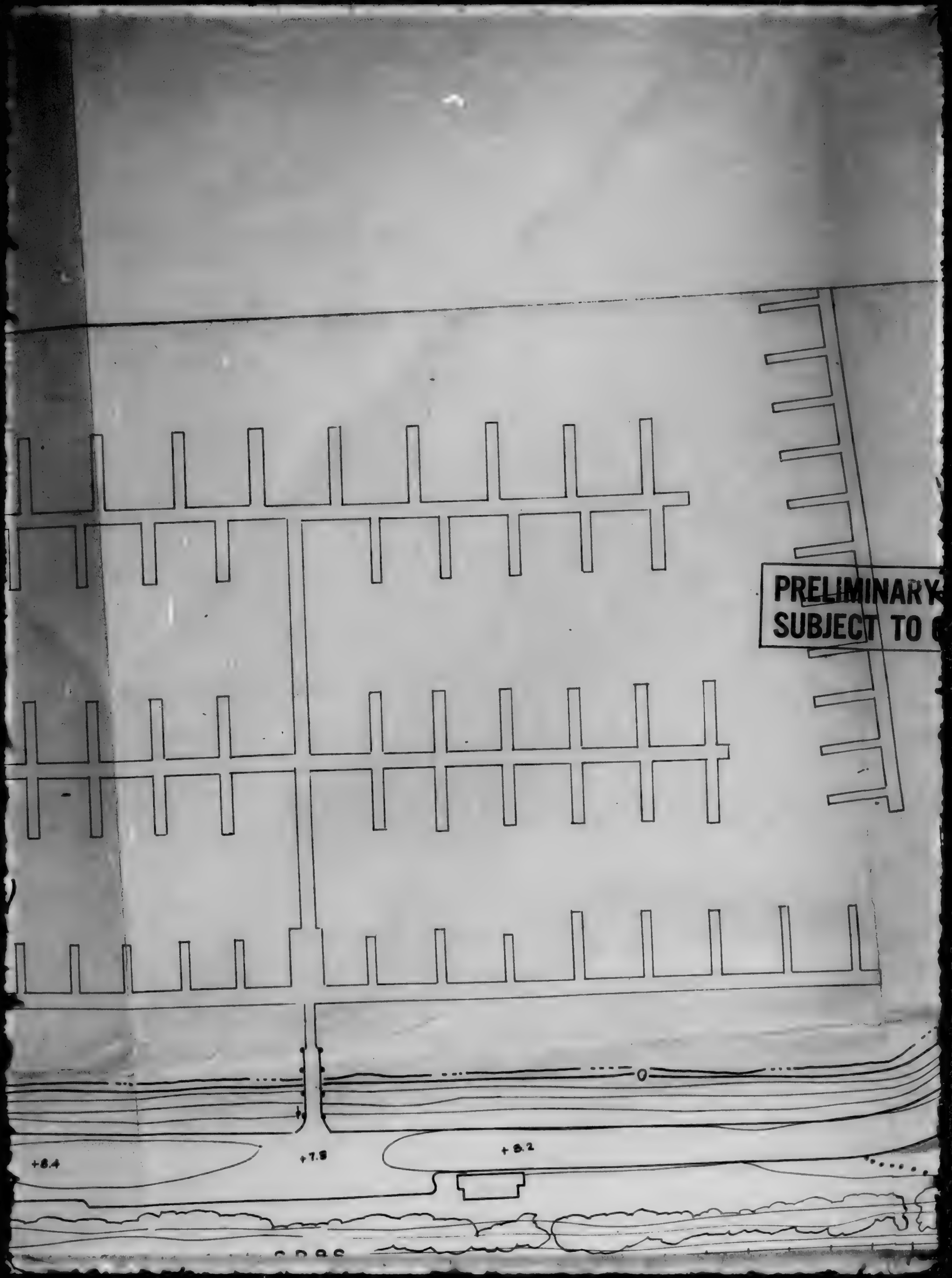
Mooring

Basin

+6.8

+7.2

+7.7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Heron

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TOE OF SLOPE

4.4

OREGON STATE HIGHWAY DIVISION

SKIPANON RIVER BRIDGE

WARRENTON-ASTORIA HWY

MAR 74

LOCATION SEC.

Brush

+2.8

+3.9

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Brush

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7°
175'SP
PSC 14+71
PCS 16+96
60' Paved
PSI 12+60
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+3.8
+9.3

RAILROAD R/W

PROPOSED R/W

TIDE GATE

TIDE GATE

SEWER ACCESS

SEWER ACCESS

TOE OF SLOPE

Parking

175'SP

PT 18+71

RIVER

KIPANON

+6.7

+6.3

+4.4

+7.1

+3.9

+9.4

+7.8

+6.8

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Parking
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160'SP
22+20
+2.3
4°
RUN 22+33
160'SP
22+04
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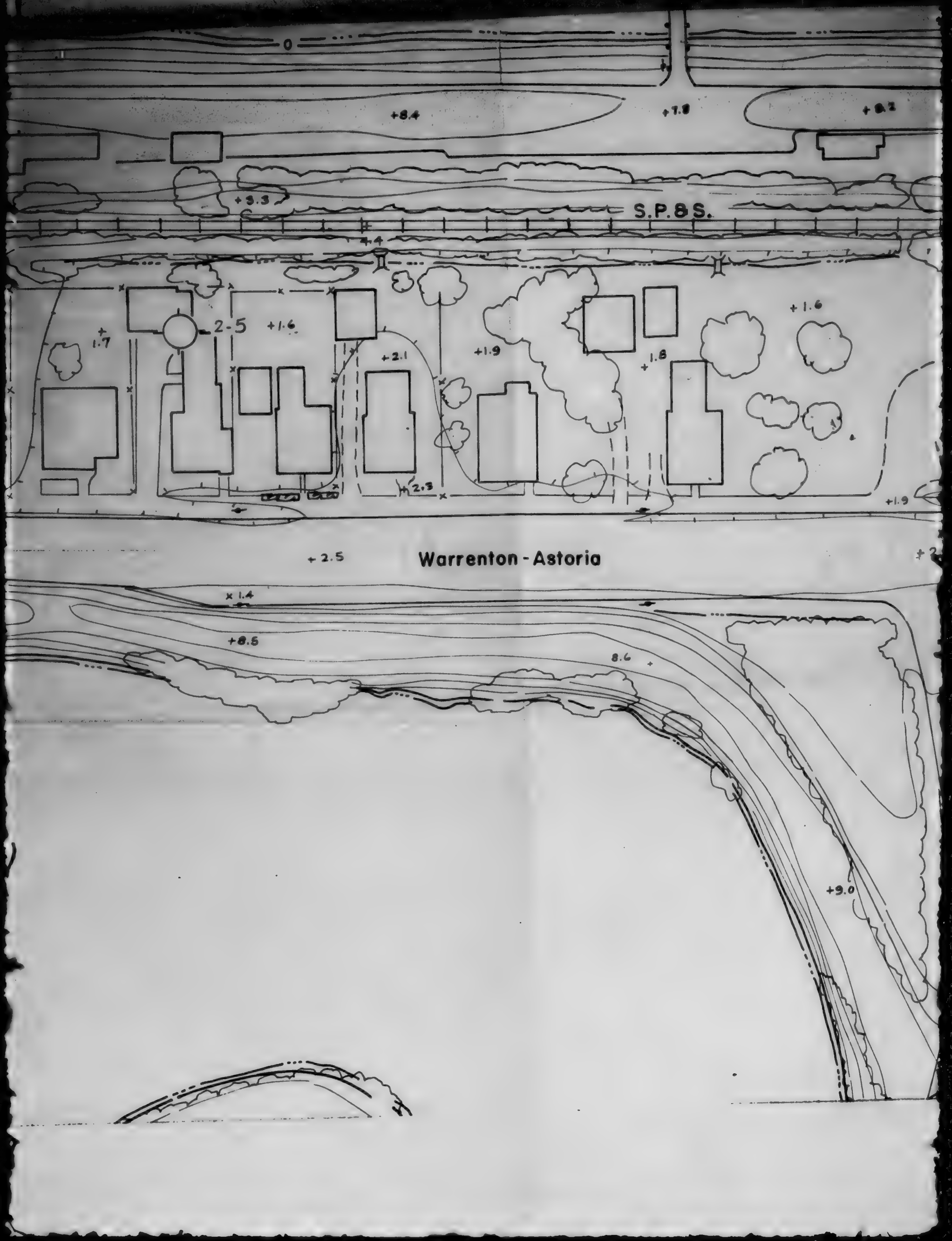
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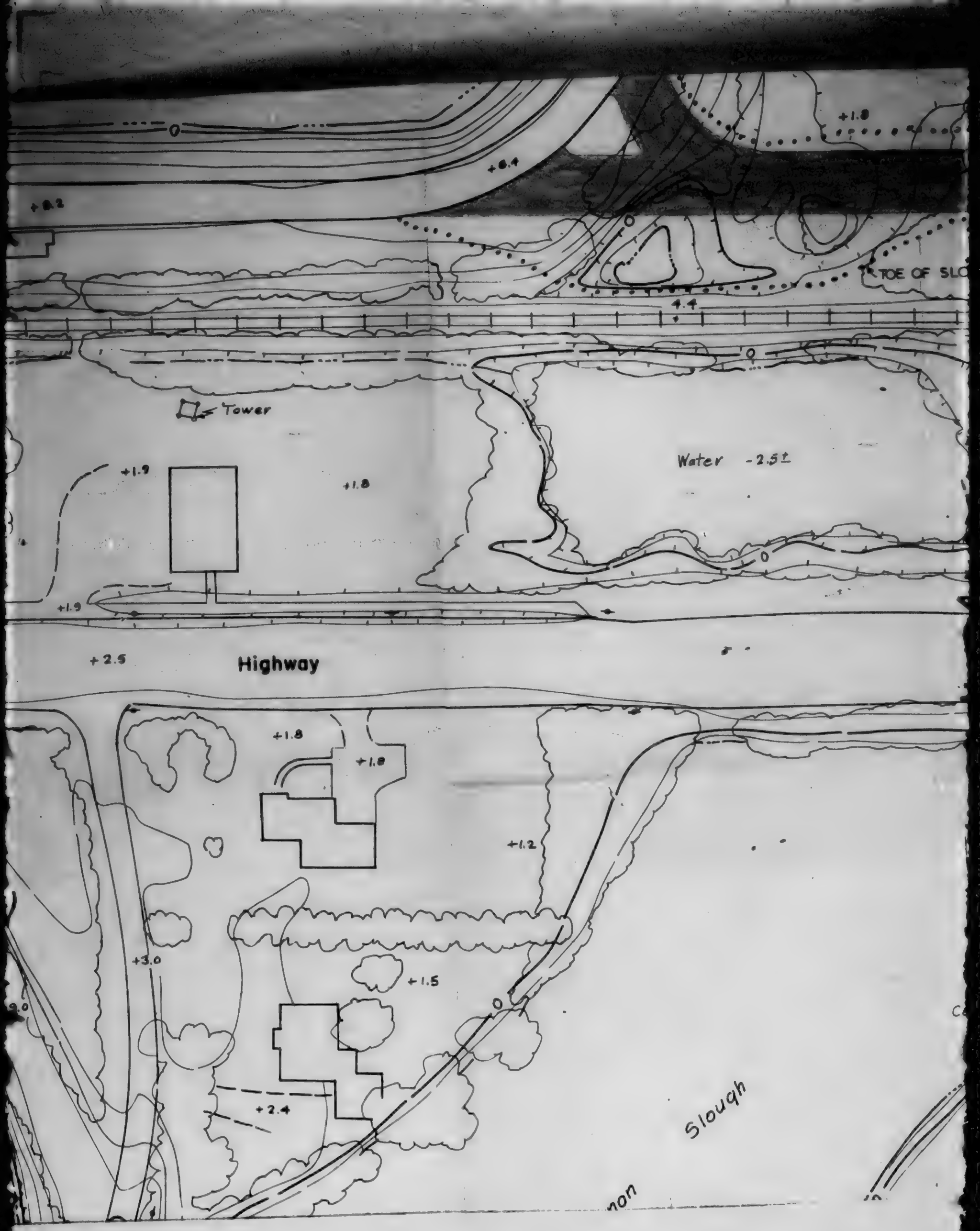
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Water -2.5±
+1.9
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+2.5
Highway
+1.8
+1.8
+1.2
+3.0
+1.5
0
+2.4
Slough

Hero

N.E.

+1.8

+0.4

+2.4

TOE OF SLOPE

1.4

2-4

Water -2.5±

+1.8

+1.2

+1.0

Cattle Guard

Slough

+2.5

+2.2

+2.2

8651

FORM 81-734-2030

OREGON STATE HIGHWAY DIVISION

NOTED
E. S. HUNTER

INTER-OFFICE CORRESPONDENCE

July 29, 1974

SUBJECT:

TO: E. S. Hunter
Assistant State Highway Engineer

NOTED
A. E. JOHNSON

orig. to INT 9-15-1

You may recall that I was in your office when you were talking to Palmberg re the Skipanon River Bridge and he made claim that the Highway Division had influenced the Governor to request denial of his application to dredge.

We have checked with the State Land Board and find that the objections were raised by Burlington Northern, the Wildlife Commission and the city and county. The Highway Division did not object.

Victor D. Wolfe
Location Engineer

VDW:mc

NOTED
F. A. KLABOE

RECEIVED
STATE HWY ENGR
AUG 8 '74
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

RECEIVED
JUL 30 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8451

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

DATE July 22, 1974

TO Oregon ~~State Highway~~ Transportation Commission

FROM F. B. Klaboe
State Highway Engineer

SUBJECT **Finance Approval**
Skipanon River Bridge Section
Warrenton Highway, Clatsop County

The Commandant of the U.S. Coast Guard has put the Highway Division on notice that the Skipanon River Bridge at Warrenton is in violation of the 1916 navigation permit for that crossing. We have until September 1, 1974 to show cause why work cannot commence on restoration to the 1916 permit conditions. Unless an affirmative action is forthcoming by that date, the Coast Guard indicates that they will seek legal relief under the appropriate statute.

The Skipanon River Bridge was constructed in 1916 by Clatsop County and incorporated a hand-operated lift span. In 1933, the County rebuilt the structure, replacing the lift span with a float-out span. In 1946, the State assumed jurisdiction over this section of highway when it was designated as Highway 105, the Warrenton Secondary Highway.

Since 1964, the State and the Coast Guard have been under pressure from local navigation interests to restore the movable span to the original 1916 permit conditions. The State's plan for reconstruction of the existing bridge only to the extent necessary to conform to the permit is unacceptable to the community of Warrenton. We propose the construction of a new bridge to modern standards with a movable span which will satisfy the needs of navigation. The project is proposed as a Federal-aid secondary project at a total estimated cost of $2 million.

I recommend this project and request your approval to add it to Federal Aid Program XII-A. This matter will be on the agenda at the July 30 meeting.

bc: C. W. Head
G. M. Baldwin
A. E. Johnson
E. S. Hunter
R. W. Rulien
Walt Hart
V. E. Skoog
Gary Sund

Bob Whipps

WJH:dh dpy

8651

9

Salem

July 17, 1974

Gary Potter, Manager
Environmental Section

George Hopkins
Project Development Engineer

Skipanon River Bridge
MP 0.17 Warrenton Highway
Clatsop County
District 1, Region 2

Mr. Hunter has requested that the subject bridge be added to the construction program.

Please prepare an environmental assessment so the project may be properly classified and developed.

Attached is a copy of a rough draft letter which includes a brief history on the subject. This is the only information that I have on file.

Attach.

cc E. S. Hunter
Victor Wolfe
Walt Hart
C. O. Fredrickson
B. L. Gifford

8651

FORM 8-50

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem

DATE July 12, 1974

TO Memo to Files

FROM F. B. Klaboe
Administrator and
State Highway Engineer

SUBJECT Skipanon Bridge Project

We are under orders to bring the Skipanon Bridge at Warrenton up to Coast Guard specifications. The plan to build a new bridge at a higher elevation on approximately the same alignment has been approved by the City.

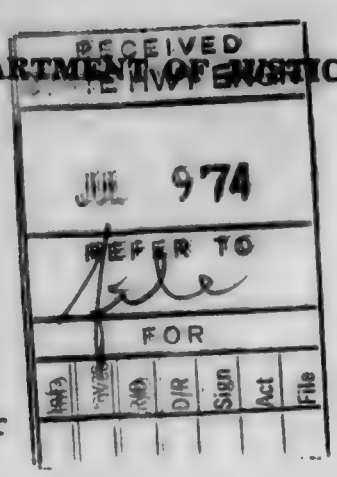
The project will have to be financed with FAS funds so we will have to proceed under federal regulations.

Mr. Hunter will take the necessary steps to get Commission approval to add this job to existing programs. He will also monitor the project so it can be contracted at the earliest date possible.

cc: A. E. Johnson
R. L. Schroeder
E. S. Hunter
7-25-74 {Wolfe
Rubin
Hart
Fredrickson

8651

2



Memorandum

TO: The File

DATE: July 8, 1974

FROM: Pat Randolph

SUBJECT: Skipanon Bridge Matter

NOTED
A. E. JOHNSON

On Wednesday afternoon, June 26, I met with a Mr. Mescher, of the Coast Guard Bridge Division in Washington, D.C. The purpose of my visit was to try and reach some accommodation with the Coast Guard with regard to their continuing pressure to replace the existing Skipanon Bridge.

When I arrived, Mr. Mescher handed me the letter he had already sent to Ed Hunter, dated June 24, 1974. This letter was mailed over the signature of Capt. K. G. Winan. As the letter indicates, the Coast Guard had intended to seek immediate injunctive relief to compel the Division to replace the Skipanon River Bridge with a bridge in conformance with the 1917 permit.

I found Mr. Mescher to be basically in sympathy with our position that a more elaborate bridge (requiring longer construction time) ought to be built. However he was very wary of holding back on seeking legal remedies because of the long delay the Highway Division has already incurred in complying with the order.

After much discussion we reached the following agreement:

1. Within 30 days of June 24, 1974, the Highway Division will respond to the Coast Guard's latest letter with a letter outlining the Division's definitive plan for replacement of the bridge and a timetable for carrying out such plans.

2. These definitive plans may be plans for a double-bascule span bridge conforming to the city of Warrenton's recent request. Further, it is understood that the bridge is to be built with federal secondary highway monies and the delays attendant upon such a financing device are acceptable to the Coast Guard. (A timetable of from three to four years is anticipated)

3. The Highway Division will immediately relocate the water line which is attached to the bridge.

4. The Coast Guard will agree to "reasonable" revisions in bridge opening rules both for the existing bridge during the construction period and for the final bridge.
(Ed Hunter and I have agreed that I will try to work out a schedule that will be acceptable with Mr. Palmberg).

5. As soon as reasonably possible, the Highway Division will submit a formal application for the new bridge to the Coast Guard.

6. In connection with the application, the Highway Division will submit formal acknowledgement of the undertaking to build the bridge. (Ed Hunter proposes to do this by having the Commission at its next meeting approve the funding for the bridge--I am sure this will be satisfactory to Mr. Mescher.)

7. Mr. Mescher informed me that by definition a drawbridge is not regarded as a "hazard to navigation" within the meaning of the Truman-Hobbs Act unless it can be shown that the bridge span is not wide enough to permit navigation through the channel. Thus Truman-Hobbs funds will not be available for the improvement of the bridge beyond the 1917 standards.

In conversation with Ed Hunter and Walt Hart on July 1, I reported the details of this compromise and it appears, based on their reactions, that this compromise is an acceptable means of complying with the Coast Guard order.

PAR:llh

cc: Fred Klaboe
Al Johnson
Ed Hunter
Walt Hart
H. S. Cox
C. O. Fredrickson

9651

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-WBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE 202-426-0942

• 3271

24 JUN 1974

Mr. E. S. Hunter
• Assistant State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

NOTED
E. S. HUNTER

Dear Mr. Hunter:

This is in reply to your letter dated 1 May 1974 received on 5 June 1974. It appears that your letter should be dated 1 June 1974 in view of the date received.

Your letter and the Project Time Schedule leads us to the view that compliance with the Order of 26 June 1972 is not going forward in a deliberate timely manner. According to the schedule the design and specifications are now complete. There is no apparent reason why the invitations to bid cannot be issued now and award of contract made forthwith.

Your letter indicates that your progress is clouded by a number of issues upon which compliance with the Order are dependent. These dependencies are not acceptable as conditions for compliance with the Order. No further Coast Guard approval is required to commence restoration of the bridge to the 1916 permit.

The waterline is integral to the illegal structure and its removal is required for compliance with the Order. The ability to obtain a permit for its relocation is irrelevant to the case as are any other local issues arising from the Order.

Opportunity is hereby given to furnish an affirmative commitment to commence actual work before 1 September 1974 or show cause within 30 days why work cannot commence by that date. In the alternative the Coast Guard will consider seeking injunctive relief under 33 U.S.C. 406 or otherwise as appropriate.

With respect to your question regarding the Truman-Hobbs Act, funding under this Act is not available for compliance with an order to remove or restore an illegally altered bridge. The burden of cost and other related responsibilities rests with the owner of the illegal bridge.

Sincerely,

RECEIVED
JUN 26 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

K. G. WIMAN
Captain, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

8657

June 19, 1974

Mr. E. R. Baldwin, Auditor and
Police Judge
City of Warrenton
P. O. Box 250
Warrenton, Oregon 97146

NOTED
E. S. HUNTER

Dear Mr. Baldwin:

Thank you for forwarding the Warrenton City Commission's adopted recommendation for reconstruction of the Skipanon River Bridge.

We appreciate your prompt action in considering all of the alternatives which were available and the Commission's decisive action in making a decision. We are now in a position to continue our negotiations with the Coast Guard and will do so immediately.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

ESH:js

bc: F. B. Klabee
A. E. Johnsen
Walt Hart
H. S. Cox
C. O. Fredricksen

CITY OF WARRENTON
WARRENTON, OREGON
97146

KARL E. JOHNSON
MAYOR

EMERSON R. BALDWIN
AUDITOR AND POLICE JUDGE

P. O. BOX 250
TELEPHONE 861-2233

5 June 1974

Oregon State Highway Division
Highway Building
Salem - OREGON - 97310

NOTED
E. S. HUNTER

ATTENTION: E. S. Hunter, Assistant Engineer

Gentlemen:

Enclosed is a memorandum from the Warrenton Planning Commission to the City Commission relating to the Skipanon Bridge contraversy on state secondary 105. The Warrenton City Commission adopted the recommendation as city policy.

Specifically, the city insists that the bridge be maintained at its present location and that it be understood that alternate I contains the re-alignment of the highway by removing the curve from the present bridge. The detour route should be in the immediate vicinity of the present location. It is recommended that the quick-opening span be a bascule type rather than swing.

The request for restricted opening hours, of course, will have to eventually go before either the coast guard or the corps of engineers and probably be approved by the Congress of the United States.

The other recommendation is strictly the problem of the city commission in attempting to have further studies made to see if any other solution is available; however, this will be done while the State Highway Department is making application for federal funds.

Sincerely,

CITY OF WARRENTON

Emerson Baldwin

E. R. Baldwin
Auditor & Police Judge

ERB:jb
Encl.1

6-10-74
Should work Hunt
can't
do your info
R

RECEIVED
JUN 6 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

May 31, 1974

M E M O R A N D U M

TO: MAYOR AND COMMISSIONERS, CITY OF WARRENTON

FROM: WARRENTON PLANNING COMMISSION

The Planning Commission on May 29, 1974 met in a work session to discuss the Skipanon Bridge. The many options and alternatives regarding the bridge makes a decision which would please everyone an impossible task. Our recommendation took into consideration that a new bridge will be built and secondly, the structure proposed by the Highway Department in order to meet the Coast Guard deadline is not acceptable to the community. After thoroughly reviewing the various proposals and weighing the alternatives, the following motion was unanimously passed by the Planning Commission:

It is recommended that alternate number 1 as submitted by Oregon Highway Division with the following provisions be accepted.

1. Opening hours be restricted.
2. A detour route be provided near the present location.
3. That a quick opening span be provided.
4. The bridge be at the present location.

We also recommend the City Council make further studies to see if any other solutions can be found while the Highway Division is making application for federal funds.

8651

8

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
TRIAL DIVISION
SALEM, OREGON 97310
TELEPHONE: (503) 378-6313

211 State Highway Building

NOTED
E. S. HUNTER

June 13, 1974

Mr. John J. Haugh
O'CONNELL, GOYAK & HAUGH
404 Oregon National Building
Six Ten Southwest Alder Street
Portland, OR 97205

RECEIVED
JUN 14 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Re: Skipanon River Bridge, Warrenton

Dear Mr. Haugh

I have your letter of June 11, 1974.

In your letter you refer to the Highway Division's obligations "under federal and state law". The Highway Division is required by state law to coordinate its construction activities with local and regional planning agencies. This is also a requirement of federal law insofar as expenditure of federal funds is concerned. If, by your reference to state law, you meant to imply that the State Highway Division is not in compliance with state law insofar as its plans for the Skipanon River Bridge is concerned, I would appreciate your elaborating on this contention.

With regard to federal law, the Highway Division has taken steps to comply with the Coast Guard order relating to the Skipanon Bridge. As I indicated in my last letter, the Division has recently contacted the Coast Guard for clarification of that order. If you believe that the Highway Division is in violation of federal law for some reason other than the outstanding Coast Guard order, I would appreciate your elaborating on this contention.

I have met with Mr. Palmberg and appreciate your client's special interest and concern in this matter. I will attempt to keep you informed as to the progress of the Highway Division's plans with regard to the construction of the new bridge and I repeat my offer to discuss this matter with you more fully at any time.

Sincerely

Patrick A. Randolph, Jr.
Temporary Assistant Attorney General

PAR:ch;hg
cc Ed Hunter
Walt Barrie

O'CONNELL, GOYAK & HAUGH, P. C.
ATTORNEYS AT LAW
404 OREGON NATIONAL BUILDING
SIX TEN SOUTHWEST ALDER STREET
PORTLAND, OREGON 97205

JOHN J. HAUGH
NICK IVAN GOYAK
KEVIN O'CONNELL
DONALD W. GREEN III
ROBERT J. GAUGHRAN

AREA CODE 503
TELEPHONE 227-1681

June 11, 1974

Patrick A. Randolph, Jr.
Temporary Assistant Attorney General
Department of Justice
106 State Office Building
Salem, Oregon 97310

Re: Skipanon River Bridge, Warrenton

Dear Mr. Randolph:

Thank you for your letter of June 5, 1974.

It would appear to me that the State Highway Division's obligations under federal and state law are to be fully complied with regardless of the availability or lack thereof of federal funding.

It would also appear to me that the State Highway Division has unnecessarily and deliberately delayed compliance with the 1916 permit.

My client has no obligation to wait ad infinitum while the State Highway Commission delays the matter for the stated reason that it wishes to learn of the "community's interests".

Again, unless this matter is immediately corrected, and unless federal statutes are complied with, my client will institute appropriate legal action against the responsible parties, including the State Highway Division.

Sincerely yours,

John J. Haugh

8651

2

PALMBERG CONSTRUCTION CO.

P. O. BOX 448 WARRENTON, OREGON 97146

PHONE 503-861-1542

June 11, 1974

Oregon State Highway Division
Highway Bldg.
Salem, Oregon 97310

NOTED
E. S. HUNTER

Attn: E. S. Hunter

Re: Skipanon River Bridge

Dear Sir,

This is to inform you that we contemplate many passages thru the Skipanon River bridge during the latter part of this summer and in the future, not only by our vessels but by other commercial and recreational vessels.

Even though shoals and sinker logs in thechannel prevent navigation at low tides, the Coast Guard has informed us, and current pilotage rules indicate, that vessels may pass thru the bridge whenever they wish; and in view of the unnecessary delay in restoring the bridge to the 1916 permit conditions, this is what our company feels it must do, with the expectation that the State will reimburse us for the standby time of our vessels and crews beginning one hour after signalling for or requesting a bridge opening.

We have been and are still willing at any time to confer and cooperate with you concerning the reconstruction schedule for the bridge, but further unnecessary delay is totally unacceptable.

Very truly yours,

Palmberg Construction Co.

H. G. Palmberg

by H. G. Palmberg

cc: U.S. Coast Guard
Washington D.C.

U.S. Coast Guard
Seattle, Washington

Portland District, Corps of Engineers

John Haugh

RECEIVED
JUN 12 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Kloboe for info.

LEE JOHNSON
ATTORNEY GENERAL

STATE OF OREGON
DEPARTMENT OF JUSTICE
SALEM, OREGON 97310

NOTE
E. D. C.

NOTED
E. S. HUNTER cc Fredrickson

RECEIVED
STATE HWY ENGR
JUN 10 74
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

RECEIVED
JUN 5 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

June 5, 1974

Mr. John J. Haugh
O'Connell, Goyak & Haugh
404 Oregon National Building
610 S. W. Alder Street
Portland, Oregon 97205

Re: Skipanon River Bridge, Warrenton

Dear Mr. Haugh

Ed Hunter has referred to me your letter of May 30, 1974 relating to the Highway Division's policy toward the Skipanon River Bridge in Warrenton, Oregon.

On May 14, 1974, I accompanied Ed Hunter and several other Highway Division representatives to Warrenton for an informational meeting with representatives of the Warrenton City Commission, the City Planning Commission, and the Clatsop County Planning Commission. Mr. Palmberg and many other members of the local community attended that meeting. At that meeting, Ed Hunter stated that the Highway Division is prepared to comply with the Coast Guard order and build a new bridge over the Skipanon channel.

As Ed explained at the meeting, the only bridge which the Highway Division is in a position to build immediately is a low, single bascule span bridge, substantially similar to the bridge originally built over the channel in 1916.

At a hearing held in Warrenton on December 20, 1973, and at the meeting of May 14, and further through written communications by many persons in the Warrenton area, the Highway Commission has become aware of public sentiment favoring construction of a more elaborate bridge if a bridge is to be built at all. The Highway Division, of course, is not interested in proceding with the expedient solution of the 1916 bridge if it will not truly satisfy local needs. We have therefore asked the City of Warrenton to take a formal position recommending a response to the Coast Guard order that the present bridge be replaced. City

Attorney Hal Snow assures me that the City is actively considering this request and will provide a response in the near future.

If it is concluded that the community's interests would best be served by a more elaborate bridge, there would indeed be some delay in the construction process. This delay would be caused by final plan development and property acquisition and by processing of the entire project through federal environmental and funding requirements.

We have sent a letter to the Coast Guard explaining our present position and requesting advice as to whether Truman Hobbs Act funds might be available for construction of a more elaborate bridge. We have received no reply to this letter.

Please be assured that the Highway Division is making every effort to satisy the Coast Guard order in a manner satisfactory to all the residents of the city of Warrenton and the county of Clatsop.

To my knowledge, the State Highway Division has no regulatory control or other involvement with the logging operations of the D & R Lumber Company in the Skipanon channel, and I presume the reference to those activities in your letter did not call for a response on our part.

I would very much appreciate it if you would provide me with copies of all correspondence you send to any person connected with the Highway Division with regard to this matter. Of course, we are anxious to satisfy all members of the public with regard to our activities, including Mr. Palmberg, and I would be happy to discuss further any aspect of this project at your convenience in Salem.

Sincerely

ORIGINAL SIGNED BY
PATRICK A. RANDOLPH

Patrick A. Randolph, Jr.
Temporary Assistant
Attorney General

svh
cc: Ed Hunter
Walt Barrie

O'CONNELL, GOYAK & HAUGH, P. C.
ATTORNEYS AT LAW
404 OREGON NATIONAL BUILDING
SIX TEN SOUTHWEST ALDER STREET
PORTLAND, OREGON 97205

JOHN J. HAUGH
NICK IVAN GOYAK
KEVIN O'CONNELL
DONALD W. GREEN III
ROBERT J. GAUGHRAN

AREA CODE 503
TELEPHONE 227-1681

May 30, 1974

cc Pat Randolph
for R/W reply.
ESH

Mr. E. S. Hunter
Assistant Highway Engineer
State Highway Department
Salem, Oregon

Dant & Russell Inc.
2000 SW 5th
Portland, Oregon

Re: Skipanon River Bridge, Warrenton, Ore.

Gentlemen:

This office represents Herb Palmberg of Clatsop County, Ore.

As you are aware, Mr. Palmberg owns substantial real property upriver from the Skipanon River Bridge in Warrenton.

As you further know, the Skipanon River Bridge is an illegal bridge, as it cannot be opened as quickly as it should. As a result, the bridge has, for all practical purposes, completely stopped navigation on the Skipanon River upstream from that point.

Mr. Palmberg has made repeated requests of the State Highway Commission to build a new bridge as required. He has been met with nothing but delay and excuses, the most recent one of which is that the State does not have sufficient funding.

In addition to the bridge problem, Dant& Russell has completely blocked the upper river with its piling and boom sticks. Mr. Palmberg has made repeated requests that these hazards to navigation, which in fact completely close the river, be removed. Again, he has been met with nothing but delays and excuses.

On behalf of Mr. Palmberg, we are again demanding of Dant & Russell that these hazards to navigation and these obstructions to navigation be immediately cleared out of the river.

Mr. Palmberg has been quite considerate with regard to this matter. He has waited for years for results. He has been met

with nothing but excuses, and delays.

Please be advised that unless immediate action is taken, we will institute all appropriate action against both Dant & Russell and the State Highway Commission to end this illegal activity, which is substantially harming the marine operations of Palmberg Construction Company, and interfering with the use and enjoyment of Mr. Palmberg's land, and with the use and enjoyment of other land upriver from Skipanon River Bridge.

In the event we do not hear from you regarding immediate steps to correct these problems, we will assume that you intend to do nothing as you have in the past, and will institute appropriate legal action.

Sincerely yours,

John J. Haugh

JJH:dj

8651

Ed Hunter

9

U.S. ENVIRONMENTAL PROTECTION AGENCY

REGION X

1200 SIXTH AVENUE

SEATTLE, WASHINGTON 98101

Klebec for info.

JUN 4 1974

REPLY TO ATTN OF: M/S 609
74-144,C&IR:OREGON

RECEIVED
STATE HWY ENGR
JUN 10 74
REFER TO
FOR
Init | Init | D/D | D/R | Sign | Act | File

NOTED
E. S. HUNTER
cc Pat Randolph
Fredrickson

Honorable Wendell Wyatt
United States Representative
414 Cannon Building
Washington, D.C. 20515

Dear Congressman Wyatt:

Thank you for your May 28, 1974 request for information concerning comments by Stanley Bishoprick, Warrenton, Oregon. On behalf of Dant and Russell, Inc., Mr. Bishoprick was concerned because there has been no environmental impact statement covering possible proposed rebuilding of the Skipanon Bridge or upon proposed dredging of the Skipanon River in the area of Warrenton.

The Environmental Protection Agency is not involved in this situation but background is furnished for your general information in responding to Mr. Bishoprick.

The Oregon State Department of Highways indicates that meetings were held in the Warrenton area in December 1973 at which time public and city comment was received. The Oregon State Highway Department is under order by the U.S. Coast Guard to have the Skipanon Bridge conform to the requirements of the 1916 permit for the bridge. The permit was granted in 1916 to Clatsop County. Subsequently the County responsibility was transferred to the State Highway Department. A local resident subsequently and persistently petitioned the Coast Guard to have the bridge span conform to the original requirements in the 1916 permit. The required change would allow larger vessels through by "opening" the bridge. This would disrupt ground transportation which would include logging trucks of Dant and Russell. Logging rafts and similar vessels can use the waterway with the existing bridge structure.

Oregon Highway Department personnel have met and continue to meet with area residents and city officials in efforts to ascertain if there is substantial reason to ask that the Coast Guard order to the State Highway Department be deferred giving time for further study, etc. No federal funds are involved and thus no federal impact statement is required.

RECEIVED
JUN 5 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

The question of dredging raised by Mr. Bishoprick is a separate matter. An upstream property owner either has or may request a permit to dredge from the Corps of Engineers. Such action would involve city land use plans, etc., with the Corps having prime responsibility for the permit request and related environmental assessments.

Mr. Bishoprick may wish to direct comments to the Corps of Engineers regarding the request for a dredging permit. Enclosed is information on environmental impact statements and the Federal Water Pollution Control Act for Mr. Bishoprick's use.

Sincerely,

L. Edwin Coate

L. Edwin Coate
Acting Regional Administrator

Enclosures

cc: Office of Legislation
Oregon Dept. of Environ. Quality
Oregon Operations Office

8651

9

Cross Referenced To:
FORM 81-734-3030
Int 5-2
Clatsop Co.

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

May 24, 1974

Salem, Oregon

FILE: 104-1405

FROM: C. O. Fredrickson
REGION II ENGINEER

SUBJECT: Skipanon River Bridge

TO: E. S. Hunter
ASSISTANT STATE HIGHWAY ENGINEER

NOTED
E. S. HUNTER

We are enclosing copies of the following letters relative to the Skipanon River Bridge in Warrenton:

Letter from Howard B. Johnson Logging Contractor
Letter from Brady-Hamilton Stevedore Company
Letter from Donald K. Dyer
Letter from William C. Hartley
Letter from Dick Walter, President, Warrenton Builders Supply

We are also enclosing one copy of a petition circulated through the City of Warrenton asking that Highway transportation now take presidence over river usage on the Skipanon River and asking that an evaluation be given to the two modes of transportation prior to a final bridge design.

Copies of two articles from the Daily Astorian dated May 20 and May 21, 1974 are also included.

COF:lb

cc: E. L. Everton

NOTED
E. S. HUNTER

RECEIVED
MAY 28 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

HOWARD B. JOHNSON LOGGING
Rt. 1, Box 651
Astoria, Oregon 97103

May 20, 1974

Oregon State Highway Dept.
City of Warrenton
Warrenton, Oregon 97146

Gentlemen:

In regards to the proposed re-construction of the Skipanon River Bridge in Warrenton, Howard B. Johnson Logging is strongly opposed to such construction until a thorough investigation is made.

The investigation should include reasons for the re-construction and its potential slowdown of our log trucks going in and out of Warrenton Lumber's Mill.

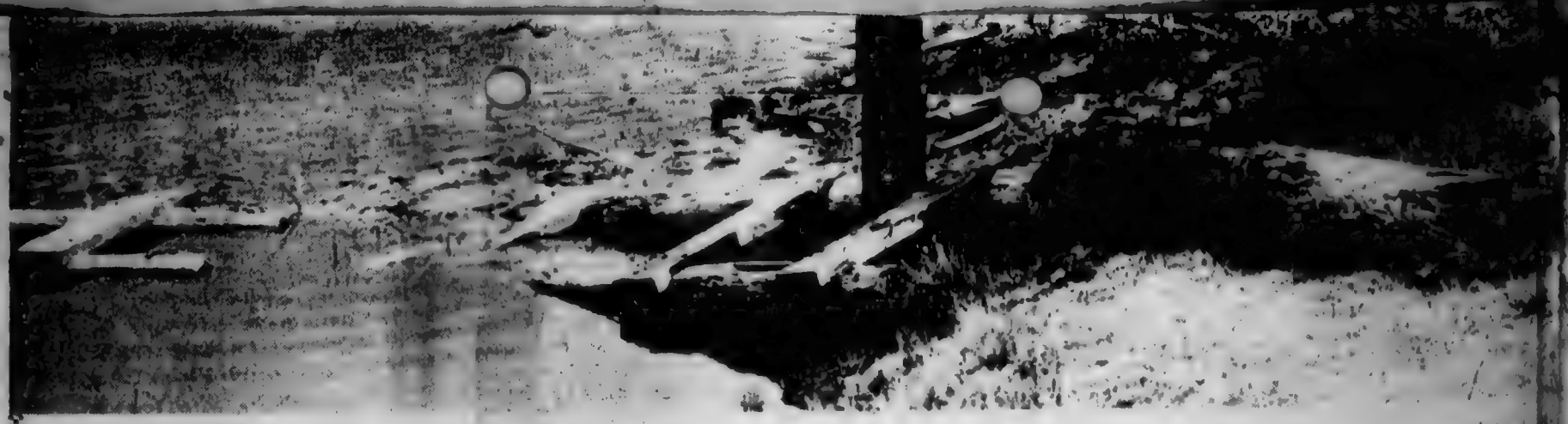
I hope serious consideration will be taken of this matter.

Sincerely,

HOWARD B. JOHNSON LOGGING

Howard B Johnson

Howard B. Johnson



Fishing the Skipanon

WITH SCHOOL winding to a close and the weather warming, there's nothing like a little fishing for a couple of young boys. These two found the angling to their [illegible] River [illegible] pulling [illegible] water [illegible] book [illegible]

'It wasn't one of our better meetings' — Baldwin

Mobile homes, river issues dra[w]

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—"It wasn't one of our better meetings, " City Manager Dick Baldwin said of a chaotic city commission session Monday which didn't seem to solve any problems.

The big issues involving the Skipanon River, one concerning a controversial bridge and the other two disputed islands, were discussed but not decided. The discussion came close to getting out of hand at times.

In addition to long and loud wrangling over the river, there were heated words exchanged over the city's insistence mobile homes stay in mobile home parks.

This issue wasn't solved either, at least not to the satisfaction of the person complaining.

As usual, local landowner Herb Palmberg brought up the waterway issues. He ran through the reasons he favors a better bridge now and why he wants to use two upriver islands he claims he owns.

He asked for action by the commission.

Warrenton store-owner Ken Dunn told the body he also wants action, but made it plain he and Palmberg are looking for different decisions.

Dunn replied angrily to Palmberg's pleas and told the commission it was catering to one man.

He shouted at the body, "You're going to sell this town out. Stand up and say what's right and what's wrong. You're driving me out of the community after 34 years."

Dunn didn't really spell out his disagreement with Palmberg, though it appears he doesn't believe a new bridge is necessary and fears one built without detours during construction would ruin his business.

The entire matter then was rehashed by the audience as the commission listened. The discussion didn't seem to lead anywhere.

As for the argument over the islands, that didn't seem to get anywhere either.

Just as Palmberg and Dant and Russell are the main protagonists on the bridge, the landowner wanting one suitable for navigation and the lumber firm for one that would block it to allow log rafting to continue unabated, the same parties are in opposition on the islands issue.

Palmberg has an application in to the Corps of Engineers to put boat moorages in front of the islands and Dant and Russell has one in to legalize a log storage area it operates in front of the larger island.

The commission voted to oppose Palmberg's permit at its last session because it contends he doesn't own the islands and the city does.

The city hasn't commented on Dant and Russell's application and couldn't very well Monday because Baldwin couldn't find the city's copy of it.

Palmberg provided one, but the city didn't seem too interested in talking about it.

Baldwin noted the city's attorney still hasn't completed a study of conflicting ownership claims, but will have by next session. The argument over who will use the islands presumably will come up again then.

Before the Skipanon River discussion died, Baldwin provided the commission with a copy of a petition Dant and Russell has [illegible] closure [illegible] bridge. [illegible]

Palmber[illegible] federal [illegible] blocked [illegible] there isn[illegible] coming [illegible] forts to [illegible]

He also [illegible] note of a [illegible] culated [illegible] increased [illegible] unfair [illegible]

Commiss[illegible] cent of the sig[illegible] petition were [illegible] ignored.

foods closed
:modeling

frozen storage," he added.

The remodeling work is in the plant's salmon section, according to Kagley, who added the company has received no tuna for processing since January.

"I see no cutback of our seasonal work force as long as we receive the fish to process after we complete our remodeling," Kagley pointed out.

He said there was no truth to any rumor that Peter Pan planned to close Union Seafoods, curtail its operation or sell the company.

The company, which dates back to turn of the century in Astoria, is one of the larger buyers of Columbia River salmon. In recent years, a new warehouse and other buildings were constructed on the property here.

And what's mo[re]
a magna cum [laude]

By STEVE BAGWELL
Of The Daily Astorian

Jonathan Strandjord of Astoria is graduating magna cum laude from Luther College in Deborah, Iowa this spring, but his high academic honor isn't what's most unusual about his graduation.

Strandjord represents the fourth generation of his mother's side of the family and a third generation of his father's side to attend the Lutheran school.

He is the son of Rev. Arne Strandjord (1950) and Eunice Of-

[illegible] Str[illegible] grandma o[illegible] (1932) and [illegible] (1921). [illegible] Rev. Andr[illegible]

What's m[illegible] one of the 19[illegible] college ro[illegible] generations.

And six o[illegible] the third ge[illegible] and 3[illegible] of t[illegible] attend Luth[illegible]

The Iowa [illegible] the comme[illegible]

Daily Astorian—Steve Bagwell

WITH SCHOOL winding to a close and the weather warming, there's nothing like a little fishing for a couple of young boys. These two found the angling to their liking near the Skipanon River dam in Warrenton, one pulling a flopping fish from the water after hardly getting his hook wet.

ng the Skipanon

f our better meetings' — Baldwin

bile homes, river issues draw fire

mobile homes stay in mobile home parks.

This issue wasn't solved either, at least not to the satisfaction of the person complaining.

As usual, local landowner Herb Palmberg brought up the waterway issues. He ran through the reasons he favors a better bridge now and why he wants to use two upriver islands he claims he owns.

He asked for action by the commission.

Warrenton store-owner Ken Dunn told the body he also wants action, but made it plain he and Palmberg are looking for different decisions.

Dunn replied angrily to Palmberg's pleas and told the commission it was catering to one man.

He shouted at the body, "You're going to sell this town out. Stand up and say what's right and what's wrong. You're driving me out of the community after 34 years."

Dunn didn't really spell out his disagreement with Palmberg, though it appears he doesn't believe a new bridge is necessary and fears one built without detours during construction would ruin his business.

The entire matter then was rehashed by the audience as the commission listened. The discussion didn't seem to lead anywhere.

As for the argument over the islands, that didn't seem to get anywhere either.

Just as Palmberg and Dant and Russell are the main protagonists on the bridge, the landowner wanting one suitable for navigation and the lumber firm for one that would block it to allow log rafting to continue unabated, the same parties are in opposition on the islands issue.

Palmberg has an application in to the Corps of Engineers to put boat moorages in front of the islands and Dant and Russell has one in to legalize a log storage area it operates in front of the larger island.

The commission voted to oppose Palmberg's permit at its last session because it contends he doesn't own the islands and the city does.

The city hasn't commented on Dant and Russell's application and couldn't very well Monday because Baldwin couldn't find the city's copy of it.

Palmberg provided one, but the city didn't seem too interested in talking about it.

Baldwin noted the city's attorney still hasn't completed a study of conflicting ownership claims, but will have by next session. The argument over who will use the islands presumably will come up again then.

Before the Skipanon River discussion died, Baldwin provided the commission with a copy of a petition Dant and Russell has been circulating which calls for a closure of the waterway to boats at the bridge. It has 350 signatures on it.

Palmberg noted the Skipanon is a federal waterway which only could be blocked by an Act of Congress and said there isn't the remotest chance of one coming about. He pointed out earlier efforts to close the river have fallen flat.

He also complained the city took scant note of an earlier petition he had circulated calling for opening of the river to increased navigation and wondered about unfair treatment.

Commissioner Ken Ostgaard said 95 per cent of the signatures on the lumber firm's petition were by Astorians, so it should be ignored.

Continued, page 2

And what's more, he's a magna cum laude

By STEVE BAGWELL
Of The Daily Astorian

Jonathan Strandjord of Astoria is graduating magna cum laude from Luther College in Deborah, Iowa this spring, but his high academic honor isn't what's most unusual about his graduation.

Strandjord represents the fourth generation of his mother's side of the family and a third generation of his father's side to attend the Lutheran school.

He is the son of Rev. Arne Strandjord (1950) and Eunice Ofstedal Strandjord (1950), the grandson of Rev. S.J. Strandjord (1932) and Rev. Rudolph Ofstedal (1921), and the great-grandson of Rev. Andreas Ofstedal (1878).

What's more, Strandjord is only one of six 1974 Luther graduates with college roots going back four generations.

And six other graduates represent the third generation of their families and 37 of the second generation to attend Luther.

The Iowa school justifiably terms the commencement a family affair.

a briefs

—MEMORIAL UNIT: Mrs. Albert
ina Lalli, 319 W. Marine Dr., Astoria.

iup Grange has scheduled a card party
Grange Hall in Svensen, according to
istow. Games such as pinochle, bridge
reshments are provided and the public

ter C. Miner of 56 Olney, Astoria, told
nd that somebody stole a yellow and
n the porch of his residence sometime
ght Friday. The motorcycle is valued
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ra Bounds of Gearhart was declared
d of the "Grub-in-a-Bug Contest"
Volkswagen. Ms. Bounds came the
uch the groceries in the car and the
$3,972.90 and the actual cost was
worth of groceries, but not the car.

—Navy Fire Control Technician 3
f Mr. and Mrs. Floyd L. Wright, 14
returned to Pearl Harbor, Hawaii,
ort USS Brewton after a six-month
n Pacific. He participated in training
venth Fleet and visited Manila, Hong
iwan and Thailand.

The fishing vessel Grace Evelyn,
Harry R. Harris of Chinook Wash.,
Friday at 10 p.m. and needed
Guard to be towed in. The vessel
Head.

te—Rudolph W. Ritschard Jr. of
yan of Warrenton received bachelor
iversity of Portland. Ritschard Jr. is
R.W. Ritschard of 212 Fourth St.,
the daughter of Mr. and Mrs. Ernest
Warrenton. Ryan is an alumnus of the

emocratic legislative candidate Bill
by the United Transportation Union.
companied by a $50 campaign con-
candidate who is seeking to succeed
)-Seaside, who isn't running for re-

D. Zafiratos of Astoria was elected
unty Bar Assn. recently. Thomas T.
elected vice president and Michael
strict attorney's office was named

mocratic legislative candidate Max
st week by the Paperworkers Union
ancial contribution accompanied the
a papermaker at the Crown Zeller-
ember of that union. There are some
pop County.

. . . Warrenton

From page 1

Baldwin argued that the petition deserved a full hearing anyway. He was overruled by the commission which backed Ostgaard's motion to ignore the petition.

The motion also contained a clause agreeing to a request by planning commission chairman Gil Gramson that his body be allowed to look at the bridge issue first and make recommendations to the city commission.

The planning commission will take it up May 29 at a work session.

Palmberg didn't like the further postponement of a decision on the bridge and muttered he might have to hire an attorney and start suing people.

He contends the state has the money it needs and can come up with a design the city wants and would do both if the city would press the matter.

The mobile home imbroglio erupted after city police officers notified Calvin Johanson and Ron Rhoads a mobile home the Johansons sold Rhoads must be moved.

It and about 35 others don't comply with a city ordinance restricting trailers to parks set aside for them.

Baldwin explained the city began issuing one year permits for trailers outside parks in 1958 for the express purpose of giving people a place to live temporarily while they constructed permanent homes on their property.

The Johansons took one out.

He said it soon became clear it wasn't working out. People were keeping their mobile homes on lots sans permits without bothering to build permanent structures.

As a consequence, the city repealed the ordinance in 1964. It decided no mobile homes would be allowed outside mobile home parks and notified owners of its decision via certified mail.

Baldwin produced documents showing the Johansons agreed to the city's conditions when they took out a one-year permit and again when they exercised their option to renew it for one additional year.

Only one renewal was permitted and the mobile home became illegal. Baldwin showed a signed slip indicating the Johansons received a notice their trailer was illegal and would have to be moved.

Mrs. Johanson appeared and didn't dispute the city's facts. She charged the trailer, since sold to Rhoads, wasn't hurting anyone and there are many others equally illegal which haven't been visited by police.

Rhoads made the same points, sometimes becoming angry. He said there were trailers all over the city in noncompliance.

Baldwin shot back, "Don't point the finger. Is yours legal?"

He said he resented implications the city was dealing unfairly with persons. He said the police will be giving every illegal mobile home occupant the same order as time permits.

A lot more arguing didn't solve anything and discussion was finally cut off. Baldwin said the parties could talk it over with the city attorney and himself and perhaps a plan for compliance could be worked out.

Obituaries

Dennis R. Harrison

Dennis Ray Harrison, 18, who was killed in a car accident at Forks, Wash. May 16, was the son of Mr. and Mrs. Robert E. Harrison, 928 F St., Centralia, Wash.

Both parents were originally from Astoria.

Mrs. Harrison was the former Merle Longtain.

Dennis graduated from Centralia High School in 1973 and was a foreign exchange student in Japan last summer. He was active in 4-H work in the Centralia area.

Besides his parents, he is survived by two sisters, Judith Delaney and Robin, both of Centralia, and one brother, Gary, Montesano, Wash. He is also survived by many aunts and uncles in the Astoria area and by his grandmother, Mrs. Louis Longtain, Youngs River.

Services were held at the Newell-Hoerling's Chapel with patient for the past three weeks.

The son of Joseph C. and Mabel Tennis Davis, he was born July 31, 1900, in Osage, Iowa. He received his education there and went to work as a fireman on the Great Northern Railroad during World War I.

He worked as the head welder for Harsch Machine Works for 20 years. He was living in Portland when he retired in 1962.

He moved to Nehalem where he lived for twelve years, and then moved to Seaside two months ago.

March 21, 1941, he married Wilma B. Logan in Stevenson, Wash. She survives him at their home in Seaside.

He was a member of the Machinist Union No. 63.

Besides his wife, he is survived by a daughter, Virginia, living in California; a brother, Glen Davis, Warrenton; a sister, Gladys Hagedorn. Vancouver, Wash.; three [illegible] years and then moved to Seaside in 1958, where he since lived.

In 1903, he married Maude Jamieson in Missoula, Mont. She died Aug. 21, 1969.

He was a member of the Christian Church of Seaside, the Evergreen Masonic Lodge No. 137 A.F.&A.M., Seaside, a past royal patron of Sunset Court of Amaranth, Seaside, and the Kelso Lodge No. 94 Lodge of Perfection.

Public graveside funeral services will be Thursday at Ocean View Cemetery at 10:30 a.m. Hughes-Ransom Mortuary, Astoria.

John W. Zuur

John William Zuur, 65, Oysterville, Wash., died Saturday in an Astoria hospital.

The son of Lawrence A. and Eileen A. Crutchett Zuur, he was born Jan. 14, 1909, in

He then
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Funer
p.m. W
Ransom

May 20, 1974

Oregon State Hiway Commission
Salem, Oregon

Sirs;

Warrenton's Skipanon bridge decision needs careful economic and environmental consideration. Many small businesses count on the bridges' present location. My Phillip's 66 station will be greatly affected by any new bridge construction. If left in the present location, construction and closure will drive me out of business. If put in another location it will do the same.

Please! Make sure in your final study of this decision that you take into consideration all aspects that are effected.

William C Hartley
Hartley's Phillip 66
120 E Harbor
Warrenton, Oregon 97146

DICK WALTER

Phone 861-1362
1012 MAIN ST.
EXCELLENT QUALITY
BUILDERS SUPPLY
Complete line of
BUILDING SUPPLIES

DAVE McDONALD

WARRENTON, OREGON 97146

May 15,1974

Oregon State Highway Dept.
Salem, Oregon

Dear Sirs:

We urge a great deal more consideration, including impact study, be given before Warrenton is blessed with a bridge of such architecural grandeur.

Very Sincerly
Warrenton Builders Supply
Dick Walter
Dick Walter Pres.

CABLE ADDRESS "BRAHA"

BRADY-HAMILTON STEVEDORE CO.
STEVEDORING • SHIP LINING
AREA CODE 503 / TELEPHONE 285-5242
5051 N. LAGOON AVENUE
PORTLAND, OREGON 97217

May 15, 1974

State Highway Commission
c/o Warrenton City Hall
Warrenton, Oregon

Attention: Mr. Dick Baldwin

RE: PROPOSED DRAW BRIDGE
SKIPANON RIVER
WARRENTON, OREGON

Gentlemen:

It has been brought to our attention that the State Highway Department is proposing to replace the existing bridge over the Skipanon River, near downtown Warrenton, with a new draw bridge. Brady-Hamilton is a general stevedore contractor in all of the Columbia River and Oregon Coast Ports. Our company performs frequent stevedoring activities at the Port of Astoria. We engage in loading a considerable volume of logs destined for Japan. More specifically, we will be loading logs supplied by Dant & Russel which will be delivered from their Warrenton log yard to the Port of Astoria via truck. These trucks will be required to cross the proposed bridge. Obviously, when this bridge is open, and this condition could be frequent during the summer commercial and sports fishing season, these log trucks would be prevented from proceeding to the Port of Astoria in a timely fashion. In other words, our longshore gangs would be standing by for cargo at the rate of $1,000 - $1,200 per hour. In view of the high freight rate for log vessels, further demurrage expenses would be incurred by the charterer.

Continued....

Brady-Hamilton does not recommend construction of this bridge and requests a full scale impact study be made by all applicable agencies prior to further proceedings that might enhance eventual construction.

Very truly yours,

BRADY-HAMILTON STEVEDORE CO.

Bruce Whisnant

BW:dg

cc: Dant & Russel
P.O. Box 469
Astoria, Oregon
Attn: M. Nygaard

135 S. W. 2nd
Warrenton, OR 97146
May 20, 1974

City Manager E. R. Baldwin
City Hall
Warrenton, OR 97146

Dear Mr. Baldwin,

I am writing with regard to the proposed bridge replacement over the Skipanon River in Warrenton. I personally feel it is totally unnecessary (not to mention the expense of such a project) and would benefit the minority and not the majority of residents in the area.

I would suggest an alternate plan; that being complete development of the existing mooring basin and lower river facilities. I feel this type of development would beneift the entire area and not just a small minority group.

I felt compelled to express my feelings in writing and would certainly appreciate your consideration of the above proposal.

Sincerely,

Donell K Dyer

Donell K. Dyer

CITY OF WARRENTON

WARRENTON, OREGON

May 16, 1974

We, the undersigned, believe modern means of highway transportation now take precedent over the earlier river usage. Of particular concern is such a river as the Skipanon above the Harbor Street bridge. We believe an evaluation study should be approved and directed by the Congress of the United States to ascertain the degree of navigability and the final bridge design.

A Teigel	9955 SW Arborcrest Way Portland, Oregon.
W. Rodgers Higgins	11131 S.W. Jerald Court Portland Oregon 97221
Gilbert L Cheney	4123 S.W. 40TH PLACE PORTLAND, OREGON 97221
Linda S. Gibbons	9264 S.E. Harney Ct Portland Ore. 97266
Alan T Powell	0359 S.W. Hunting Hills Portland, Ore.
Susan Gentry	1538 S.E. 122nd #3 PORTLAND, Oregon
Talent McSmith	16616 S.W. Oswego Indst. Rd. Lake Oswego Ore. 97034
J. A. Vandenberg	2211 S.W. 1st, Apt 305 Portland, Oregon-97201
Frances E Walsh	222 SW Harrison St 19B Portland, Oregon.
Norma B Rhoads	3010 S.E. 16th Ave. Portland Oregon 97236
Philip Ryan Jr	RT 1 Box 353 FOREST GROVE, ORE 97116
Edward D. Christie	17910 S.W. CHEYENNE WAY, TUALATIN, ORE.
Cinella Mosley	3546 N.E. 25 Ave, Portland 97212
Margaret Gunn	4920 N.E. Gilsan St. Portland, Ore., 97213
Victoria Amadeo	520 SW Yamhill Portland Oregon 97201
D B Haines Jr.	3595 CEDAROAK DR. Apt. #6 WEST LINN, ORE. 97068
Alice I Higbee	10831 S E 64, Milwaukie, Oregon 97222
Stanley Bishopsmith	2000 SW 5th Ave Portland, Ore 97201

8651
Analysis

5-20-74

Islands in Skipanon are center of possible land-use controversy

NOTED
E. S. HUNTER

By STEVE BAGWELL
Of The Daily Astorian.

WARRENTON — Another land-use dispute threatens to divide Warrenton in the coming days. Again it involves water frontage and use of a waterway. It will surface at a city commission meeting tonight.

At the heart of the issue are two islands in the Skipanon River both the city and local landowner Herb Palmberg claim they own and Dant and Russell claims it needs.

Dant and Russell and Palmberg each have applied for permits for projects which would use the same island frontage. The city has sided with the lumber firm.

The islands are located in a great bend in the river a few hundred feet above the bridge. Both once were part of a solid neck of land jutting out into the waterway, but a slough gradually isolated one and a man-made cutoff channel which now constitutes the main portion of the river isolated the other.

The neck of land and adjacent tracts once were part of the D.K. Warren holdings. When he died, the neck and other tracts in the area went to seven heirs.

The largest part of the property they inherited was included in a platted subdivision.

During the Depression, the heirs couldn't pay their property taxes and the county foreclosed on most of the tracts. The county then turned them over to the city.

The county and city both thought the land now making up the pair of islands was included in that foreclosed, but Palmberg didn't agree.

After a deal which would have sent the islands his way in exchange for property he owned elsewhere fell through, Palmberg felt he was being taken advantage of and began looking into records regarding the islands.

He said he discovered the county had foreclosed on the Warrens' platted subdivision, but not on pieces not part of it. The islands were among those other pieces, he said.

Palmberg said documents show only a tiny slice of the larger island, a slice which doesn't extend as far as the bank of the Skipanon bend on a survey of the property is completed, Palmberg explained.

The city disputes Palmberg's claim of ownership, though its attorney, Hal Snow, hasn't completed a review of records in the case.

On the basis of the ownership dispute, the city recently went on record opposing the granting of a Corps of Engineers permit application for Palmberg.

The city said it also had objections specifically related to Palmberg's plans.

Palmberg wants to put a row of pilings along the southeast side of both islands. He would moor dredges, barges, boats and related marine equipment on the pilings.

He would dredge a channel into the moorages, the Corps of Engineers permit application shows.

Palmberg lives on the east bank of the Skipanon immediately across the water from the disputed islands.

Dant and Russell wants to get an after-the-fact permit for its use of the entire Skipanon waterway starting at the mooring basin and running upriver for some distance past the big bend. It would restrict its use to certain limited time periods, however.

It has pilings on both sides of the river not recognized as legal by the Corps of Engineers and has had for many years.

It also has a log storage area which blocks the bend in front of the Palmberg place and covers territory he would use for moorages. The permit also would legalize this facility.

The City of Warrenton hasn't discussed the Dant and Russell permit application, though it opposes Palmberg's. However, it generally has sided with the lumber firm in a series of squabbles between loggers and boaters wanting to use the waterway.

City Manager Dick Baldwin explained Warrenton decided decades back to divide the river at the bridge, informally allotting the upper river to loggers and the lower to boaters.

He also noted Dant and Russell, previously Warrenton Lumber, pays the city 10 cents per 1,000 board feet for rental of log storage lands. He said the arrangement has been

He claims navigation activity wouldn't affect log booming much. And he said Dant and Russell dry sorts all its own logs now, only floating those of Boise Cascade, so wouldn't be hurt even it if couldn't use the water.

A marine engineer, Palmberg scoffs at claims boating would damage dikes. He said log booming batters dikes badly now and leaves sinker logs in the river.

He said the Corps of Engineers would dredge the river without charge and might contribute to dike maintenance in addition if the Skipanon was opened to navigation again.

A side issue has been the city's use of the larger island for diking materials, but Palmberg said recently he would allow the city to continue that use. He would have to dredge the islands out entirely to put in a mooring basin anyway.

Another side issue was whether the city's acquisition of all Skipanon frontage a few feet deep for dikes cut off property owners' access to the river. It has been muted now because the city is not taking this position, according to Baldwin.

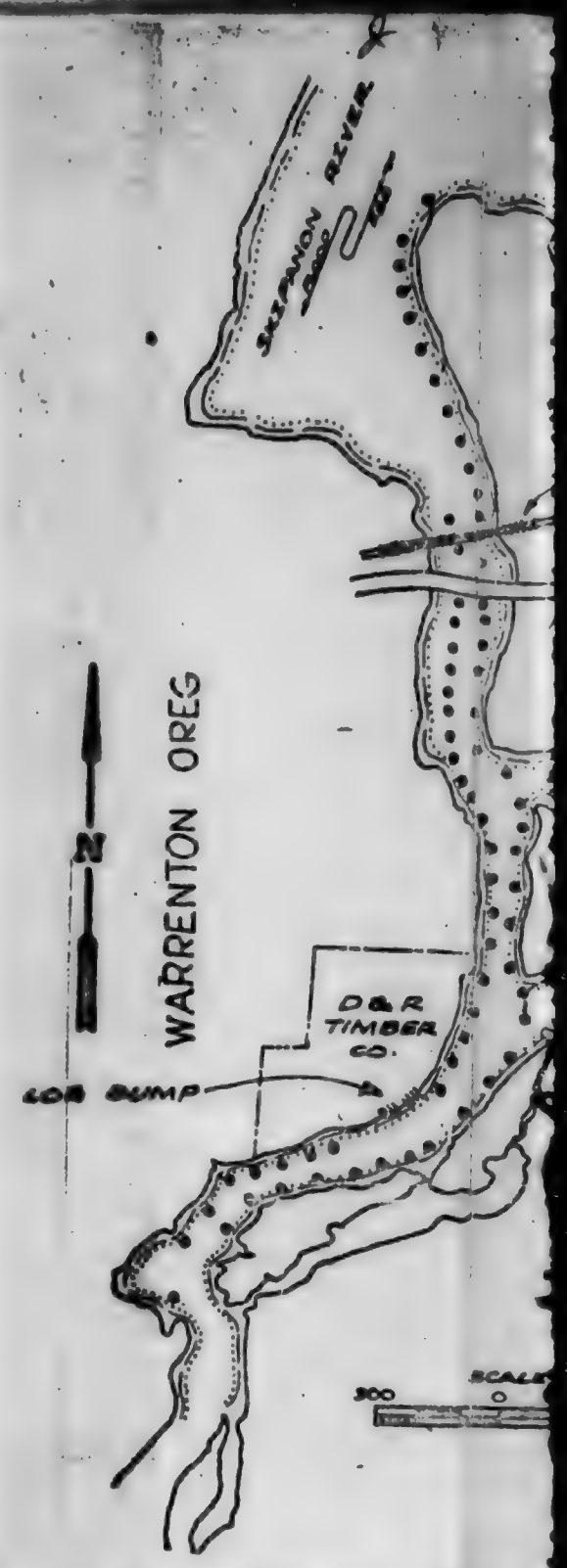
As for the main issue of the islands, it shares with the Skipanon Bridge issue the distinction of being out of the city's hands. The Corps of Engineers will decide this one just as the State Highway Division decided the former.

Dant and Russell reportedly is behind a petition going around Warrenton which would have the waterway closed to navigation above the bridge, the second or third such effort.

It also will be decided by outside agencies, though it isn't given any real chance of success by knowledgeable observers.

Yet the city has a lot to say about these matters even if it doesn't have ultimate decision making responsibility.

And it is going to have to look a long way into the future and determine how its waterways should be developed before going on record.



THIS MAP is taken from Warrenton lumber firm Dant and Russell's recent after-the-fact application for a Corps of Engineers permit to use the Skipanon River. It shows existing facilities and asks they be legalized. One of those facilities, the log storage

The islands are located in a great bend in the river a few hundred feet above the bridge. Both once were part of a solid neck of land jutting out into the waterway, but a slough gradually isolated one and a man-made cutoff channel which now constitutes the main portion of the river isolated the other.

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The largest part of the property they inherited was included in a platted subdivision.

During the Depression, the heirs couldn't pay their property taxes and the county foreclosed on most of the tracts. The county then turned them over to the city.

The county and city both thought the land now making up the pair of islands was included in that foreclosed, but Palmberg didn't agree.

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He said he discovered the county had foreclozed on the Warrens' platted subdivision, but not on pieces not part of it. The islands were among those other pieces, he said.

Palmberg said documents show only a tiny slice of the larger island, a slice which doesn't extend as far as the banks of the Skipanon bend on either side, was foreclosed by the county.

He said he contacted the seven heirs, who live all over the world, and offered to buy the islands from them for a nominal sum. He said they agreed to sell.

Palmberg said the transaction has been completed and the deeds recorded in his name at the Clatsop County Courthouse. They are on page 663 of book 388, 662 of 388, 248 of 389, 487 of 389, 246 of 389, 393 of 389 and 455 of 389, according to him.

He said Fred Warren, Betty Huntress, Dana Larson, Salley Allen, George Warren (not the one living in Warrenton), Barbara Ward and Francis Chapman sold him the property.

Mrs. Huntress also provided an affidavit stating the transaction included all living heirs to the best of her knowledge and Palmberg had it recorded at the court house as well.

He said the George Warren of Warrenton inherited other portions of the estate, but wasn't named in the part of the will disposing of the platted subdivision and adjoining lands.

A Portland title company looked over the records and made a report recommending he be given title insurance once [illegible] and related marine equipment on the pilings.

He would dredge a channel into the moorages, the Corps of Engineers permit application shows.

Palmberg lives on the east bank of the Skipanon immediately across the water from the disputed islands.

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He also noted Dant and Russell, previously Warrenton Lumber, pays the city 10 cents per 1,000 board feet for rental of log storage lands. He said the arrangement has been satisfactory.

In the original deal letting loggers have the run of the river above the bridge, Dant and Russell deeded land to the city to enable it to build its mooring basin below the bridge. The city has mentioned several times its moral commitment in making the arrangement many years ago.

The city also fears Palmberg's plans eventually will include a major mooring basin in the bend that would compete with the city's, drive Dant and Russell off the waterway and lead to dike damage.

All three would cost the city money.

Palmberg concedes he eventually wants to put in a mooring basin of some sort, but denies it will have any adverse effects.

Palmberg contends his basin would cater only to smaller boats which could pass under the bridge he proposes without requiring an opening. He said the Warrenton basin would be filled easily by bigger craft, noting there is a long waiting list to get a moorage there now.

city's use of the larger island for diking materials, but Palmberg said recently he would allow the city to continue that use. He would have to dredge the islands out entirely to put in a mooring basin anyway.

Another side issue was whether the city's acquisition of all Skipanon frontage a few feet deep for dikes cut off property owners' access to the river. It has been muted now because the city is not taking this position, according to Baldwin.

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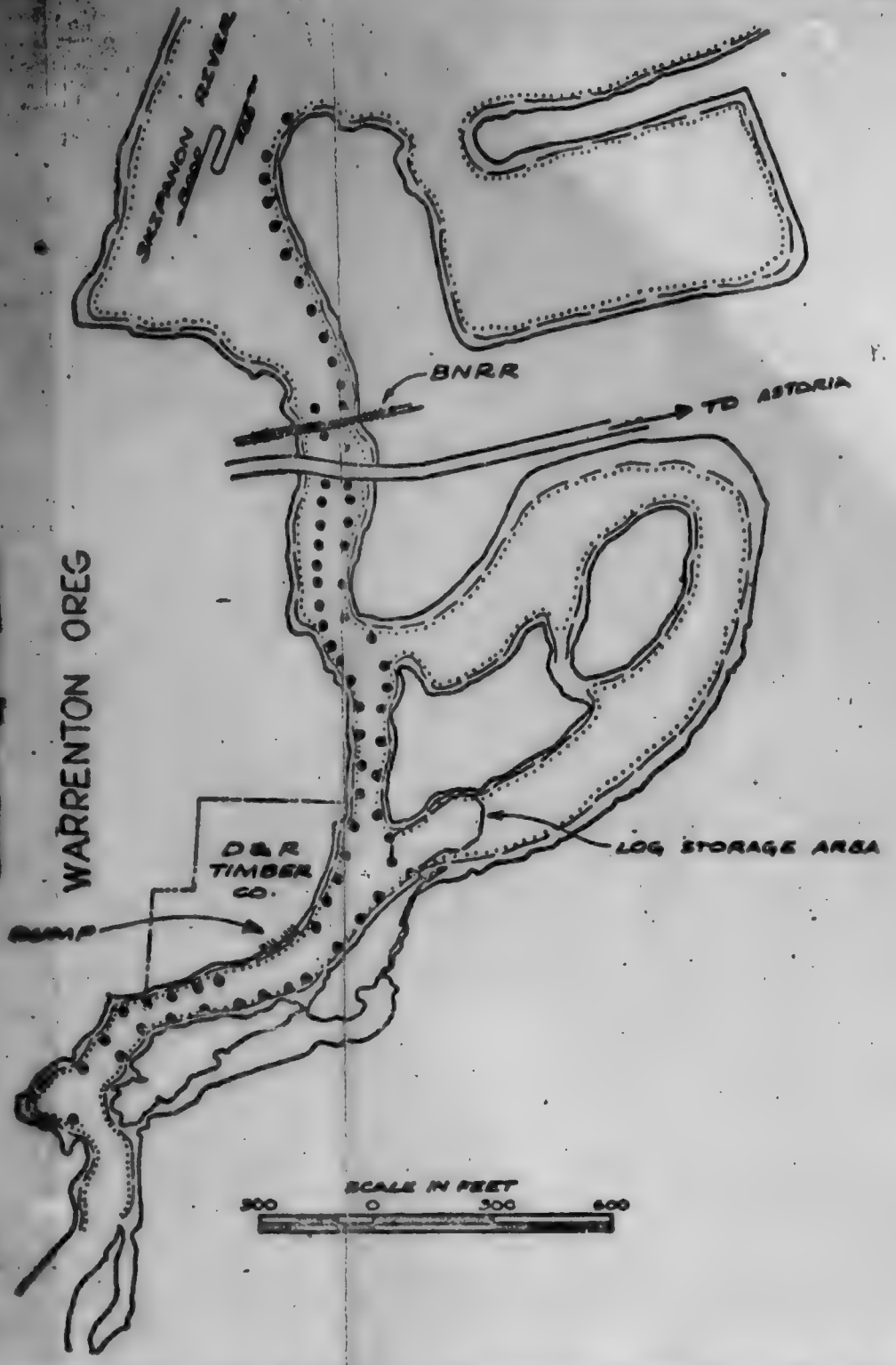

THIS MAP is taken from Warrenton lumber firm Dant and Russell's recent after-the-fact application for a Corps of Engineers permit to use the Skipanon River. It shows existing facilities and asks they be legalized. One of those facilities, the log storage area adjacent to an island in the big bend in the river, conflicts with a facility Herb Palmberg has asked the Corps of Engineers for permission to build. Palmberg claims he owns the islands; Dant and Russell and the City of Warrenton claim the city owns them.

8651

RECEIVED
MAY 20 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

DEPARTMENT OF JUSTICE

Memorandum

TO: File

DATE: May 17, 1974

FROM: Patrick A. Randolph, Jr.
Highway Division

NOTED
E. S. HUNTER

SUBJECT: Skipanon River Bridge Meeting in Warrenton - 5/14/74

On Tuesday, May 14, 1974, Chuck Fredrickson, Ed Hunter, Eldon Everton and I went to Warrenton to attend an informational meeting with representatives of the City Planning Commission and the Clatsop County Planning Commission. The meeting was also attended by Hal Snow, City Attorney, Hon. E. H. Baldwin, Municipal Judge, and approximately 30 members of the local community, including the principal parties in interest in the bridge dispute. Prior to this meeting, Chuck, Ed and I had lunch with Judge Baldwin and Mr. Snow.

At both the luncheon discussion and at the public meeting, Ed Hunter outlined the Highway Division's present position on the bridge issue. His remarks generally followed the discussion contained in the attached agenda notes, which were prepared in connection with the meeting but were never distributed.

Judge Baldwin, Mr. Snow, and virtually all of the city and county officials who indicated a preference seemed to feel that it was in the best interests of the city to seek a delay in the implementation of the Coast Guard order while the planning is completed and funds are obtained for the construction of a larger, higher bridge across the Skipanon Channel. The lone dissenter, although his position was somewhat ambiguous, was Mr. Palmberg's son, who also serves as a member of the Warrenton Planning Commission.

The city officials were somewhat less willing to agree to join in an effort to permanently change the bridge opening regulations in the event a drawbridge is constructed. Our proposal, which is to require opening either on 24 hours notice or only during certain set periods during the day (or both) was taken under advisement.

Although the city in a letter dated 1/22/74 had earlier indicated certain specific requirements for a new bridge, it was apparent at the meeting that many city officials were not firmly committed to those principles and were still interested in considering alternative plans. One alternative plan which received a great deal of attention at the meeting was a plan for a fixed span bridge which would enter the City of Warrenton at Second Street instead of at Harbor Drive, the present bridge connection (Alternative 3 in the hearing booklet). It should be noted that the mayor of Warrenton, who was not present at the Tuesday meeting, has in the past been the strongest proponent of the Harbor Drive location. Further, several representatives of the river navigation interests indicated that the 30 foot clearance for the fixed span bridge was probably inadequate for their needs.

A large number of written comments opposing the Highway Division's present plan for the 1916 type bridge were received.

Ed Hunter indicated in response to inquiries from Mr. Snow that the Highway Division had available planning personnel who could assist the city in evaluating the various alternatives. He pointed out, however, that the final decision as to which bridge will most benefit the community should rest with the city.

After the meeting, Ed spent about 45 minutes going over the alternatives in detail with interested public officials and local residents. During some of that time, I had an informal discussion with Mr. Palmberg, his son and son-in-law. I felt that Mr. Palmberg appeared to be far more reasonable in this setting than he did during the more public session. I believe that if he were confident that the Highway Division would now honor a commitment to construct an improved bridge within a 3-year period, he would participate in efforts to get the Coast Guard to alter existing operational regulations during the planning and construction period and also would withdraw his objections to further delay in compliance with the Coast Guard order. Mr. Palmberg believes that the Highway Division has been directly opposing his permit applications with the Corp. of Engineers because of the uncertainties in the bridge situation. He feels that if the bridge question could be finally settled, the Highway Division would no longer oppose his dredging and pile driving applications. To my knowledge and to Ed Hunter's knowledge, the Highway Division has taken no clear position with regard to the granting of the permits in question, although we have made inquiries of the Corp. of Engineers. I believe that Mr. Palmberg is correct, however, that the Highway Division would not oppose his permit applications if the activities which are the subject of the applications did not interfere with the planning and construction for the bridge. Of course, Mr. Palmberg is likely to meet further opposition to his permit requests from D & R Lumber Company, the City of Warrenton, and possibly the Department of Environmental Quality and other state agencies.

lc

cc: Ed Hunter
C. O. Frederickson
Eldon Everton
Walt Barrie
Jack Sollis
Hank Wakerlig
W. H. Tebeau
Bill Erwin

OREGON DEPARTMENT OF TRANSPORTATION

HIGHWAY DIVISION

Work Session re Proposals for Modification
of Skipanon Highway Bay Bridge
Tuesday, May 14, 1974
Agenda Notes

The basic purpose of this meeting is to informally discuss the present intent of the Highway Division with regard to the proposed replacement of the highway bridge over the Skipanon River at Warrenton. A public hearing with regard to this proposed work was held December 20, 1973 at 7:30 p.m. in Warrenton. Following that meeting, a study report was prepared by Division staff. A copy of that report has been sent to the city commissioners. The present meeting is not intended by the Highway Division as a renewal or review of that hearing. Today's meeting is simply an information session among governmental units. The session has been opened to the public in recognition of the spirit of the Oregon Public Meeting Law to insure that to the greatest possible extent the public is aware of the motives and direction of government decision making.

The Highway Division staff prepared for the earlier hearing a summary of proposed construction alternatives in booklet form. This booklet has been provided to the city commissioners. Reference will be to alternatives contained in that booklet.

I. Historical Background. The long history of the Skipanon Bridge discussions is a familiar story to most of the participants of this meeting. Therefore, only a brief historical background will be provided here:

In 1916 a federal permit was issued to Clatsop County for the construction of a hand-operated single bascule drawbridge across the Skipanon channel. In 1934, without obtaining a permit, Clatsop County replaced the drawbridge with a floatout span bridge closely resembling the present bridge. At that time a water main serving the City of Warrenton was attached to the bridge. In 1946, Clatsop County transferred the bridge to the Oregon State Highway Department in connection with the establishment of a state highway. The bridge was rarely opened in the intervening years. In June 1972, however, the Coast Guard ordered the Highway Department to reconstruct the bridge in conformance with federal regulations, requiring that the bridge be opened on demand.

The Highway Division has taken steps to respond to that order and the present schedule, approved by the Coast Guard, would call for award of the contract for the reconstruction work this month and completion of the work in July 1975. The Coast Guard has persisted in efforts to insure that the schedule is met and has rejected efforts by the Highway Division to consider the allowance of additional time in order to plan a new bridge that would adequately serve all segments of the community in the foreseeable future.

On January 22, 1974, the City of Warrenton communicated to the Highway Division certain principles it desired to be considered in choosing a bridge alternative. A copy of this letter is attached.

Recently the Palmberg Construction Company threantened in writing to attempt to force frequent openings of the floatout span bridge, even during the construction process, if there are any further delays in the reconstruction work.

II. Present Highway Plans

The bridge which the Highway Division now proposes to build across the Skipanon channel is basically the bridge described in the 1916 permit a single tower drawbridge with a 40-foot bascule, using a motor driven rather than hand driven lifting device. The bridge will take approximately 15 months to complete. (Alternative 2 in the booklet) During two or three months the Skipanon channel will be closed to navigation. For approximately a four-month period, also, traffic into Warrenton will be rerouted over the Oregon coast highway (U.S. 101). When the bridge is completed, it will be opened on demand to watercraft seeking to navigate the Skipanon channel which cannot pass under the bridge. The vertical clearance of the closed bridge will be approximately the same height as the existing railroad bridge across the channel.

III. Factors in Highway Division Decision

As the study report indicates, persons addressing the public hearing in December and other interested parties in the community are generally opposed to the reconstruction of the bridge in the 1916 format. However, there is no agreement on the type of bridge that should be built instead. This is partly explained by the fact that local and regional planning efforts are still incomplete. Therefore, it is really not clear at this time exactly what type of bridge will adequately fill all future needs.

It is this uncertainty that has led the Highway Division to conclude that the only proper approach to the intransigence of the Coast Guard and local navigational interests is to reconstruct the bridge in its 1916 format as a stop gap measure.

The cost of the 1916 bridge will be approximately $270,000. As indicated in the study report, the Highway Division staff has developed a plan for a bridge that would satisfy the immediate expressed needs of all community interests at present and would respond to the expressed desires of the city. This bridge is basically alternative 1 in the study report with a double bascule configuration. The cost of this bridge would be in excess of 1.2 million dollars. The Highway Division does not feel that this increased expenditure can be justified in light of the possibility that the bridge may have to be replaced within the not too distant future with one that is more consistent with local and regional planning.

Another factor having equal weight in the Highway Division's determination is the fact that the bridge plan B, the plan which might

go further in satisfying the community interests, could not be built within the time frame now established for compliance with the Coast Guard order. The Coast Guard's strongly worded letters insisting on compliance with its order in a timely fashion and the threat of repeated expensive and time consuming bridge openings as a result of the Palmberg Construction Company's policies render this alternative unfeasible.

IV. Impact of the Proposed Plan.

The Highway Division has been apprised of plans of the Palmberg Construction Company to develop a marina complex upstream from the existing bridges. The Division has also learned that the United States Corps of Engineers has ordered the removal of the Eighth Street Dam across the Skipanon channel, meaning that the channel will be navigable to a point considerably past that dam. These factors will lead to increased water traffic on the river. The result of the increased traffic will of course be frequent openings of the highway bridge. The impact on land traffic, even assuming no change in existing traffic patterns, will be significant. As indicated in the study report, each bridge opening will stop traffic for approximately 20 minutes.

The increased river traffic will further complicate the logging operations of the D & R Lumber Company presently being conducted in the upstream Skipanon channel. We have been informed by D & R that this fact may necessitate greater movement of logging trucks and other commercial vehicles across the bridge, thus adding to the existing land traffic described in the study report.

In light of these problems, the Highway Division has made every effort to avoid building the 1916 bridge, thereby resolving a problem which it did not cause with a more problematic solution that it does not espouse. As indicated above, however, all the efforts of the Highway Division have been frustrated.

V. Need for Local Input

Any bridge other than the 1916 bridge will have to be built either with federal funds or state bond bunds. In either case, it will be necessary for the bridge to be consistent with regional planning Thus there is a need to know what the County of Clatsop has developed as a regional plan before any alternative can be explored.

Critical elements of the planning process will turn on the position of the city with regard to navigation in the upstream Skipanon channel and on its desired downtown traffic pattern. The city must take positions in these areas before alternatives can be considered.

VI. Possible Alternatives

The Highway Division has not been able to unilaterly discover any reasonable alternative to its proposed course of action. There are however several possible alternative compromises which might be

effectuated by interested parties. The Division would be happy to assist in the implementation of any of these compromises.

A. Construction of alternative bridge B.

As indicated in the study report the Highway Division has developed a "compromise" bridge which would satisfy most of the concerns voiced at the public hearing and which would cost approximately 1.2 million dollars.* The first obstacle to this construction is the time factor. Because additional right of way would have to be acquired and because access to several existing businesses (including the Warrenton yacht harbor) would have to be altered, and further because of the complexity of the design of this bridge, additional time would be needed. It is estimated that this bridge could be built within a time frame of three years. This proposal would apparently be unsatisfactory either to the Coast Guard or to the Palmberg Construction Company. However, it may be that if all local interests were united in their desire to see this bridge constructed, and if money were forthcoming, the Coast Guard would see fit to permit an extension in the present schedule.

The second obstacle to this proposed compromise is financial. There is not sufficient money in the Highway Division budget to construct the alternate B bridge during the current fiscal biennium.

Under the Truman-Hobbs Act (33 USC 511, et seq) the Coast Guard may provide money to improve the bridge beyond the requirements of existing permits if such improvements would enhance navigation. It is evident in this case that navigation on the Skipanon channel may increase in the near future and that such navigation would be considerable benefitted by a higher bridge which would not have to open as often as the 1916 bridge.

Truman-Hobbs funds are not available for the modification of the bridge in order to serve the interests of ground transportation. Thus the appropriate parties to contact the Coast Guard with regard to the availability of Truman-Hobbs funds would be local navigational interests, including, presumably, Palmberg Construction Company.

B. Construction of the 1916 bridge with a modified operations procedure.

If the 1916 type bridge is constructed, the impact on local traffic could be considerably eased if the bridge were not required to be open for river traffic on demand, but only upon 24-hours notice. The Coast Guard might be amenable to such a solution if it emanated

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* Another proposal, alternative 3 of the booklet, may relieve certain local traffic problems for the same approximate cost, but would not be responsive to the city's January letter.

from representatives of the local community and if navigational interests in the channel also cooperated in the proposal.

In this connection it might be noted that the Burlington-Northern Railroad has for some time maintained a policy of opening its bridge only upon 24-hours notice. Representatives of the railroad have indicated to the Highway Division that the railroad has a permit to conduct bridge operations in this manner. If this is true, then there would apparently be no practical objection to permitting the Highway Division to coordinate its bridge operations with the railroad's on the same basis. However, Highway Division staff and attorneys have been unable to establish independently that the railroad bridge operations are covered by any regulations other than the open on demand requirement governing the highway bridge. Requests of the railroad to produce its permit or other evidence of legality of its 24-hour requirement have been unavailing.

An effort to change the operating regulations should be undertaken immediately in connection with the processing of plans for the construction of the new bridge. It may even be felt that under the 1916 alternative the 24-hour requirement would be necessary. It is doubtful that the Coast Guard will cooperate in modifying its regulations unless there is unified community support for such modification.

C. Retain the existing bridge until local and regional plans are complete.

The Highway Division has on several occasions attempted to delay implementation of the Coast Guard order in order to permit it to comply with state policy with regard to observance of local and regional plans. One purpose of the instant meeting is to ascertain how close to completion the Warrenton and Clatsop County plans are. If it is found that these plans are reasonably close to completion, and if, again, all interested members of the community agree that the best approach would be to resolve all future concerns with one bridge construction, then it might be possible to obtain the agreement of the Coast Guard to a short delay in the implementation of construction plans.

A necessary concomitant of this alternative would be the modification of Coast Guard regulations to suspend for the duration of the planning period any obligation to open the highway bridge to river navigation. Opening the floatout span bridge requires considerable time and expense. In light of the express threat of increased demands for such opening, the Highway Division can delay no further in the construction of the 1916 type bridge unless it is assured that this delay will not result in inordinate operations expenses relative to the existing bridge

bem

8651

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Salem, Oregon

May 16, 1974

MEMO TO THE FILE

E. S. Hunter
Assistant State Highway Engineer

Skipanon River Bridge near Warrenton, Oregon

The existing Skipanon River crossing of the Warrenton-Astoria Highway is a timber structure with a removable float-out center span. The bridge was originally constructed by Clatsop County under a permit issued by the Secretary of War, September 15, 1916. The permit requires a single leaf bascule span providing a horizontal clearance of approximately 33 feet 3 inches and a closed vertical clearance of approximately 15 feet from extreme low tides. The existing structure meets the vertical and horizontal clearance requirements and the State Highway Division is now under order from the Coast Guard to revise the center span to a quick opening variety to bring the structure in conformance with the 1916 permit. This order was brought about through the efforts of Mr. Herb Palmberg, who owns property immediately upstream from the crossing.

Following receipt of the order from the Coast Guard, the Division developed a plan for replacement of the center span. This plan made use of towers and a motor driven cable lift arrangement which would provide a quick opening single leaf bascule structure. This plan was presented at an informational public hearing held at the City of Warrenton on December 20, 1973. A consensus of the views presented at the hearing indicated that the structure as proposed, with lift towers, was not acceptable from an aesthetic point of view. In addition, there was some preference indicated for a structure with a greater closed vertical navigational clearance than the present bridge allows.

Several estimates have been prepared which take into account all the concerns expressed.

In view of the Coast Guard order, the local concerns expressed at the hearing and the lack of a firm position by the City of Warrenton it appeared that an informal meeting between the City of Warrenton, Clatsop

County and the Highway Division for the purpose of airing the alternatives available to the Highway Division and decisions needed by the local community was appropriate. I, therefore, wrote the Warrenton City Commission on May 2, 1974 suggesting that such a meeting be held on the afternoon of May 14. Both the City and the County responded by saying that an informal meeting to discuss the matter was appropriate and that they were agreeable to the May 14 date. A reporter for the Astoria paper learned of the meeting and advertised it as a public hearing in an article which he wrote.

The meeting was attended by four members of the Warrenton City Planning Commission, one member of the City Commission, the City Manager, and approximately 40 interested citizens.

The meeting was opened by the City Manager and soon turned over to me for an explanation of the problems facing the Highway Division. In my opening remarks I covered:

1. An explanation of the various alternatives available to the Highway Division for compliance with the permit.

2. The need for a unified stand by the community of Warrenton with regard to which alternative was acceptable.

3. The need for this decision caused by the time constraints placed upon the Division by the Coast Guard order.

4. The methods of funding available to the Division for the various alternatives.

5. The time frames involved in going to construction of each of the alternatives.

Following this initial discussion, several persons from the audience voiced their opinions and it appeared that a consensus would show preference for not constructing a draw span which would interrupt the free-flow of ground transportation or if the Coast Guard order prevails, the preference would be for a structure some 8 to 12 feet higher with a draw span subject to opening at specified times only. Several letters were given to me voicing opinions on the project and copies of these are attached.

The meeting was then closed by the City Manager and I discussed in detail with the City Officials all of the alternatives presented and

requested that they consider these thoroughly and present to the Highway Division within a month their firm position on which alternative they preferred and a firm position on the ramifications concerned with that particular alternative such as:

1. Designated opening hours.

2. A land use plan for development of the shores of the waterway upstream from the bridge.

3. A commitment for their support in any requests to the Coast Guard for opening revisions or delays in initial construction associated with their selected alternative.

I was advised that the Planning Commission and the City Commission would make their decision within the next two or three weeks and advise me of their findings.

I expect the City response will request reconstruction of the bridge in its present location to a bascule span with an increased closed vertical clearance of approximately 10 feet and straightening of the approach curves at the easterly end, all to be accomplished with a minimum damage to adjacent properties and preservation of the existing access points to the Warrenton moorage basin. If this is the response, it would appear that we have no other option then to comply and with reduced revenues, the project would require programming under Federal Aid Secondary Funds. The Secondary Funds are committed through July 1, 1976. Preparation of the project will probably take two to two and a half years as there will be right of way involved, an environmental impact study and at least a combined corridor-design hearing. It would appear then that a project of this nature could be contracted in 1976 and I believe the Coast Guard would approve a request for an extension of time to comply with the 1916 permit.

At the Tuesday meeting, the City Officials indicated that even though they did not favor the tower and cable lift span proposal, they did recognize that if the Coast Guard would not grant an extension of time, the Highway Division would have no alternative other than to proceed with the tower and cable lift proposal.

ESH:jf
Attachments
cc: F. B. Klaboe
A. E. Johnson
Walt Hart
V. D. Wolfe
C. O. Fredrickson
E. L. Everton

Warrenton, Oregon
May 14, 1974

To Whom It May Concern:

In the matter of the purposed bridge over the Skipanon River in Warrenton, I am Not For any of the designs published so far. If a bridge can be constructed that can remain in position, it would be agreeable with me. As a general rule, now, the raising and lowering of it is requested by one individual. Supposedly there will be many who will be using the River, so they say, for mmorage of commercial boats, pleasure boats, and whatever. The River channel, as it is now will need a lot of dredging, to make it deep enough for the boats to operating.

Speaking of Navigable Streams, which is what the Skipanon River is said to be. The stream flows only as far as the dam at 8th street, and that would be as far as any traffic can travel, at the present time. We own property on S.E.5th street, which was built on fill material, and at low tide times, there isn't any water in the River bed. Also since the dam was constructed, our place has been completely inundated by the winter high tides, when there have been storms at sea. Our home had to be raised on foundation blocks, so we could maintain our place of residence. Many times, we have almost needed a boat at our door step, to get out of the house. This indicates one extreme, and another. If this whole River bottom were to be dredged out for River traffic, there would have to be retaining walls constructed completely around our property, or the property would wash into the River, because it originated from the River dredgings.

Back to the bridge and the reason for same. They say commercial fishing boats will be moored other than at the City Basin. I'm wondering where, and at what price and sacrifice? The bridge that has to be raised for poles on commercial fishing boats, would and could be the monstrosity shown in pictures in newspapers. If the commercial fishing boat poles can be lowered to the side for fishing, why not to the front or rear of the boat, to eliminate the need for a higher rising bridge for them?

So far, I'm not sold on the purposed bridge, nor the published reasonings for it.

R. A. Wilson

STANDARD OIL COMPANY OF CALIFORNIA
WESTERN OPERATIONS, INC.

10 - Fifth
Astoria, Oregon 97103

May 14, 1974

Highway Department
State of Oregon
Salem, Oregon 97310

Gentlemen:

I am the Standard Oil Distributor in Clatsop County. My trucks make an average twelve trips a week from Astoria into the Warrenton area in order to deliver petroleum products.

I do not feel the proposed bridge is in my or my customers' interests in that it would cause unforeseen delivery delays. I also feel this bridge is not in the public interest because of the unnecessary expense.

I request that an impact study be made or at least a public hearing be held because of the above objections.

Sincerely yours,

Tom Carmichael

Tom Carmichael

RONALD L. MILLER
ATTORNEY AT LAW
220 8TH STREET
ASTORIA, OREGON 97103
503/325-2931

May 14, 1974

Oregon State Highway Commission
c/o Warrenton City Hall
Warrenton, Oregon 97146

Gentlemen:

Please be advised that as a local property owner and one who uses both the Skipanon waterway and the highway that crosses it, I am opposed to the Skipanon bridge as proposed.

It seems obvious that this type of structure would serve no useful purpose and would cause a hardship. It would be unfair to make thousands of people wait for this bridge to open and close many times a day. The only reasonable approach to this problem, at least if common sense means anything and I'm not sure it does in this age of governmental red tape, is to construct a bridge high enough to allow most boats to pass under, which needn't necessarily open at all. It would therefore seem that further study need be given this problem and a means found to avoid the preposterous result of the structure as proposed.

Sincerely,

Ronald L. Miller
Attorney-at-Law

RLM/cl

Dant & Russell, Inc.
Pacific Coast Forest Products
2000 S. W. Fifth Avenue
Portland, Oregon 97201

CABLE "DANTRUS" PORTLAND
TELEX 36-0623
ALL CODES

TELEPHONE
503-226-2311

May 14, 1974

Highway Department
State of Oregon
Salem, Oregon 97310

Gentlemen:

We wish to submit the following letter to you on behalf of Dant & Russell, Inc., 2000 S. W. Fifth Avenue, Portland, Oregon.

We among others object to the proposed new bridge plan for the Skipanon River for the following reasons:

1. There is heavy log truck traffic between up-river and Washington points and our sawmill. Also, D & R trucks transport approximately 100 million feet of lumber each year from our mill yard to the Port of Astoria, plus logs are hauled from decks in our yards to ships loading in the Port. Delays due to bridge openings would result in great expense to us, inconvenience in loading schedules, etc.

2. There would be delays in fire truck and ambulance service.

3. The proposed development of Tansy Point, AMAX, the leased coal-loading facilities on the Skipanon may put traffic burdens on the proposed bridge which it cannot handle.

4. Inconvenience and loss of revenue to local businesses would result from, first, a nine-month construction period and, second, a loss of traffic through Warrenton due to the proposed frequent bridge openings of 15 to 20 minutes. Oil deliveries, school buses, garbage trucks, shopping traffic, etc., will also be subject to delays without notice.

5. We object to the cost to the public of rebuilding, maintaining and operating a bridge which ultimately may prove to be very unsatisfactory and also to the cost of continuous maintenance of the dikes.

6. During the construction period, the City of Warrenton Mooring Basin will be completely isolated from the City of Warrenton. All traffic between downtown Warrenton and its Mooring Basin will have to detour around Highway 101. Patrons from the Warrenton Mooring Basin during the construction period would likely do their shopping in Astoria rather than in Warrenton.

For the foregoing reasons, we urgently request that there be an impact study made by all agencies concerned, including the Coast Guard, the Highway Department, the Corps of Engineers and the City of Warrenton.

Thank you.

Very truly yours,

Martin Nygaard

Martin Nygaard

rh

1485 S. E. Anchor
Warrenton, Oregon 97146
May 14, 1974

Highway Department
State of Oregon
Salem, Oregon 97310

Gentlemen:

I am a commercial fisherman.

I don't like the bridge on the Skipanon River as proposed. I think the bridge should stay as it is. If more moorage is needed, the City of Warrenton's Mooring Basin should be expanded.

Thank you.

Sincerely yours,

Norman Johnsen

BERGERSON NORTHWEST

P. O. Box 174, Hammond, Oregon 97121
(503) 861-2251

• Building Materials • Trusses • Pre-Fabricating • Pre-Cut • Manufacturing • Modular Homes • Masonry

May 14, 1974

City Hall
147 S. Main
Warrenton, Oregon 97146

Gentlemen:

We have never voiced our opinion in the matter of the proposed Skippanon drawspan. In the last newspaper report the State reportedly said that there would be a considerable length of time in construction; and that during this construction period the route to Hammond from Astoria would be closed.

We are engaged in retail building materials and construction with 80% of our market area in Astoria. By the closure of this route we are not only inconvenienced but I feel that we would be economically affected to the point of closing our retail outlet. We are opposed to any closure of this route even if it means no new structure at all.

We sincerely hope that the bridge problem can be settled to everyones satisfaction.

Sincerely,

Charles W. Bergerson
President

CB:js

THE PORT OF ASTORIA

At the entrance to the mighty Columbia River

P. O. BOX 569 ASTORIA, OREGON 97103 PHONE (503)325-4521

COMMISSIONERS:
J. FRANK HOAGLAND, PRESIDENT
MARTIN E. WEST, VICE PRESIDENT
JAMES T. CAMPBELL, SECRETARY
ALBERT RISSMAN, TREASURER
HOWARD B. JOHNSON, ASST. TREASURER
GEORGE R. GROVE, GENERAL MANAGER

May 14, 1974

Department of Transportation
Highway Division
Salem, Oregon

Dear Sirs:

The Port of Astoria hereby goes on record objecting to the proposed Skipanon River bridge for two reasons.

First, it is our understanding that the Highway Division does not plan on providing a by-pass on Harbor Drive while constructing the new bridge. If this is the case, the effect would be to raise the cost of receiving lumber at the Port. The supplier of the lumber is in Warrenton. If the supplier has to use Main Street to Highway 101, it will about double his delivery time. Our charges are based on per thousand per day delivery rate. Therefore, we either raise our charges or absorb the extra costs.

The other reason is that if this new span is a lift or draw span, there will be delays of approximately 15 minutes. Those delays will have the same effect upon the Port as stated above.

The Port of Astoria asks that the Highway Division declare a moratorium on any plans or construction on this proposed bridge; the moratorium to be in effect until the plans for the possible industrial sites west of the Skipanon River are developed. Also, the Port of Astoria has an option out on fifty acres east of the Skipanon River and if this option is exercised and the area is developed, there could be a need for a change in Harbor Drive and the approaches to the bridge.

Respectfully submitted,

PORT OF ASTORIA

G. V. Packard
Traffic Manager

GVP:sc

BOISE CASCADE TIMBER PRODUCTS
130 N. Holladay • Seaside, Oregon 97138
Telephone (503) 738-5142

Oregon State Highway Department

Gentlemen:

In regards to the proposed re-construction of the Skipanon River Bridge in Warrenton, Boise Cascade Corporation is strongly opposed to such construction until a thorough investigation is made.

The investigation should include reasons for the re-construction and its ultimate impact on our water log storage and the potential slowdown of our log trucks going in and out of Warrenton Lumber's mill.

Sincerely
Shannon C. White
District Supervisor
Boise Cascade Corp.

TEXACO

R.L. DELPHIA
411 INDUSTRY
ASTORIA, OREGON 97103
Phone 325-2282 or 325-2999
HEATING OIL DISTRIBUTOR • EQUIPMENT SALES, SERVICE & INSTALLATION

City Manager
City of Warrenton
Warrenton, Oregon

May 13, 1974

Attention: Planning Commission

Gentlemen:

I am writing to you in protest to the proposed draw bridge over the Skipanon River. As a very frequent user of the present bridge by my company equipment, I can envision many frequent delays which at the present time we do not experience. I believe it would behove the city of Warrenton Planning Commision to have an Impact Study prior to any definate action on proposed bridge. As for the drawing shown in the Daily Astorian of the proposed bridge and any aesthetic value, it leaves much to be desired.

Fuel Chief
OIL HEATING EQUIPMENT

Sincerely,

R.L. DELPHIA

R L Delphia

A. F. (BUD) CHARLTON, PRES.

TELEPHONE AREA CODE 503
861-1233

WARRENTON DEEP SEA, INC.
RT. 1, BOX 27
WARRENTON, OREGON 97146

May 13, 1974

State Highway Commission
c/o City of Warrenton
Warrenton, Oregon

Re: Bridge on Skipanon

Dear Sir:

Before any plans are finalized and any money is spent for construction of the proposed structure, an impact study should be conducted, particularly as to the effect on local and emergency traffic patterns.

Sincerely,

A.F. "Bud" Charlton

A.F. "Bud" Charlton
President

bb

MAY 11TH 1974

STATE HIGHWAY COMMISSION

SIRS:

AS A TAXPAYER IN THE CITY OF WARRENTON I WOULD LIKE TO SEE A FURTHER DETAILED STUDY MADE ON THE NEEDS OF THE CITIZENS OF WARRENTON IN THE MATTER OF THE PROPOSED NEW SKIPANON BRIDGE

THE PROPOSED BRIDGE THAT WAS PICTURED IN A RECENT ISSUE OF THE DAILY ASTORIAN DOES NOT SEEM FITTING TO THE TYPE OF PROGRESS THIS CITY AND COUNTY ARE SETTING OUR SIGHTS ON.

SINCERELY

RICHARD MAIZE

MAIZE'S SENTRY MKT
190 S. MAIN
WARRENTON ORE. 97146

NOTED
E. S. HUNTER

Daily Astorian 15 May '74

Bridge proposal highly conditional

Skipanon alternate plan offered

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—The State Highway Division gave the City of Warrenton an alternative to the state's unpopular Skipanon Bridge plan Tuesday, but the offer is highly conditional.

The state promised to build the bridge the city wants if the city doesn't mind waiting three years for construction to start, if the Coast Guard will allow the additional delay and if the federal government will foot a large portion of the bill.

Highway division engineers said the city would have to decide which one of eight alternatives to the present plan it wants within two months if machinery is to be set in motion to get the delay and secure federal funding.

Assuming the city goes along, and it appears it will, the state will attempt to build a bridge with increased clearance, improved alignment, provisions for detours during construction and a more pleasing design.

Highway division representative Ed Hunter said if the city agrees on an alternative with the delay, he is certain the Coast Guard and federal government will come through and make a better bridge a reality.

Otherwise Warrenton will get what the state proposed last week, a bare bones bridge that pleases no one.

Hunter made the offer during what was billed as a joint city commission-planning commission work session Tuesday afternoon.

Though Hunter complained he hadn't intended the affair to be a public one, about 50 people jammed the city hall for the meeting and not one approved of the original state plan.

In addition, City Manager Dick Baldwin gave the state a stack of letters from people he said he urged to give written testimony instead of coming to the meeting. Every letter in the stack objected to the bridge outlined last week.

Highway interests, mainly people and firms involved in logging, complained about the lack of detour plans and the repeated bridge openings and hence traffic delays if a bridge without adequate clearance was built.

Navigation interests objected to the lack of clearance which would force them to keep calling for bridge openings.

Citizens and city officials were displeased about the bad alignment and poor design featuring a high tower that has been described uncharitably..

Several people noted that without a detour route, emergency vehicles would be delayed for unacceptable periods of time during construction work.

Businessmen didn't want downtown and the mooring basin cut off from easy access, especially during the summer tourist season.

It appears nearly everyone will support a plan for a better bridge three years from now instead of the state's bridge on the current schedules.

The only person seemingly sure to object to any further delay is Herb Palmberg, a Warrenton resident representing navigation interests who has spearheaded demands for bridge reconstruction. He engaged in some verbal exchanges with Hunter in which he criticized some of the state's claims.

The thrust of Palmberg's argument is that the state could build a good bridge now, but prefers to drag its feet.

The city and citizenry don't seem likely to worry about the three-year time lag. And of course logging interests who never have been too happy with bridge plans of any sort won't object to a delay.

The parties are most likely to agree on one of two alternatives in the state's book of possible plans.

One would provide a fixed span with 30 feet of clearance that would shift the entrance to the city to Second Street. The other calls for a 10-12 feet higher quick-opening span at the present site, possibly with restricted opening times.

Either would cost around $1.5 million or more by the time construction could start, most from federal coffers, the rest from state revenues.

Baldwin wants to opt for one of these plans or some kind of similar plan for a better bridge. "We must demand a bridge which will stand the test of time," he said.

Only two city commissioners were present at the afternoon session, but both agreed. Six planning commission members present weren't asked flatly to state their views and didn't.

The planning commission will meet on the matter soon, perhaps May 29 or even before. The city commission will consider it Monday night at its regular meeting.

15 May
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ASSISTANT STATE HIGHWAY ENGINEER

E. S. HUNTER

THE DAILY ASTORIAN

101ST YEAR, NO. 221 TUESDAY, MAY 7, 1974 10 CENTS

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Artist's conception of proposed Skipanon bridge

Skipanon bridge design blasted

Highway Div. plans unchang

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—Protests, petitions and public testimony have had no effect on Oregon State Highway Division plans to perform only the barest remodeling of the Skipanon Bridge in downtown Warrenton, the Warrenton City Commission learned Monday.

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It would comply by building a 50-foot tower over the center of the waterway to provide speedy mechanical lifting of a 42-foot center section called a "steel single-leaf bascule."

The bascule would replace the present float-out section which requires days of

called for a span with increased vertical clearance and improved alignment.

They have lobbied for elimination of the tall tower which violates their newly adopted land-use plan and for detour provisions during construction.

City Manager Dick Baldwin said this mornirg he is certain the city will stick with its positions on the latter two points at

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Of The Daily Astorian

WARRENTON—Protests, petitions and public testimony have had no effect on Oregon State Highway Division plans to perform only the barest remodeling of the Skipanon Bridge in downtown Warrenton, the Warrenton City Commission learned Monday.

Though the state concedes its design "is less than desirable from an esthetic viewpoint," "is not entirely responsive to the desires voiced at the hearing" and won't be "compatible with future planning for Warrenton," it contends its plan is the only one economically feasible and possible to carry out within the time frame laid down by the U.S. Coast Guard.

The state plan is the same one presented in July 1973 and pushed at a December session in Warrenton. It calls for no increased clearance, no detour during construction and no change in alignment.

The state proposes to meet only the letter of the 1916 Coast Guard permit as it was ordered to do by that body in January of 1972 after Herb Palmberg protested the present bridge didn't conform to standards.

It would comply by building a 50-foot tower over the center of the waterway to provide speedy mechanical lifting of a 42-foot center section called a "steel single-leaf bascule."

The bascule would replace the present float-out section which requires days of notice and hours of work to remove for boat passage.

The remodeling would cost $271,000 and take about nine months. During four of those months, the roadway into downtown Warrenton would be cut off. During two or three of those months the waterway would be closed to traffic.

The highway division admits it would prefer to do even less. It repeatedly has attempted to have the waterway closed permanently to navigation or the Coast Guard order delayed indefinitely.

The City of Warrenton hasn't been happy with the state plan since the beginning and isn't happy with it now.

The Warrenton Planning Commission and Warrenton City Commission both have called for a span with increased vertical clearance and improved alignment.

They have lobbied for elimination of the tall tower which violates their newly adopted land-use plan and for detour provisions during construction.

City Manager Dick Baldwin said this mornirg he is certain the city will stick with its positions on the latter two points at a public hearing set tentatively for May 14, even if it doesn't demand the improved clearance and alignment as it has previously.

City critics have called the tower "something my kid would put together out of an erector set," "a Texas windmill," "an oil derrick with a tool shed on top," "horrible," "hideous" and several other things, not all of them printable.

The Skipanon Bridge in downtown Warrenton will be closed to highway traffic most of Wednesday afternoon and evening so it can be opened for boat passage. The state highway division said the span will begin opening at 2 p.m. The process takes a number of hours.

They are adamantly opposed to rerouting traffic around on Highway 101 during construction, citing the delay to log truck traffic, tourist traffic and, most importantly, emergency traffic.

In the past, they have insisted on some realignment.

Clearance isn't quite so important to city officials, perhaps because community feeling on it isn't unanimous.

However, Palmberg and nearly all navigation interests have demanded increased clearance.

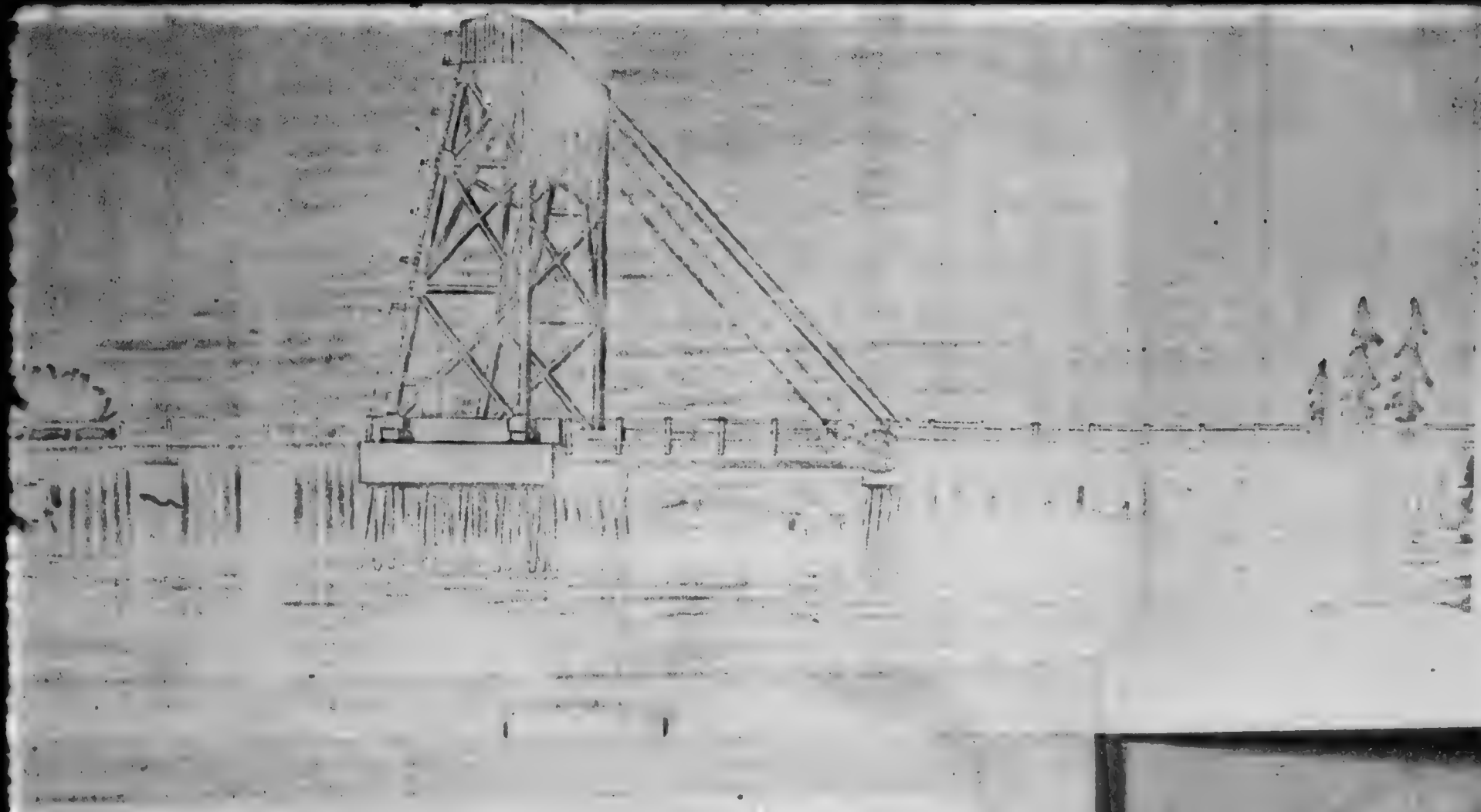
Nearly everyone testifying at the highway division's public hearing insisted on the additional clearance, a state report to the contrary not withstanding.

The state admitted the majority at the hearing favored more clearance, but called plans for a higher bridge too expensive and too time-consuming. It said it would take $1.2 million and a minimum of 54 months to put in a proper bridge.

Palmberg, a prime mover on the project, has scoffed at that. He cites his engineering degrees and expertise gained in long years of work as an engineer in making his assessment.

The state cites reports by its own engineers in contradicting Palmberg.

Palmberg claims the state is



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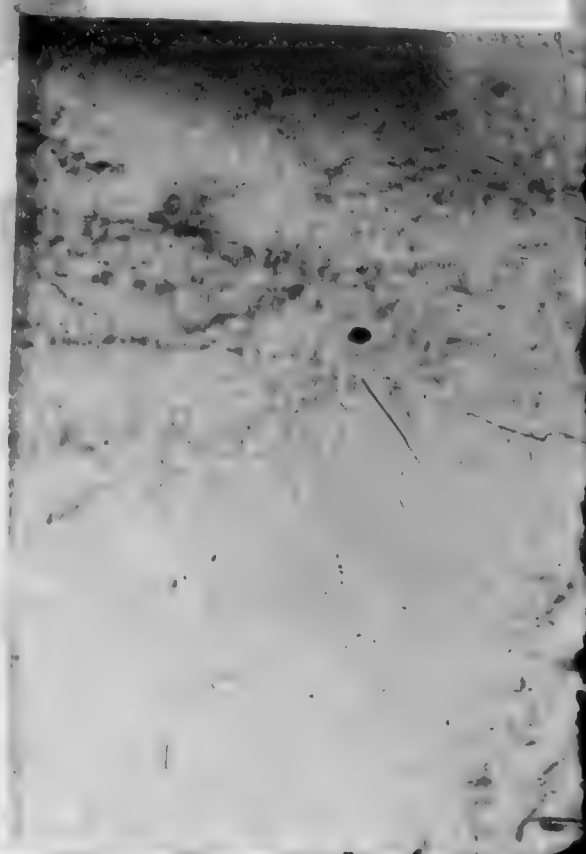
Clearance isn't quite so important to city

deliberately skewing the results to suit its desires.

The argument hasn't been settled. It isn't likely to be settled May 14 when the sides sit down in the Warrenton City Hall to thrash it out once again either.

But perhaps the city and state can come to terms on other aspects of the proposed work. Warrenton officials expressed that hope Monday.



8651

May 2, 1974

Warrenton City Commission
City Hall
Warrenton, Oregon 97146

NOTED
E. S. HUNTER

Gentlemen:

Enclosed is a copy of the study report and associated documents for the Skipanon River Bridge including an evaluation of the public input received at the hearing held December 20, 1973. Also enclosed is a copy of Corps of Engineers' public notice concerning the Palsberg Construction Company application.

We are recommending a single-leaf bascule span at the present site with navigational clearances as they exist, which is essentially our proposal as presented. This course of action can comply with the Coast Guard order within the time frame imposed.

We realize that this decision is not entirely responsive to the desires voiced at the hearing, but we consider it as an interim solution to a complex problem without any expectation that the bascule span will be compatible with future planning for Warrenton. It would appear unwise to commit any more funds than necessary for compliance with the permit at this time. In view of recent legislation on comprehensive planning statewide, it is our desire to coordinate our highway planning with future land use and transportation planning in order to meet the needs of the communities involved.

Before proceeding with the project, it would be appropriate to meet with the affected persons for the purpose of explaining the options open to us and the affect these options would have on the community. I would suggest

that the meeting include representatives of the City of Warrenton, Clatsop County, Dant and Russell, Burlington Northern and H. S. Palmberg. Senator Holmstrom is also interested in the project and may wish to attend.

Since the Coast Guard has refused to reconsider its order to bring the bridge into compliance with the 1916 permit, I suggest the meeting be held within the next two weeks and preferably on Tuesday, May 14, in the City Offices as it appears necessary to either begin construction this summer or request another deferment of the Coast Guard order. I will call you to finalize the arrangements.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

Enclosures

WHT:mc/ESH:jf

bc: F. B. Klaboe
A. E. Johnson
Walt Hart
V. B. Wolfe
C. O. Fredrickson
E. L. Everton
Pat Randolf

Tues. 14th
(City Hall
1:30 PM.
John Cooley Astoria Co

2 - 8651

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

SALEM, OREGON 97310
TELEPHONE: (503) 378-6368

211 State Highway Building

May 2, 1974

NOTED
E. S. HUNTER

Harland F. Moy
Director of Engineering
Burlington Northern Railway
P.O. Box 571
1101 N.W. Hoyt Street
Portland, Oregon 97207

Dear Mr. Moy

As you know, the Highway Division is involved in a planning process relating to the reconstruction of the Skipanon River Bridge at Warrenton.

As I read 33 CFR 117.740, both the Highway Division bridge and the railroad bridge operated across the Skipanon River at Warrenton must be opened immediately upon signal from watercraft proposing to navigate the river.

In our earlier discussions, you indicated to me that the Burlington Northern required twenty four hours notice in order to raise its bridge over the Skipanon. You further indicated that the Burlington Northern had obtained a permit from the Coast Guard to conduct bridge operations in this manner. This struck me as somewhat puzzling at the time since I had read 33 CFR 117.740 and this regulation seemed inconsistent with your bridge operations. At my request you agreed to send me the federal permit and related information. Needless to say, the exact legal position of your bridge operations is of vital concern to us in determining the appropriate response to the Coast Guard order that our bridge be opened immediately upon demand.

Several weeks after our original call, you sent me a Xerox copy of 33 CFR 117.740 and a permit for the construction of your bridge.

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ASSISTANT STATE HIGHWAY ENGINEER

Neither of these documents indicates that your bridge may be opened only upon twenty four hour notice. I am, therefore, still somewhat puzzled as to the exact legal position of your bridge operations.

Actions taken by the Highway Division with regard to the Skipanon River highway bridge will undoubtedly have a significant impact on navigation in the channel and therefore upon your bridge operations as well. I believe that it would be in your best interest to assist us in developing a complete body of information on this matter so that an intelligent decision can be made as to our future policy with regard to the Skipanon Bridge.

I would appreciate hearing from you or your General Counsel's office with regard to this matter at your earliest opportunity.

Sincerely yours

Patrick A. Randolph, Jr.
Temporary Assistant Attorney General

PAR:hg

cc - General Counsel - Burlington Northern Railway
E. S. Hunter, Assistant State Highway Engineer

Dictated but not read.

8151

May 1, 1974

Mr. H. G. Palmberg
Palmberg Construction Company
P. O. Box 448
Warrenton, Oregon 97146

Dear Mr. Palmberg:

The design plans for restoring the movable span of the Skipanon River Bridge to 1916 navigational permit conditions are completed. A copy of our latest estimated construction schedule is enclosed. Adherance to this projected schedule will be determined in part by continuing negotiations with the City of Warrenton.

One minor problem in delaying commencement of work on the project. The City of Warrenton has a six-inch water main attached to the existing bridge and to further complicate matters, the City does not have the financial resources available to relocate that main. Also we have been experiencing some difficulty in establishing a location for the relocated water main.

We anticipate that some problems due to material shortages may be encountered during the project construction. This is particularly true in the area of the machinery for the movable span. Delays in the receipt of any of the machinery components could extend the project completion date.

Every effort is being made to resolve any of the unanswered issues relative to the Skipanon River crossing. With cooperation from the many individuals and agencies involved we would hope by the fall of 1974 to commence work

on restoring the movable span to the 1916 permit conditions. Restoration of the movable span is proposed with a single-leaf span and towers that will provide the vertical clearance specified in the permit. This is the plan which was presented at the public hearing at Warrenton in December of 1973.

As you know, there are other options open to the Highway Division for reconstruction of the Skipanon River crossing, however, each would require considerable more time for preparation to contract letting and more actual construction time.

I have proposed a small informal meeting of the affected individuals and have enclosed a copy of the letter to the City of Warrenton requesting such a meeting.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

Attachments

cc: U. S. Coast Guard
400 Seventh Street S.W.
Washington, D. C. 20590

Commander (oan)
13th Coast Guard District
618 Second Avenue
Seattle, Washington 98104

bc: F. B. Klaboe
A. E. Johnson
Walt Hart
V. D. Wolfe
C. O. Fredrickson
E. L. Everton
Pat Randolf

WJH:dh jf

PALMBERG CONSTRUCTION CO.

P. O. BOX 448 WARRENTON, OREGON 97146

PHONE 503-861-1842

April 16, 1974

Oregon State Highway Division
State Highway Building
Salem, Oregon 97310

Attn: E. S. Hunter

Dear Sir,

Since nothing to date has been resolved with the City of Warrenton we are concerned about and would appreciate information as to your reconstruction schedule for the Skipanon River bridge at Warrenton.

In our efforts to be cooperative, our firm has to date made very limited use of the river above the bridge, but economy necessitates that we now use this portion of the river to a much greater extent.

We are very desirous of cooperating with you on your reconstruction schedule if the bridge is to be completed in July 1975 in accordance with the extension of time granted by the U. S. Coast Guard. We will restrict our use of the river as much as possible in this event. If, for any reason, this schedule is not to be met, we will proceed to use the river as we deem necessary which may require very frequent openings even during the reconstruction period.

If our requested permits for dredging above the bridge are granted, we would arrange to "lock in" one of our dredges to perform our dredging above the bridge during the bridge reconstruction period, thus precluding, as far as our company is concerned, any objection to closing of the river to navigation for this size of vessel during this time.

We would appreciate an early reply.

Very truly yours,

Palmberg Construction Co.

H. G. Palmberg

by H. G. Palmberg

cc: U. S. Coast Guard
Seattle, Washington

U. S. Coast Guard
Washington D. C.

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APR 30 1974
BRIDGE DIVISION

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OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

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May 1, 1974

Commander
U.S. Coast Guard
400 Seventh Street S.W.
Washington, D. C. 20590

NOTED
E. S. HUNTER

Dear Sir:

Skipanon River Bridge

Your letter of March 8, 1974 indicated that you had not received a schedule for commencement of work on the Skipanon River Bridge as requested on November 9, 1973. A construction schedule was sent to you on November 20, 1973 and subsequently acknowledged in a December 17, 1973 correspondence from your office. For your information, an updated project schedule to restore the movable span on the Skipanon River Bridge to the 1916 permit conditions is attached.

Design work on this structure, based on replacement of the existing float-out span with a single-leaf bascule span is complete. This is the basic plan previously approved by your office and would restore conditions to that of the 1916 permit. The replacement span will, in fact, be a betterment to the 1916 operating conditions. The original permit was for a hand-operated bascule span which could not be raised during adverse wind conditions. The State recognizes that while a hand-operated span would satisfy the conditions of the 1916 permit, that type of a prime mover would be unacceptable today. The proposed movable span, as designed, will have a fully mechanized operating system.

The establishment of a firm date for commencement of work on this project is clouded by a number of issues. The Highway Division is under a mandate from the State Legislature to the end that land use and transportation planning will be an integrated process. The City of Warrenton is only in the initial stages of the development of a comprehensive land-use plan. The Planning Commission has not yet addressed itself to the future of

the river channel above the bridge site. The Portland District Office of the U.S. Army Corps of Engineers has issued a public notice on a permit request to dredge in the Skipanon River channel above the bridge site. A copy of that application is attached. The State Land Board and the State Department of Environmental Quality will both require that a proven need must be established before work of this nature will be sanctioned in any coastal estuary. We would anticipate that proof of that need can only be established by a public hearing.

As you know, a public hearing on the subject of the bridge reconstruction was held in Warrenton on December 20, 1973. Public reaction to the project as proposed was not entirely favorable. There was an expression from the navigation interests present for a different type of structure with a higher grade line which would permit the passage of a greater percent of river traffic without requiring opening of the span. This would be, essentially, Alternate 1 in the attached July, 1973, design study report. A current estimate of Alternate 1 would be closer to $1,800,000. If a higher grade line is warranted for the benefit of navigation, then it appears that the federal government, under the terms of the Truman-Hobbs Act, may have an obligation for that cost attributable to navigation. We would appreciate your comments and advice on the preliminary steps necessary to secure funding under this aid to navigation act.

A minor, but delaying, problem also exists with the City of Warrenton's six-inch water main which is attached to the existing bridge and which is also a non-conforming condition. The City of Warrenton does not have the funds available to relocate that water main. The State Highway Division will have to assume the obligation of relocating the main if work is to proceed on the span reconstruction. We have been experiencing some problems with determination of the final location for the relocated main. A permit will be required from the U.S. Corps of Engineers to place the water main below the streambed of the Skipanon channel.

The ultimate solution to the Skipanon River Bridge problem is long ranged and intimately tied to Warrenton's land-use planning. The direction which that planning takes may significantly alter present less-than-desirable highway traffic patterns in the area to the stage where the present Skipanon River crossing may no longer be an acceptable facility. The Oregon Highway Division is faced with the same dilemma as other highway agencies - that of declining revenue in the face of increasing demands. We believe that it would be unwise to commit any more than the minimum funds

necessary to comply with the navigational permit at this time. The proposed movable span should be recognized as an interim solution to a complex problem, fully realizing that the bascule span may not be entirely compatible with the long-range plans of the City of Warrenton or the Skipanon River Basin.

For your information in reviewing the many issues involved in this problem, we are enclosing copies of the following information: Skipanon River Bridge location study report, July 1973; Transcript of public hearing, December 20, 1973; Analysis of the public hearing; U.S. Army Corps of Engineers' Public Notice of April 22, 1974; Dredging Permit Application.

Every effort is being made to resolve the conflicting issues on the Skipanon River crossing. With cooperation of the many individuals and agencies involved, we would hope to commence work on restoring the movable span to the 1916 permit conditions by the fall of 1974. A meeting with interested parties is being scheduled soon and we will advise you of the results.

We thank you for your understanding in this matter and appreciate your patience while we are undertaking resolution of this matter.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

Attachments

cc: Commander (oan)
13th Coast Guard District
618 Second Avenue
Seattle, Washington 98104 w/atts.

bc: F. B. Klaboe
A. E. Johnson
Walt Hart
V. D. Wolfe
C. O. Fredrickson
E. L. Everton
Pat Randolf

WJH:dh jf

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Info | Inves | J/D | C/R | Sign | Act | File

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

089

26 April 1974

PUBLIC NOTICE
071-OYA-1-001482
SUB-PIPE

SKIPANON RIVER MILE 2.1 AT WARRENTON, OREGON

Interested parties are hereby notified that application has been made for a Department of the Army permit for work in navigable waters of this Engineer District under Section 10 of the River and Harbor Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403) and under the provisions of Section 404 of the "Federal Water Pollution Control Act Amendments of 1972".

Name of Applicant: Port of Astoria

Character and Purpose of Work: Construct a 6 inch diameter cast iron sewage force main under and across the Skipanon River as shown on the attached drawing. The excavating for the proposed pipeline is to be accomplished by clamshell with the spoils (approximately 150 cubic yards of silty sand) being placed shoreward of the existing berm in the area shown. The pipe is to be laid on a minimum of 6 inches of granular bedding material and covered with approximately 150 cubic yards of clean granular material from land based operations. The pipeline is to be utilized to convey sewage from the proposed east Warrenton interceptor sewer to the existing Warrenton sewer system located west of the river.

Additional Information: Additional information may be obtained from G. V. Packard, Port of Astoria, P. O. Box 569, Astoria, Oregon 97103. Telephone (503) 325-4521.

The requested permit, if issued, will be subject in part to the following conditions:

1. All construction debris will be disposed of on land in such a manner that it cannot enter into the waterway.

2. Care will be taken to prevent any petroleum products, chemicals or other deleterious materials from entering the water.

3. Slope of the riprap, bank, or excavation, etc. will be no steeper than 1 foot horizontal to 1 foot vertical.

4. All areas along the bank disturbed or newly created by the construction activity will be seeded, riprapped or given some other equivalent type of protection against subsequent erosion.

5. Work in the waterway will be done so as to minimize turbidity increases in the water which tend to degrade water quality and damage aquatic life.

(719) - Hewitt
Orig - Easton
cy - 4-30-74

[illegible]
A. E. [illegible]

NPPND-RF-1
Re: No. 071-OYA-1-001482
(Skipanon River - Subpipe)

6. Land disposal of dredging spoils will be accomplished behind adequately maintained protective berms which will prevent the materials from returning to the waterway.

7. If a bucket dredge of any type, including but not limited to grab or clamshell, dipper, dragline or backhaul bucket, is used, all digging passes of the bucket shall be completed without any material once in the bucket, being returned to the wetted area except as approved.

Additional Requirements: A permit for the proposed work will not be issued until certification as required under Section 401 of the Federal Water Pollution Control Act Amendments of 1972 has been received from the Oregon State Department of Environmental Quality. State law requires that leases, easements or permits be obtained for certain works or activity in the described waters. These state requirements must be met where applicable and the Department of the Army permit obtained before any work waterward of the ordinary high water line may be accomplished.

Public Hearing: Any person who has an interest which may be adversely affected by the issuance of a permit for the work described herein may request a public hearing. The request must be submitted in writing to the District Engineer within thirty days of the date of this public notice and must clearly set forth the interest which may be adversely affected and the manner in which the proposed activity will adversely affect that interest.

Interested parties are requested to submit in writing any comments or objections they may have to the proposed work.

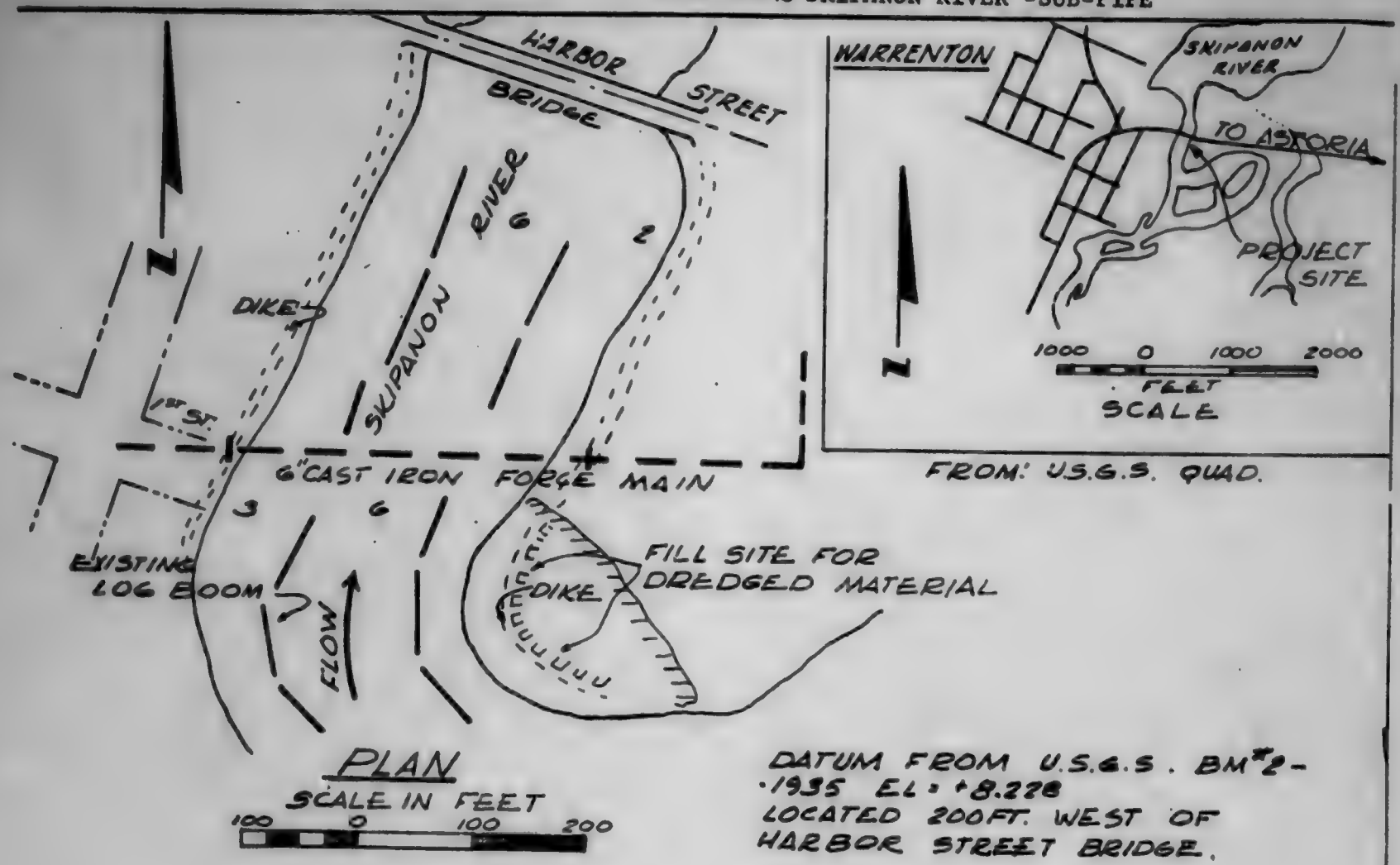
The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Federal Water Pollution Control Act. No permit will be granted unless its issuance is found to be in the public interest.

A preliminary determination has been made that an environmental impact statement is not currently required for the proposed work.

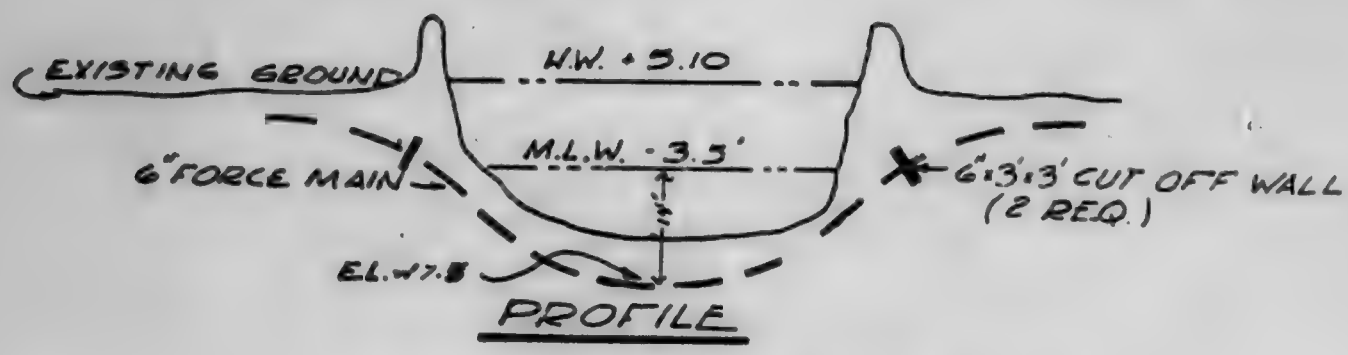
Replies to this notice should be mailed to reach this office not later than 27 May 1974.

A. J. HEINEMAN
Chief, Navigation Division

001482 SKIPANON RIVER -SUB-PIPE



DATUM FROM U.S.G.S. BM #2 - 1935 EL = +8.228 LOCATED 200FT. WEST OF HARBOR STREET BRIDGE.



SCALE HORZ. 0 100 200
VERT. 0 10 20

PROPOSED SUBMARINE PIPELINE
ACROSS: SKIPANON RIVER
AT: WARRENTON
COUNTY OF: CLATSOP STATE ORE.
APPLICATION BY: PORT OF ASTORIA
BOX 569, ASTORIA, ORE. 3/19/74

Mai 14-1-1
Skipanon
Dp.

DEPARTMENT OF JUSTICE

Memorandum

TO: The File
cc: [redacted] Hank Wagerlig; W. H. Tebeau

DATE: April 5, 1974

FROM: Patrick A. Randolph, Jr.
Temporary Assistant Attorney General

NOTED
E. S. HUNTER

SUBJECT: Skipanon Bridge

On April 5, I had a conversation with Steve Schell, an attorney representing D & R in this matter. Mr. Schell indicated that D & R is very anxious to bring together representatives of all the concerned parties in an informal meeting. He seems to have been convinced that the Highway Division's available funds limit flexibility in coping with the Coast Guard's demands. On the other hand, he does feel that his company would like to have more input before a final decision is made.

I discussed with Mr. Schell the proposal to limit bridge openings to 24 hours notice. He seemed to feel that this would considerably ease D & R's problems and that the company would be inclined to support this proposal and attempt to convince Warrenton to also support it.

I also told Mr. Schell that the Coast Guard would have to be convinced that the 24 hour provision was in the public interest. This might be accomplished by an informal meeting with the Coast Guard, but more likely the actual determination should be made at a public hearing. It may be that a hearing on our construction permit would be the appropriate forum for such a determination. Obviously, we would have to discuss this issue with the Coast Guard. In any event Mr. Schell indicated that D & R would be happy to cooperate in any effort to arrange conversations with the Coast Guard.

My own feeling is that community attitude seems to be important to our Washington representatives and to the Coast Guard. If the Coast Guard could be convinced that the community supported the 24 hour notice requirement, I believe that they would accede to this requirement despite Palmberg's objections. Thus, I believe that the informal meeting suggested by Mr. Schell should be held in order to reach a common understanding on this problem. Thereafter, we should approach the Coast Guard.

of interested parties

It would be noted that despite all the correspondence that has ~~broke~~ built up on this file, there apparently has never been a meeting of all the interested principals to try to work out a compromise agreement.

RECEIVED
APR 8 1974
LOCATION
SECTION

Mar 14-1-1
Skipanon R

FORM E-30 (REV. 10-60)

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
March 26, 1974

To:

Mr. E.S. Hunter
Assistant State Highway Engineer

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway
Clatsop County

At the December 20, 1973 public hearing on the Skipanon River Bridge, most of the testimony requested a new structure with 18 feet of clearance above mean lower low water. As you are aware, the proposal presented at the hearing was to replace the existing float-out span with a 40-foot single-leaf bascule span. The estimated cost of this proposal was $271,000, with an additional $170,000 if a detour structure was needed.

The attached plan depicts a structure that would provide the requested clearances. This plan is based on 40 mph horizontal and vertical alignments and includes a 290-foot structure with an 80-foot double-leaf bascule span having approximately 19 feet of clearance at mean lower low water. Estimated cost is $1,200,000 with a detour structure increasing the cost to $1,370,000.

The plan would displace one business, one house and encroach on the railroad. The access to the moorage basin and Joy Charters would also be affected.

A time schedule for a new structure has not been developed at this time. This schedule would be dependent on permits, hearings, financing, et cetera.

NOTED
E. S. HUNTER
maps returned to location

Victor D. Wolfe
Location Engineer

WAE:jp
Attach

RECEIVED
MAR 27 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS: (G-WBR/73)
U.S. COAST GUARD
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE: (202) 426-0942

5 MAR 1974

Mr. A. E. Johnson
Acting State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Johnson:

In our letter of 9 November 1973 we requested advice of your plans to commence work on the Skipanon River Bridge at Warrenton. You had earlier indicated that work would commence about December 1973, at which time you planned to request our approval of the work as maintenance or replacement in kind.

To date we have not received your reply indicating your plans or intentions for commencement of work. Your early response will be appreciated.

Sincerely,

K. G. WIMAN
Captain, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

NOTED
A. E. JOHNSON

RECEIVED
MAR 11 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

RECEIVED
STATE HWY ENGR
MAR 11 74
REFER TO
Hunt to Hufford
FOR
Asst. Dir. Bridge Engr. Traffic Engr.

RECEIVED
MAR 1 1974
BRIDGE DIVISION

8651

8

DEPARTMENT OF JUSTICE

Memorandum

TO: The File
(cc: Mr. Bill Erwin Mr. Walt Hart
Mr. W. H. Tebeau Mr. Hank Wagerlig)

DATE: April 4, 1974

FROM: Patrick Randolph, Jr.

NOTED
E. S. HUNTER

SUBJECT: Skipanon River Bridge

This bridge has been the subject of a continuing controversy for a number of years. The basic facts concerning the bridge's history and present status are set forth in the opening pages of a transcript of an informational public hearing held in the city of Warrenton, Oregon on December 20, 1973. (Attached)
The cast of characters in the dispute and their present positions as can best be determined, are as follows:

HERBERT PALMBERG

Owner of property upstream from the bridge and principal instigator of the dispute, Mr. Palmberg filed the original protest with the Coast Guard requesting that the present bridge be replaced. He has also been the principle spokesman for persons seeking a higher clearance for the new bridge. He has mastered considerable community support for his position. In a letter to the Governor, as well as in statements made at the public hearing mentioned above, Mr. Palmberg has "volunteered" his property as a detour route during the reconstruction of the bridge. Obviously the construction of such a detour route would benefit him. However, if the Division should opt to accept his offer, he has committed the road to emergency service even after its use as a detour road is concluded.

UNITED STATES DEPARTMENT OF TRANSPORTATION, UNITED STATES COAST GUARD

Although the original contact was Admiral William Benkert, latest correspondence has been with Captain K. G. Wiman, U.S. Coast Guard, Chief, Bridge Division, 400 7th Street S.W., Washington, D.C. 20590. On June 26, 1972, the Coast Guard ordered the Oregon State Highway Division to "repair, reconstruct, or otherwise take such action as necessary to restore the highway bridge across the

Skipanon River at Warrenton, Oregon to a single leaf bascule type draw bridge as originally approved by the Secretary of War on 15 September 1916 and thereafter maintain and operate it in accordance with the approved plan and regulations contained in section 117.740 of part 117 of title 33 of the Code of Federal Regulations." The original letter demanded that restoration work commence within one year of the order. In a letter dated January 24, 1973, the Coast Guard apparently approved a time extension for the compliance with its order. This revised schedule called for approval of Coast Guard in May of 1974 and completion of construction in May of 1977. This is slightly longer than the schedule proposed at the public hearing. The Coast Guard has continued to prod with regard to compliance with its order, but has indicated some attitude of cooperation, particularly with regard to processing the necessary permits to replace the existing bridge.

CLATSOP COUNTY

The original cause of the problem, the County has now gone on record as supporting the single bascule bridge proposed by the Highway Division but has not taken an active role in the dispute.

CITY OF WARRENTON, OREGON

The City has a water line attached to the existing bridge. This will have to be placed on the channel bottom, apparently at our expense. The City originally was opposed to the continued use of the Skipanon as a navigable channel and the related conversion of the Skipanon as a navigable channel and the related conversion of the Skipanon Bridge to an operating draw bridge. It apparently has been turned around by Mr. Palmberg and recently advised the Highway Division that it supports replacing the bridge, but not with the single bascule type for which a permit is now in existence. The City would prefer to see a lower tower (probably double bascule) bridge with a vertical clearance "approximately five feet higher than the existing structure". The City also objects to any interference with the existing businesses on East Harbor. (See attached letter from City dated January 22, 1974). The City's basic concerns are aesthetics and convenient land access. The City wants as little traffic interruption as possible, and in this its interests depart somewhat from Palmberg's. The City has a proposed weight limit zoning ordinance which would prohibit the high tower bridge.

D & R TIMBER COMPANY

This company and related companies operate a logging business upstream from the bridge. These interests have consistently taken the position that the Skipanon Channel should be closed to navigation and that the bridge should not be changed. Their position was supported by the City of Warrenton in a letter

to the Corp of Engineers dated August 31, 1971. (Attached) Warrenton has since reversed its position as indicated above. D & R is represented by the law firm of Black, Helterline, Breck & Rappleyea - Steven R. Schell, Esq. In September 1973, Mr. Schell wrote the Coast Guard requesting a hearing with regard to a complete solution of all the competing interests on the Skipanon Bridge. On April 1, 1974, I spoke to Mr. Schell and he indicated to me the Coast Guard has, in a somewhat backward manner, rejected the request for a hearing. Mr. Schell indicated to me on the phone that D & R's principle concern is not so much with the upstream logging operation but with logging operations in other areas which make frequent use of the Skipanon Bridge. If the bridge became a regularly opened draw bridge, D & R's logging trucks would be hindered in conducting their business. Thus, D & R, as an alternative to the closing of the Channel, would also like to see a higher bridge built so that it would not be opened as often. Mr. Schell indicated to me that the alternative to his company trucks using the bridge would be for them to proceed through the town of Warrenton. The threat of logging trucks running through the center of the City will certainly have an impact on Warrenton's attitude toward the bridge. If the Coast Guard remains intransigent about keeping the Skipanon Channel open, I suspect that D & R will join Warrenton as a proponent of a higher bridge in order to insure less traffic interruption.

BURLINGTON NORTHERN RAILROAD

This company has been so far a silent observer in the proceedings (except for one letter). It owns and operates a railroad bridge just upstream of the bridge in question. This bridge is opened only on 24 hour notice. This policy directly violates 33 CFR 117.740(a)(5) which applies explicitly and with equal force to the railroad's bridge. Mr. H. F. Moy, an engineer for Burlington, told me on April 3, 1974, that the railroad has a special permit to operate the draw only on 24 hour notice. I have asked him to send me this permit.

OREGON HIGHWAY DIVISION

All of the above, of course, are looking for the Oregon Highway Division to solve their problem to spend large sums of money. The Division has so far taken the position that it will proceed to replace the offending bridge with a bridge built to the specifications of the 1966 permit. This will solve the immediate problem of the Coast Guard's order and will cost approximately $271,000. The bridge will be a single bascule type except that it will use a motor to raise and lower the draw rather than a hand crank, as was used in the original bridge. Traffic will be rerouted over Highway 101 during construction and no detour will be used.

As pressure mounts from the Coast Guard to take action on construction on this bridge, pressure also mounts from other parties

to build a higher, fancier bridge. The Division has recently produced plans for a bridge with the desirable higher clearance and the double bascule conformation (more satisfying to all from an aesthetic standpoint) which would cost approximately $1,122.300. The construction of this bridge, however, would affect existing businesses on East Harbor in Warrenton and would also require redesign of the access to the Warrenton yacht basin.

The Division's principle concern, however, is that no solution to the bridge problem is likely to have lasting impact at this time because a number of regional plans have yet to be developed. These plans include pending plans for a more elaborate railway system in the area together with the local segment of the State Transportation Plan. Implementation of these plans may well dictate relocation of the highway to another area or rerouting to the highway through Warrenton at another point on the river. Thus, money spent on the existing bridge would be wasted. On the other hand it seems apparent that immediate action is necessary to satisfy the Coast Guard or to convince the Coast Guard that it too should abide by regional planning concerns. The Coast Guard has so far shown a complete unwillingness to wait and has evinced this unwillingness by written communication.

LEGAL ANALYSIS

My investigation of the relevant statutory material provides the following guidelines to a decision by the Highway Division as to its next step:

1. The Coast Guard's position with regard to our non-compliance with the 1916 permit and the current operating regulations appears to be correct.

   The Coast Guard has a right not only to require replacement of the bridge, but operation in conformance with 33 CFR 117.740. (Attached)

2. In order to build a new bridge conforming to the specifications of the 1916 permit, it will be necessary to file plans and specifications with the Coast Guard and to receive a construction permit. There is some argument based on phone call memoranda that the January 24, 1973 letter approving our tentative schedule was, in effect, a construction permit. I would rely on this only if we now obtain written Coast Guard confirmation. It will also be necessary, of course, to seek a permit from the Coast Guard to close the channel to navigation during the period of construction. The Coast Guard has indicated a willingness to cooperate on these permits.

The statutes do not require that the Coast Guard provide a hearing on the construction permit, but it has the power to conduct such a hearing in contested matters. Because of the dispute as to the proper clearance for this bridge, it may come to be regarded as such a contested matter.

3. If the Highway Division unilaterally determines that it is desirable to build a higher or better bridge than called for in the 1916 permit, the Division will certainly be required to bear the cost of such a bridge. The provisions of the Truman-Hobbs Act, which calls for federal participation in the replacement of obstructive bridges, applies only to "lawful" bridges which the Coast Guard feels must be removed as a benefit to navigation. The present bridge is not a lawful bridge, at least insofar as the Coast Guard is concerned.

4. If a party interested in improving navigation on the Skipanon River-such as Mr. Palmberg or the City of Warrenton - should request that the bridge permit be altered in order to provide for a higher bridge, it is likely that the Truman-Hobbs Act would apply, even though we have not yet built the "lawful bridge". In this event the State would probably have to bear at least the cost of building the 1916 permit bridge and in addition any additional cost attributable to improvement of highway traffic. The Coast Guard however would have to bear the cost attributable to the increased benefit to navigation. Further, the Truman-Hobbs Act provides that other parties to the proceedings may be required to pay costs relevant to benefits for their particular benefits. This may mean that the City of Warrenton should bear the costs of the difference between a high tower and a low tower bridge if they desire the latter bridge for environmental purposes. (I should stress that this last consideration is only a guess, since environmental benefits are a benefit to the whole state.) Further, if Mr. Palmberg is benefitted by the detour across his property, it might be appropriate for him to bear certain costs of this construction. (Again a problematic issue.)

Finally, a Truman-Hobbs claim is likely to result in a formal or informal hearing at which all interests can be heard and, hopefully, balanced.

It may be that we are so far down the road on the single bascule 1916 type bridge that we cannot reverse our direction. If this is so I would recommend that we perform immediately the necessary local and environmental ground work because any delay in securing local approval of this project will give the forces in favor of a different bridge more time to organize. Also, we will want to beat the adoption of the City's proposed zoning ordinance.

In connection with this procedure, we should petition the Coast Guard to amend 117.740 to require opening our bridge only on 24 hour notice. This would significantly reduce our operating costs and benefit ground transportation. Further, it makes sense in light of the railroad bridge operations. We should be opposed in this effort only by Palmberg. If we desire we could probably marshall support from Burlington, D & R and probably Warrenton.

If it is felt that we should re-evaluate our position, I believe that a necessary first step is to bring together all the parties listed above (with the possible exception of the Coast Guard). These parties should be presented with the legal and economic realities of the situation and challenged to develop a compromise solution that will be satisfactory to all. Faced with the immediate threat of the 1916 type bridge, which apparently would satisfy nobody, these parties may be able to develop a solution. In the event that they cannot reach a compromise, it is likely that the Coast Guard will stick to its position and we will end up building the 1916 bridge.

In any event, it seems appropriate that we determine our course of action promptly, as we are already behind the originally proposed schedule, which called for approval by the Coast Guard. Of course, we have not even submitted any plans or specifications as yet in light of all the problems discussed above.

cs

8651

U.S. ENVIRONMENTAL PROTECTION AGENCY

REGION X

1200 SIXTH AVENUE

SEATTLE, WASHINGTON 98101

March 4, 1974

REPLY TO ATTN OF: 10MEI - M/S 325

Mr. F. B. Klaboe
Administrator and State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

NOTED
E. S. HUNTER

cc Wolfe Rutkin Hunt
3-19-74

10-1-8

Dear Mr. Klaboe:

Thank you for your prompt reply to our questions regarding the Skipanon Bridge. Since there is to be no change in alignment or location, we would agree that it is unlikely that the project could be described as a major environmental action requiring an environmental impact statement. We will pass this information along.

Sincerely,

Hurlon C. Ray

Hurlon C. Ray
Assistant Regional Administrator
for Management

a & d

RECEIVED
MAR 11 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

NOTED
A. E. JOHNSON

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FOR
Info | Invest | R/D | D/R | Sign | Act | File

105-J

February 26, 1974

Mr. Hurlen C. Ray
Assistant Regional Administrator for Management
Region X, US Environmental Protection Agency
Seattle, Washington 98101

Dear Mr. Ray:

Your Ref.: 10HEI - M/S 325

We are indeed planning to replace the Skipanon River Bridge. So far, we have made a reconnaissance study of the problem, and held a public hearing concerning it at Warrenton, Oregon on December 20, 1973. The transcript of the hearing is being studied.

Our intention is to replace the present fixed bridge, which has a float-out span, with a single-leaf bascule span drawbridge. No change in the location or alignment of the bridge is proposed. The purpose of the work is to restore the bridge to the conditions specified in the original 1916 permit as ordered by the Coast Guard.

Because of the nature of the work, preparation of an environmental impact statement is not anticipated. If such a statement were required, the delay would extend the construction time of the project beyond the deadline indicated by the Coast Guard. The only alternative to compliance with the Coast Guard's order is to remove the bridge entirely, a course of action that is unanimously opposed by all local interests at Warrenton.

Very truly yours,

F. B. Klabee
Administrator and
State Highway Engineer

bc: A. E. Johnson
E. S. Hunter
Victor D. Wolfe

WAE/WHT:mc

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION X
1200 SIXTH AVENUE
SEATTLE, WASHINGTON 98101

February 7, 1974

REPLY TO ATTN OF: 10MEI - M/S 325

Mr. George Baldwin
Director, Oregon State Highway Department
Highway Building
Salem, Oregon 97310

Dear Mr. Baldwin:

It has come to our attention that the Highway Department is planning a project for replacement of the Skiponon River Bridge. There is reportedly some controversy over the bridge location and the attendant environmental impacts. It appears that an environmental impact statement would be desirable to bring the various alternatives to public and agency attention. We would appreciate it if you could let us know what this project entails, to what stage the planning has progressed, and if the Highway Department plans to prepare and circulate an environmental impact statement.

Sincerely,

Hurlon C. Ray

Hurlon C. Ray
Assistant Regional Administrator
for Management

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NOTED
W. H. TEBEAU

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FEB 12 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

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NOTED
A. E. JOHNSON

RECEIVED
FEB 10 1974
OFFICE OF
DIRECTOR of TRANSPORTATION

8151

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FORM E-20-X 12-67

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
February 13, 1974

SUBJECT: Skipanon River Bridge

To:

MEMO TO FILE

NOTED
E. S. HUNTER

We were informed February 5 by E.S. Hunter that our Congressional delegation in Washington, D.C. is currently discussing the permit for the subject bridge with the hope of gaining a two-year extension because of the controversial nature of the proposal for complying with the permit.

The study report is in rough draft form awaiting editing. Further work will not be done on this report pending the outcome of the delegation's action.

W.H. Tebeau
Assistant Location Engineer

WHT:jp
cc: E.S. Hunter
W.H. Wakerlig

RECEIVED
FEB 14 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

OREGON STATE HIGHWAY DIVISION

REGION 2

2960 E. STATE STREET • SALEM, OREGON • 97310 • Phone 378-2626

January 29, 1974

TOM McCALL
GOVERNOR

GEORGE M. BALDWIN
Administrator of Highways

Palmberg Construction Company
P. O. Box 448
Warrenton, Oregon 97146

Attention: Mr. H. G. Palmberg

Dear Mr. Palmberg:

Your letters of January 24, 1974 relative to the construction and permit requirements on the Skipanon River Bridge at Warrenton, Oregon have been forwarded to the appropriate section in the Main Office where they will be considered along with the hearing transcript on the subject structure. The Highway Division will take into account the public interest in any decision which is made as to the alignment and grade of the Skipanon River Bridge and your input, together with that of the City, and the other people who attended the meeting is appreciated.

Very truly yours,

ORIGINAL SIGNED BY
C. O. FREDRICKSON

C. O. Fredrickson
REGION ENGINEER

COF:lb

cc: E. S. Hunter

RECEIVED
JAN 31 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

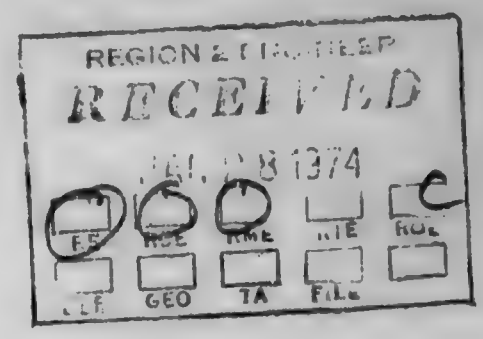
104-1405

PALMBERG CONSTRUCTION CO.

P. O. BOX 448 WARRENTON, OREGON 97146
PHONE 503-861-1542

January 24, 1974

Department of Transportation
Oregon State Highway Division
East Salem Highway Building
2960 East State Street
Salem, Oregon 97310



Attention: C. O. Fredrickson, Regional Engineer

Re: Skipanon River Bridge at Warrenton, Oregon

Dear Sir;

You have recently received a letter from the City of Warrenton asking that the proposed Skipanon River Highway Bridge at Mile 0.9 be constructed with 1) a counter-balanced bascule span to meet zoning requirements, 2) realignment by acquiring right of way on the east approach to reduce degree of curvature, and 3) a vertical clearance approximately five feet higher than existing.

The City's request confirms generally the unanimous testimony presented at your public hearing held December 20, 1973, and the petitions and letters previously submitted by navigation interests. It is possible that the curvature may be satisfactorily alleviated without acquiring additional right of way, and it is presumed the vertical clearance will provide a minimum of 18 feet at mean lower low water.

At the public hearing you stated that the United States Coast Guard order called for completion of the bridge structure by June 26, 1974. We realize that a permit from the United States Coast Guard will be required for any changes in alignment and clearances. It therefore seems in order to suggest that application for the bridge structure be submitted to the United States Coast Guard coincident with your application to the Corps of Engineers for installation of the City's water line under the channel in lieu of on the bridge. We believe that there will be no reasonable objections to either permit application, thus allowing the bridge construction to proceed in accordance with your delayed time schedule presented at the said public hearing - namely, award contract May 10, 1974, and complete structure(except painting steel) March 1975. Access to the river above the bridge is urgently needed, but we feel that navigation interests will continue to cooperate with any reasonable construction schedule.

Very truly yours,
Palmberg Construction Co.
by H G Palmberg
H. G. Palmberg, Pres.

cc: U. S. Coast Guard, Wash.D.C.
13th U.S.C.G. District, Seattle
Portland Oregon District, Corps of Engrs.

REGION 2 ENGINEER
RECEIVED
JAN 28 1974
RE RCE MAE RIE ROE
ULE GEO TA FILE

PALMBERG CONSTRUCTION CO
P. O. BOX 448 WARRENTON, OREGON 97146
PHONE 503-861-1542

January 24, 1974

104-1405

Oregon State Highway Division
Highway Building
Salem, Oregon 97310
Attention: C. O. Fredrickson, Regional Engineer
Re: Skipanon River Bridge at Warrenton, Oregon

Dear Sir:

This letter is being written to you as the official in charge of the public hearing on the reference subject with the request that it also be referred to T. W. Litchfield, Rod Henry and others that may be involved in the proposed project.

The purpose of this letter is to make suggestions in behalf of navigation, vehicular and other public interests, and to offer cooperation toward construction and economic aspects of the proposed bridge, as follows:

1. A proposed alignment and profile has previously been submitted by us to the City of Warrenton and to your Resident Engineer, Eldon Everton. We would appreciate the opportunity of reviewing your considerations as to final determination of alignment and profile while you are completing negotiations with the City of Warrenton in February 1974.

2. In a previous letter to the Director, Oregon State Highway Division, dates Dec. 26, 1973, we submitted preliminary cost and benefit analyses of detour possibilities during the construction period. These included single or twin detour spans at the construction site, a detour over the 8th street dam via S. E. Heron Ave. to E. Harbor St., and using the existing U.S. 101 as a detour. Further study may reveal other detour possibilities, the purpose of course being to determine the detour most economical in cost to the State without offsetting losses to vehicular traffic and yet most beneficial to the City of Warrenton and to future vehicular traffic.

3. In connection with the proposed detour over the 8th street dam, although our company does not own the private lands which would be required for right of way, we are assured by the owners thereof that these lands would be donated for a permanent public thoroughfare, thus eliminating right of way problems. Since a roadway has already been constructed over these lands and across some existing streets of the proposed detour, the improvements thereon, which include surveys, clearing, excavating and filling, ditching, culvert installation, grading and rocking, together with the land itself, would reflect a contribution in excess of $10,000 toward the detour cost.

As an interested party on the scene, it is our intent to represent all interests, including navigation, vehicular, the City of Warrenton and the general public to aid in obtaining a bridge that will best impartially serve all parties with the least cost for the benefits obtained. Your acceptance of our assistance toward this end will be appreciated.

Very truly yours,
Palmberg Construction Co.

by R. G. Palmberg
R. G. Palmberg, Jr.

cc: City of Warrenton

8651

FORM E-20

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon

DATE January 28, 1974

TO MEMORANDUM TO THE FILE

ORIGINAL SIGNED BY
DONALD L. TROUT

FROM Donald L. Trout, Design Office Engineer

SUBJECT Status Report
Skipanon River (Warrenton) Bridge Section
Warrenton-Astoria Highway
Clatsop County

NOTED
E. S. HUNTER

In reviewing this project I find the following:

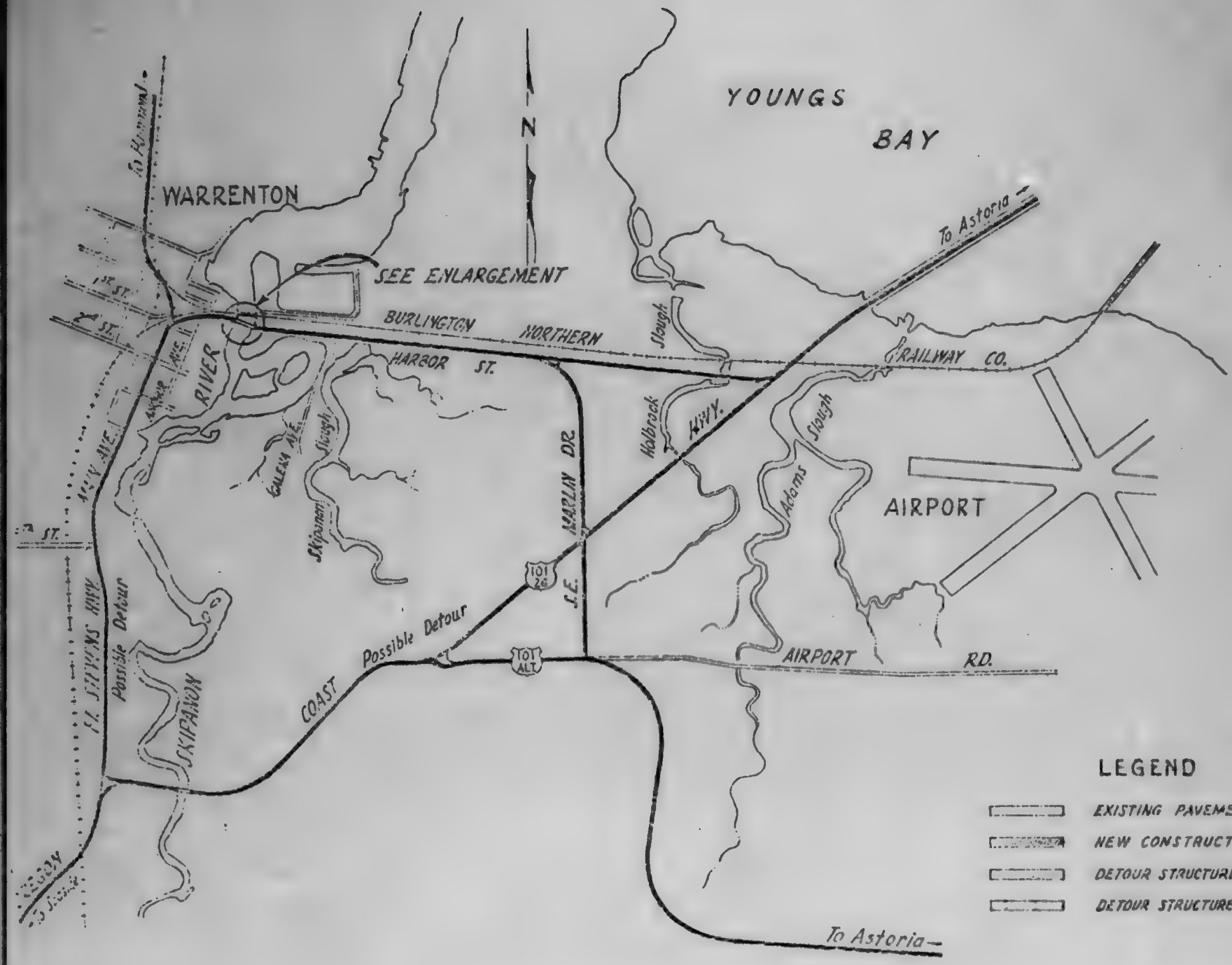
1. The Location Section is just completing the Study Report. The recommendation is that the present removable span be replaced with a lift span and the highway be closed during construction.

2. The Bridge Section has the necessary approvals from the Coast Guard. A removal/fill permit will not be needed. An easement is required from the Division of State Lands. It will be necessary to bury a water main parallel and adjacent to the bridge. Region 2 and the City are gathering information on this for the Bridge Section so a permit from the Corps of Engineers may be obtained.

3. Region 2 does not anticipate any additional costs on the proposed detour other than the detour signing. A preliminary estimate for this is $10,000.00.

DLT:jh
cc: E. S. Hunter

RECEIVED
JAN 28 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER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104-1405

Wed 23 JAN '74
The Daily Astorian

DIVISION 2 ENGINEER
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JAN 28 1974
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Warrenton wants new set of Skipanon bridge plans

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—The Warrenton City Commission wants a different design than it has seen so far for the replacement bridge the state proposes to put across the Skipanon River in downtown Warrenton.

The commission voted this week to send a letter to that effect to the state. The letter was prepared and posted Tuesday.

The city's letter began:

"Without debating the merits of a new bridge on state secondary 105 crossing the Skipanon River in Warrenton, Oregon, the city commission of Warrenton is convinced that the U.S. Coast Guard will prevail in its order of a corrected bridge. The city, representing all its citizens, must reluctantly become actively involved."

It continued, "At a regular meeting of the city commission, the commissioners instructed that a letter be forwarded to the Oregon State Highway Division requesting a new design, including:

—Counter-balanced, bascule span, eliminating the tower design previously recommended by the highway department but which is in violation of the city's comprehensive land use plan and zoning ordinance.

—Re-alignment of the structure by acquiring right-of-way on the east end of the approach to eliminate the degree of curvature at the immediate approach of the bridge.

—Prepare a design with a vertical clearance approximately five feet higher than the existing structure (or about 18 feet above mean lower low tide)."

The commission also insists that these changes are to be adopted "without adversely affecting the existing business on East Harbor."

And it requests a profile design from the state so an "informal impact study" can be carried out locally.

The city statement probably will please several elements of the community.

The request for increased vertical clearance should satisfy Herb Palmberg and the navigation interests he has been leading in the battle for a bridge geared to boat traffic.

The request for re-alignment of the span without upsetting business approaches should meet with favor with the downtown business community and residents who wish to reach it.

Finally, the request for a counter-balance opening mechanism instead of a draw-tower opening mechanism should please people who thought the 50-foot high tower was "horrible."

cc: Ed Hunter ✓

NOTED
E. S. HUNTER

cc Klaboe
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Hart
2-5-74

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JAN 31 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

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Klabee to info. EJN

CITY OF WARRENTON
WARRENTON, OREGON
97146

EARL E. JOHNSON
MAYOR

EMERSON R. BALDWIN
AUDITOR AND POLICE JUDGE

REGION 2 ENGINEER
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TELEPHONE 861-2233

22 January 1974

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E. S. HUNTER

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FEB 1 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Department of Transportation
Oregon State Highway Division
East Salem Highway Building
2960 East State Street
Salem - OREGON - 97310

ATTN: C. O. Fredrickson, Regional Engineer

Gentlemen:

Without debating the merits of a new bridge on state secondary 105 crossing the Skipanon River in Warrenton, Oregon, the city commission of Warrenton is convinced that the U. S. Coast Guard will prevail in its order of a corrected bridge. The city, representing all of its citizens, must reluctantly become actively involved.

At a regular meeting of the city commission, the commissioners instructed that a letter be forwarded to the Oregon State Highway Division requesting a new design, including:

A. counter-balanced, bascule span, eliminating the tower design previously recommended by the highway department but which is in violation of the city's comprehensive land use plan and zoning ordinance;

B. re-alignment of the structure by acquiring right-of-way on the east end of the approach to eliminate the degree of curvature at the immediate approach of the bridge;

C. prepare a design with a vertical clearance approximately five feet higher than the existing structure

all to be done without adversely affecting the existing businesses on E. Harbor.

The city is requesting that a profile design be prepared and forwarded for an informal impact study.

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STATE HWY ENGR
FEB 5 '74
REFER TO
FOR
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Sincerely,

CITY OF WARRENTON

E. R. Baldwin

E. R. Baldwin
Auditor & Police Judge

ERB:jb

cc: Ed Hunter
Walt Hart

Warrenton wants Highway Dept. plan scra

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—The Warrenton City Commission wants the State Highway Dept. to scrap its present plans and rebuild the Skipanon Bridge with 18-20 feet of vertical clearance as city resident Herb Palmberg has been recommending.

That fact became clear during a commission work session on the bridge problem Wednesday night.

The commission also wants to attach some stiff conditions to its request for a higher span.

It wants approaches put in so they won't disrupt downtown business, it wants the bridge's alignment straightened out even if it means right-of-way must be acquired and it demands the city not be stuck with the bill for dredging the channel once the higher bridge is up and boat traffic picks up.

Because Wednesay's meeting was a work session, commissioners couldn't take formal action.

However, the consensus was clearly that City Manager Dick Baldwin should be instructed at the next regular commission meeting to draft a letter to the State Highway Dept. putting the body's views on record.

The state's present plans call for a quick-opening bascule span as Palmberg and the commissioners want, but one too low for boats to pass without requiring a bridge opening and featuring design Baldwin termed "absolutely horrible."

Mayor Earl Johnson, admittedly stung by newspaper criticism of commission inaction, began the meeting by asking each commissioner to take a stand on the project. Each one did so during the course of the meeting.

Palmberg, principal proponent of "the best bridge we can get," was present and became the subject of detailed and persistent questioning by various commissioners. State engineer Eldon Everton also was supposed to be present to field questions and give the state's views, but he couldn't attend.

Dams, dikes and detours related to the project all got close scrutiny at the work session. So did Palmberg's development plans, the railroad's role and the feelings of the Dant & Russell wood products firm.

And all the complex old arguments were run through again.

At one point, Baldwin explained the river hadn't been navigable until the city dredged it in the early 1900s. "We may have created a monster when we created a waterway at public expense," he said.

He also opined that if Palmberg hadn't forced the bridge issue, it would have worked itself out to the city's satisfaction within a year without all the current hassle.

But Baldwin said if a new bridge definitely is going in soon, the commission should "get the best bridge you can." "You represent all the people, not just a few," he asserted.

Johnson said, "I can go along with this bridge (higher model presented by Palmberg). I thoroughly believe they (the state) will build a new one."

"I want the best bridge for the whole community of Warrenton," he said.

Commissioner Bob May, alluding to earlier city commission and planning commission support for a higher bridge before the state recently presented different plans, said, "The commission has always felt this is what it wants."

May specifically pointed to a profile drawn by Palmberg outlining a higher structure with approaches which wouldn't affect downtown business adversely.

The earlier city statements asked that the bridge alignment be straightened and Les Newton said he still felt it was essential to make the state provide a suitable alignment since the bridge would be there a long time.

Commissioner Del Shepherd shared his fellow commissioners interest not only in a bridge with increased vertical clearance, as Palmberg wants, but one which also would have a better alignment without hurting access to businesses.

The state plan wouldn't hurt the business acesses, but wouldn't provide either the clearance or alignment requested.

Shepherd also questioned Palmberg about his development plans.

Palmberg replied that it cost a lot of money to draw up detailed plans and he wants to develop his approximately 150 acres of upriver land over a considerable period of time as he sees how things unfold.

However, he did express an interest in putting in a large privately operated mooring basin in the sweeping bend in the river just above the bridge.

Jim Corkill, a former commissioner who appeared only as an interested citizen, questioned Palmberg further on this point. And he told the commission it ought to consider how much Warrenton's tax base might be increased by Palmberg's development work.

"I don't care about boats," Corkill admitted, "but if the (higher) bridge would open land for development and increase the tax base, that's another matter."

At the same time, Corkill said the commission would need to know if opening the waterway for navigation would "hurt our largest industry" (Dant & Russell) by driving logs off the river.

Palmberg maintained it wouldn't. He said the Corps of Engineers had declined to give the firm a permit for its current use of the whole river, which technically is illegal regardless of what happens with the bridge.

He said it might get a permit to use some of the river in conjunction with boaters and also suggested the company would probably go to a dry sort operation soon anyway.

Dant & Russell's predecessor had come to an agreement with the city reserving the upper river for logs in exchange for allowing boaters to have the lower river. The deal allowed the city to buy land from the lumber firm for its mooring basin.

However, Baldwin explained the written agreement had been torn up years ago and nothing more than a possible "moral commitment" remained.

The commission also expressed concern about dredging costs. The Corps must dredge the river as its part of a federal project, but can require the city to pay half if half of the boat traffic is deemed "recreational."

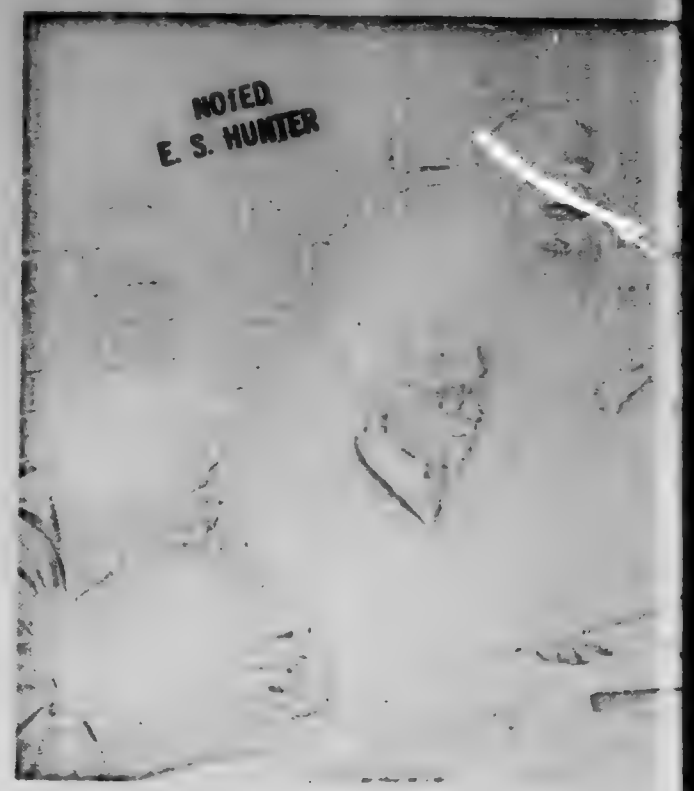
Baldwin said loggers had paid for previous dredging before the current bridge began blocking the river and made dredging unnecessary. But he and Johnson wondered who would pay next time.

Palmberg said the Corps should pay the full bill because all navigation is now commercial. He also suggested loggers still might be responsible if the Corps balked because they caused all present shoaling.

Palmberg assured the commission that the city could decline to pay its half even if the Corps would do it on no other basis than a 50-50 deal with the city.

Cities are allowed to make a choice, he said, the work not being done at all if they don't want to pick up half the tab in such cases.

Palmberg said increased boat traffic wouldn't affect the dikes. The city is responsible for maintaining these, though Palmberg says the Corps commonly does it anyway for other communities.



THE WARRENTON CITY Commissio
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Commissioners Les Newton (far left) a
(right) flank Mayor Earl Johnson
Palmberg's bridge profile. Standing b
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arrenton wants Highway Dept. plan scrapped

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The question of the low adjoining railroad bridge came up, but it was learned the Coast Guard will require its mechanization any time navigation warrants it.

Newton, May, Ken Ostgard, Shepherd and Johnson decided this wasn't the time to tackle the detour issue, but each said the city should push the state for the best bridge it could get.

They couldn't formally direct Baldwin to carry out their wishes at the work session, but seem set to do so Monday at the regular meeting.

Daily Astorian—Steve Bagwell

THE WARRENTON CITY Commission met with Herb Palmberg during Wednesday's work session on the Skipanon Bridge and looked over his engineering drawings of the kind of bridge he and navigation interests want. Palmberg is at the far right in the photo. Commissioners Les Newton (far left) and Del Shepherd (right) flank Mayor Earl Johnson as they review Palmberg's bridge profile. Standing behind Johnson is commissioner Bob May. Not shown is commissioner Ken Ostgard, who was also present.

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Warrenton - Skipanon bridge hassle

City should take a stand

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON — Practically the only party to the lengthy dispute over the downtown Warrenton Skipanon bridge which hasn't spoken out is the party which clearly has the most at stake: The Warrenton City Commission.

Though the decision on whether, where and how the bridge will be rebuilt will have a tremendous effect on the way the community of Warrenton develops during the coming decades, the commission has offered almost no advice to planners grappling with the problem.

Meeting after meeting of the commission has featured proponents and antagonists of various bridge solutions arguing the merits of their positions, but not once has a commissioner put his beliefs on the line unequivocably.

The State Highway Dept., the body which must build the new bridge, has come to the community more than once, even voluntarily holding a public hearing, to solicit testimony from Warrenton about its feelings but almost no public comment has been forthcoming from the city commission.

At one point in the arguments over what type of structure will span the Skipanon in the future, the commission did bring itself to back a Warrenton Planning Commission recommendation for a structure with vertical clearance adequate for the majority of small boats.

But the support was lukewarm and the city leadership made no effort to see that the planning commission recommendation is adopted.

The commission is at the center of the controversy whether it likes it or not.

People are looking to its members for leadership that has been lacking so far.

Mayor Earl E. Johnson's principal comment during months of discussion has been that he doesn't want the downtown business section where his drug store is located to be disrupted. Aside from that, he has said repeatedly he doesn't care what happens with the bridge.

"I'm no engineer," Johnson offers when pressed for an opinion about what type of structure he favors.

Other commissioners have been equally adept at sidestepping the issue.

And City Manager Dick Baldwin invariably says he doesn't hold opinions of his own, he just works for the commission.

The commission not only has failed to come to conclusions regarding the bridge itself, the body also has failed to make recommendations about other aspects of the rebuilding project.

For example, the state engineers who came down to sponsor the public hearing on the project offered construction plans with varying types of detours or no detour at all. The last plan is the cheapest and hence the one the state can be expected to adopt if no one objects.

That the State Highway Dept. suggest the cheapest way to do the work is to leave downtown Warrenton with no adequate access for six to eight months should disturb members of the city commission.

It doesn't appear to, however. No comment from the city was put in the public hearing record, a record open for 10 days after the hearing, asking for a bypass at all, let alone recommending one detour plan over another.

Clatsop Commissioner Dave Megrath, a man who has been free with his opinions on the bridge both in private and in public, said recently, "It disturbed me that the City of Warrenton didn't testify (at the public hearing)."

Megrath brought the issue before the county commission and the body has taken a stand on the bridge for the third time in recent years. The county also entered a recommendation in the state's public hearing record.

The county commission voted to back the city in whatever stand it takes — if it ever takes a stand — at the same time.

Two city commissioners didn't even attend the latest hearing and when the issue was brought before the commission again Monday, it still couldn't make up its mind. Apparently it wouldn't have discussed the bridge matter at the meeting at all, but for Warrenton resident Herb Palmberg's request to bring it up.

Palmberg, a long-time proponent of a bridge with adequate clearance for small boats in opposition to Dant and Russell's wish for a bridge which would block boat traffic so log rafting could continue to have the whole river, told the commission this week the same thing Megrath and others have been saying.

He said, "I deplore the fact the city commission hasn't spoken out. The commission is on the spot to do something."

EARL "JIGS" JOHNSON
WARRENTON MAYOR

8651

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Palmbergs, D&R clash

Warrenton panel still undecided on bridge

DAILY ASTORIAN 1-9-74

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—Practically everyone with an interest in the Skipanon River bridge remodeling project is trying to persuade the Warrenton City Commission to jump into the fray, but the commission couldn't come to any conclusions at a meeting Monday.

Herb and Dave Palmberg appeared in person to argue for a bridge with more vertical clearance than would be provided by the State Highway Dept. if it followed present plans.

The Palmbergs also argued for a detour route which would be a permanent improvement to Warrenton instead of just a temporary bypass while construction goes on, assuming the state decides to provide a detour at all.

Dant and Russell reportedly expressed its continued interest in the matter verbally to city manager Dick Baldwin, though a spokesman was unable to attend the meeting.

Baldwin said he had been told the wood products firm is appealing through its Portland attorney for closure of the river to navigation above the bridge.

Such a closure would mean no new bridge in downtown Warrenton because Coast Guard objections to the current span have been raised solely because its low clearance and slow opening time block boat passage.

Clatsop County got into the act by dispatching a letter to the city. Though the county commission said it would support any recommendation the city commission might make, it suggested a delay for further study was in order.

If the delay isn't granted by the Coast Guard—earlier requests for delays by the State Highway Dept. have received short shrift from the Coast Guard—the county called for a bridge with increased vertical clearance, the extra costs of such construction to be borne by "upstream affected property owners."

The Palmbergs criticized the positions of both Dant and Russell and the county.

Herb Palmberg noted it takes an Act of Congress to close a waterway to navigation and that route has been tried before in regard to the Skipanon without success.

He also said Dant and Russell log rafting in the waterway is considered navigation and would be illegal if the Skipanon was closed.

Palmberg vowed to make sure log rafting was impossible as well as illegal in the event of a congressionally ordered river closure even if he had to build a boom across the waterway himself.

However, Palmberg appears to be correct when he says such a closure is extremely unlikely.

As for the county's tack, Palmberg said he couldn't see what purpose another delay in the much-delayed project could possibly accomplish, particularly since the proposed AMAX aluminum plant could only "increase traffic and have no other effect whatsoever."

He said the Coast Guard has taken a dim view of further delay and is demanding action because the present bridge hasn't met its standards for decades.

Palmberg was equally critical of the county's proposal to assess waterfront property owners who presumably would benefit if a high bridge allowing increased boat traffic was put in. He called it "impractical and probably illegal."

Palmberg is the principal property owner on the stretch of waterfront between the downtown bridge and eighth Street dam. Though Del Bodie and others also own pieces of property which would be assessed large shares of the approximately $200 000 a bridge with more clearance would require, Palmberg believes the county proposal is aimed at him personally.

He insisted it is impossible to decide who would benefit and how much he might gain from a bridge more suited to navigation than the low structure proposed by the state.

He said commercial fishermen, sport boaters and particularly the City of Warrenton would be big gainers if a bascule span with 18-20 feet of clearance over low water is built instead of one with 15 feet or less.

Palmberg read a letter addressed to the State Highway Dept. which began by noting "unanimity of public opinion expressed at your public hearing" made him feel it his duty to pass on further information in support of those who testified "for a bridge which will adequately serve the needs of vehicular and vessel traffic for the contemplated life of the structure."

It went on, "It is of course understandable that the highway department would prefer to delay this project for economic reasons, but it is regrettable if objections of an industrial concern which is usurping the entire river above this bridge in the long run because of the savings by not having to hire bridge tenders to open and close the structure, a $100,000 per year expense.

The remainder of the letter Palmberg read to the commission concerned one of the state's detour alternatives and one of his own.

The state's two-way detour plan would cost $154,000 and require the moving of an oil storage tank owned by Del Bodie. The detour span would be removed when the bridge work was completed.

Palmberg said a land detour running across the Eighth Street dam could be built which would open up a large portion of Warrenton to development for the first time. It would be a permanent asphalt road

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Dave Palmberg read a second letter, this one addressed to the city.

It began by noting a bridge with more clearance than the current one has been ordered by the Coast Guard "without further delay," the order directed to the state because it owns and maintains the structure.

Palmberg's letter then noted that every person testifying at the public hearing, including Dant and Russell's representative, said if the bridge must be rebuilt, it should have the maximum clearance.

(Dant and Russell doesn't want a new bridge at all, but if it must have one, wants enough clearance so that boats won't keep the span open while its

opportunity for construction of a permanent public thoroughfare as an alternate route to Astoria at a savings to the state and at no cost to the City of Warrenton."

Palmberg said vehicular interests had more stake in a higher bridge than navigation interests anyway because boats could always have a lower bridge opened for them while cars backed up into downtown Warrenton.

He said it was up to the commission to represent the motorists of Warrenton, if no one else would.

The state has turned a deaf ear to the appeals of the Palmbergs and other supporters of a bridge with increased clearance for financial

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DAILY ASTORIAN 1-24-74

undecided on bridge

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Of The Daily Astorian

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It went on, "It is of course understandable that the highway department would prefer to delay this project for economic reasons, but it is regrettable if objections of an industrial concern which is usurping the entire river above this bridge for its log rafting operations are being given consideration, and as a result, are continuing this illegal monopoly of the river."

Palmberg also said it was regrettable if the public benefit was to be delayed because of a presumption one individual (himself) might benefit more than another as a result of opening the river to navigation.

His letter said even if it cost as much as $300,000 more to "build a modern, esthetic structure with sufficient clearance," it would be worth it in the long run because of the savings by not having to hire bridge tenders to open and close the structure, a $100,000 per year expense.

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Palmberg said a land detour running across the Eighth Street dam could be built which would open up a large portion of Warrenton to development for the first time. It would be a permanent asphalt road crossing Hill Slough and emerging along Heron Avenue.

Palmberg said a paving firm had made an estimate on the project. It would cost only $90,000, he said.

Palmberg owns much of the land through which the detour would pass, so his plan has been greeted with skepticism in some quarters, even if it would benefit the city.

But he pleaded, "This presentation is made in all sincerity and it is hoped will be viewed without personal or political interjections."

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Palmberg's letter then noted that every person testifying at the public hearing, including Dant and Russell's representative, said if the bridge must be rebuilt, it should have the maximum clearance.

(Dant and Russell doesn't want a new bridge at all, but if it must have one, wants enough clearance so that boats won't keep the span open while its thousands of log and lumber trucks wait.)

Palmberg said a bascule span with 18-20 feet of clearance would "more than double the capacity of the Skipanon River to provide moorage for commercial and recreational fishing vessels" and "make available extensive area for marine-oriented businesses to accommodate boating and tourism."

Speaking to his father's detour proposal, young Palmberg said, "It provides opportunity for construction of a permanent public thoroughfare as an alternate route to Astoria at a savings to the state and at no cost to the City of Warrenton."

Palmberg said vehicular interests had more stake in a higher bridge than navigation interests anyway because boats could always have a lower bridge opened for them while cars backed up into downtown Warrenton.

He said it was up to the commission to represent the motorists of Warrenton, if no one else would.

The state has turned a deaf ear to the appeals of the Palmbergs and other supporters of a bridge with increased clearance for financial reasons

While engineers have admitted publicly putting approaches on piling or using retaining walls to reduce side grades would allow a higher bridge without right-of-way acquisition, they complain it would be more expensive.

The Warrenton City Commission hasn't come out firmly on any part of the issue, but did agree to meet with the Palmbergs and a state representative at a yet-to-be-determined date to thrash out the matter further.

NOTED
E. S. HUNTER
RECEIVED
JAN 24 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

865

8

January 2, 1974

Mrs. Gail Collins, Chairman
Clatsop Environmental Council
P. O. Box 504
Astoria, OR 97103

Dear Mrs. Collins:

Thank you for your recent letter stating the Clatsop Environmental Council's position on reconstruction of the Skipanon River Bridge near the City of Warrenton.

Your letter will be made a part of the record along with other comments recently received on the proposed project.

Very truly yours,

A. E. Johnson
Deputy State Highway Engineer

bc F. B. Klaboe
E. S. Hunter
R. L. Schroeder
Walt Hart (enc.)
C. O. Fredrickson (enc.)

ESH:jf ja

CLATSOP ENVIRONMENTAL COUNCIL

P. O. BOX 504
ASTORIA, OREGON 97103

December 18, 1973

RECEIVED
STATE HWY ENGR
DEC 20 73
REFER TO
Hunter + Schroeder
FOR
Info | Instr | R/D | Ck | Sign | Act | File
NOTED
A. E. JOHNSON

Department of Highways
State of Oregon
Salem, Oregon 97103

Gentlemen:

The Clatsop Environmental Council Board of Directors has previously commented on the Skipanon River Bridge located within the central part of the City of Warrenton. We believe the Birdge as it now exists is unsafe for boat traffic under it and does, in fact, constitute an illegal hazard and obstruction to navigation of the Skipanon River. We have joined Warrenton City Officials and concerned residents of the City of Warrenton in asking that a quick-opening bridge be constructed that will have enough clearance to allow normal-sized boats to pass safely under it at high tide without requiring the bridge to be opened.

It would appear as if the reluctance of the Highway Department to proceed with this bridge project as directed by the United States Coast Guard is in defiance of the law. The Highway Department by professing replacement of the bridge should await a building decision by AMAX-Mitsui before planning a new bridge is incredible. Apparently, the entire progress of Clatsop County highways is being held up so Oregon's Highway Department can coordinate their plans with AMAX-Mitsui. Since 1967, an aluminum smelter has been saying they will build next year, and they have still to begin.

We say it is time to stop procrastinating and get on with the job. It is time for the Highway Department to stop being anti-progress in Clatsop County and time to stop using vague excuses for expending highway funds in every area of Oregon but Clatsop County.

Very truly yours,

Gail S. Collins

Gail Collins (Mrs.)
Chairman

RECEIVED
DEC 21 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

RECEIVED
DEC 21 1973
HIGHWAY
ADMINISTRATIVE SERVICES

8651 Skipanon River (Warrenton) 1977
Br. Sec. of Warrenton-Astoria Hwy.
(Grade, pave., struc., sign & illum) #2

8651

12-73

8

Overflow crowd complains about Skipanon bridge plan

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—The State Highway Dept. got an earful of complaints about its Skipanon bridge rebuilding plans from an overflow crowd at a public hearing Thursday night.

The people of Warrenton who attended made it clear the state isn't offering them the bridge they want for downtown Warrenton.

And they drew support from State Rep. George Cole, D-Seaside, who said residents had expressed themselves with near unanimity and it was time the State Highway Dept. listened.

Warrenton city officials and some residents have complained about the ugliness of the proposed structure—Clatsop Commissioner Dave Megrath joining them—but that wasn't the issue Thursday night.

Written statements regarding the bridge rebuilding project received within 10 days will be added to the permanent record of the public hearing. They should be mailed to the Highway Division of the Oregon State Dept. of Transportation, State Highway Building, Salem, Oregon 97310.

All but one person who testified at the tape-recorded hearing urged the state to provide higher vertical clearance at the crossing as the Warrenton City Commission and Warrenton Planning Commission unanimously requested many months back.

The single dissenter, Ted Bellingham of Dant and Russell, said he didn't believe a bridge should be built at all, at least at this time.

But he noted that if a structure such as the one proposed by the highway department were to be put up, it would drive Dant and Russel out of business.

He explained the lack of clearance would mean constant bridge openings and damaging delays for the more than 13,000 log trucks the firm sends across the span each year.

Since the Coast Guard has ordered bridge rebuilding as soon as possible and repeatedly denied delay requests, Dant and Russell and the other lumbering interests seem to have the same wish for a bridge with adequate clearance that navigation interests have.

Bellingham confirmed that fact this morning.

Bellingham said he would prefer a relocated structure with a high fixed span. But the state contends the Coast Guard won't give it time to go through the land acquisition process and its required battery of environmental impact statements and public hearings.

State engineers admitted during an informational session earlier Thursday, however, that it would be possible to build a bridge of increased vertical clearance at the present site without having to acquire additional right of way.

Engineer and Warrenton resident Herb Palmberg has been saying that for months, but it was the first time highway department engineers have conceded he is right.

Such a bridge would employ retaining walls and-or pilings under the approaches for some distance on land so that fill wouldn't spill out onto private property, state engineers said.

That would entail additional expen and the highway department pleads lac of funding.

But during the public hearing, o person after another testified that is wh is needed.

Palmberg led off the session. He said had been concerned about the pres vation of waterways, and particularly t Skipanon along which he lives, for near all his life.

He noted the bridge proposed by th state wouldn't allow even small boats t pass under it. Therefore Palmber argued, the bridge would have to b opened often, disrupting vehicular traffic

He said that as the waterway is restore to its original condition, or develope further, increased navigation would forc the state to put tenders on the span on round-the-clock basis--unless it ha adequate clearance.

Tenders might cost as much as $100,00 per year as they do on the Youngs Ba Bridge, a structure too low for the trollin boats which move past it. He called the bridge "a fiasco."

Palmberg said the lack of boat traffic or the waterway at present is misleadin because log rafting plugs the channel an the present slow-opening span keeps boaters out equally effectively.

He cited evidence of heavy boat traffic down the Skipanon in the early part of the century when there was a rapidly opening draw span and there was no log rafting.

Palmberg also argued that the state plans wouldn't meet even the existing 1916 permits standards for vertical clearance. Clearance in the permit is based on "extreme low ordinary boating water," something the state interprets as extreme low water but Palmberg terms mean lower low water.

Palmberg rapped the engineers for preparing plans for spans costing up to $1.3 million, allegedly knowing they wouldn't be acceptable to citizens, but neglecting to draw up plans for a span such as the one he and others want.

A span with five feet more clearance probably would cost between $600,000 and $750,000 if located at the existing site, according to Palmberg.

He went on to complain about the state's handling of the entire bridge issue and noted whatever is built probably will be in use "long after we're dead and gone."

The Clatsop Environmental Council (CEC) presented harsher testimony in a written statement signed by its chairman Gail Collins. Palmberg, a member of the CEC, read the statement to the state engineers.

It noted preservation of the waterway demanded that "a quick-opening bridge be constructed that will have enough

. . . bridge

From page 1

clearance that will allow normal-sized boats to pass safely under it at high tide without requiring the bridge to be opened."

exists "unsafe for boat traffic" and "an illegal hazard and obstruction." The environmental group said, "The reluctance of the highway department to proceed with this bridge ordered by the U.S. Coast Guard is in defiance of the law."

The department has claimed delay would allow it to determine the impact of the proposed aluminum plant on traffic patterns, but the CEC termed having the "progress of highways held up by AMAX-Mitsui" nothing short of "incredible."

"It is time for the highway department to stop being anti-progress," the CEC statement went on, "and time to stop using vague excuses for using funds in every area of Oregon but Clatsop County."

Richard Olsen, a property owner along the Skipanon River above the bridge, testified next. He said he owns seven tugs and a floating derrick which he can't get to his land because of the low clearance of the present structure.

Olsen objected to the plans the state unveiled because they would leave the bridge clearance essentially where it is.

Olsen said, "I've spent my life on the river, make my living on the water. I go along with Palmberg."

small boats to pass under it without requiring a bridge opening to accomplish this.

David Palmberg, a member of the Warrenton Planning Commission who said he was only speaking for himself at the hearing testified the state-proposed bridge "isn't in the best interests of Warrenton residents or travelers on the road."

He alsosaid the state design was lacking any sense of aesthetics, presenting an unbecoming "1890's image."

He noted Warrenton's proposed zoning ordinance doesn't allow structures of 50 feet, the height of the state's proposed draw tower.

Palmberg reminded the highway department engineers both the city commission and planning commission favor a structure with increased vertical clearance.

Ross Lindstrom, executive secretary of the Columbia River Fishermen's Protective Assn., said fishermen who are members of his association live on the Skipanon and "need a place to float vessels all hours of night and day." "They need a [illegible] higher than this," he boats under it." "At least 10 feet of clearance is necessary" even when the water is relatively high, he said.

Kujala said present log rafting and the low bridge prevented him from getting a piling permit in 1970 to construct a moorage at his property.

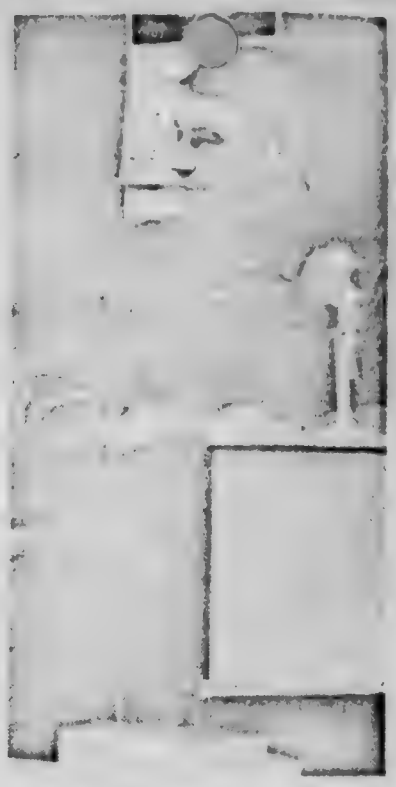
Eben Carruthers of Hammond said he had a great interest in development in Warrenton and thought the state plan wasn't adequate. He said the waterway should be preserved and it would take a structure high enough to permit waterway to Warrenton's economic benefit if the state would consider a span with adequate clearance.

Art Paquet, Otter Trawl Assn. head, said, "Bridge clearance is what I'm interested in."

He conceded, "Our boats need more clearance than is practical here," but added, "if small boats could make it, there would be more moorage" space downriver for big boats.

Paquet said fishermen have long cast ah envious eye at the Skipanon because "even a big boat can tie up with a shoe string," current being so gentle.

William Hogue also said he



GEORGE COLE

ment with ignoring Clatsop County in spending state funds.

"We're faulted for no reason of our own," Hogue said. "If we're going to build a bridge, let's build a good one."

Bern Shultz, billing himself as an oldtimer who lives upriver from the bridge on the Skipanon, also argued for a span with more vertical clearance.

He used to open the old Skipanon drawbridge in the days (1919 or so) when there was a great deal of boat traffic to canneries along the waterway. Shultz said the heavy boat traffic would come again as the area develops.

Richard Hellberg, a commercial fisherman and Skipanon property owner next joined the parade of people testifying for a better bridge. He said the span planned by the state was so low, an extremely high tide would have water lapping at the roadway.

George Cole, D-Seaside, then rose to speak. The state representative said he had to "echo others' remarks," and noted state Sen. Bill Holmstrom, D-Gearhart, also had hoped to come and comment.

"The county is dissappointed in the State Highway Dept.," Cole said, ticking off a number of projects it had failed to follow through on to the citizens satisfaction.

Highway 30 work, Highway 101 widening, the Cannon Beach Junction and the Seaside [illegible]

Lindstrom said, "None of our boats needs more than nine or 10 feet," but noted the state plan wouldn't give them that.

"The Skipanon is becoming a real economic asset," Lindstrom said, and navigation interests and logging interests could cooperate on the

"My friends all have boats with elevations of 4-9 feet and if they come to visit me on my waterfront lot the bridge (the state is planning) would have to be opened," he said.

Walter Palmberg, citing his background in marine construction, also spoke up for a bridge with more clearance than the state's proposed span would have.

He talked of "scenic waterway development" which would be blocked by a low bridge so close to the mouth of the river.

Palmberg said he was concerned about motorists who have "no organization which can carry traffic problems to the State Highway Dept."

He suggested summer tourist traffic might be backed up into downtown Warrenton if the Skipanon River bridge was opened often.

Norman Kujala of Warrenton's Oregon Ocean Supply, a firm located on the Skipanon above the bridge, said any new bridge "should take most small

was backing the boat in. The bridge as presented by the State Highway Dept. is inadequate," he said.

He said the state should give more consideration to boat and vehicular traffic both. He also charged the highway depart-

Cole said the "interest of this community is commendable. "With the unanimity of Warrenton in support of a higher bridge, I hope the highway department will come back with a plan acceptable to the people."

Stop to think

Now is the time of the year we are all busy in preparation for Christmas.

Did we ever stop to think that there are a lot of lonely people who would appreciate a

LOUISE RUSK
672 15th
Astoria

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-NBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE: 202-426-0942

• 3271/3272

17 DEC 1973

2 (9)

Mr. A. E. Johnson
Deputy State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

cc Hart Fredrichsen 12-21-73

Dear Mr. Johnson:

This is in response to your letter of 30 November 1973 advising of the requested schedule for restoration of the Skipanon River bridge at Warrenton.

The necessary approvals for closure of the waterway for construction purposes and placement of falsework may be obtained from the Commander, Thirteenth Coast Guard District.

If a temporary detour bridge is to be constructed, a bridge permit for the structure is also required. Your application may also be submitted to the Commander, Thirteenth Coast Guard District.

You may be assured of our fullest cooperation and early attention to processing your requests for the necessary approvals and bridge permit for the temporary structure.

We do not plan to have any personnel from Headquarters attend your hearing on 20 December 1973. However, representatives of the Thirteenth Coast Guard District do plan to attend.

Sincerely,

K. G. WIMAN
Captain, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

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STATE HWY ENGR
DEC 24 '73
REFER TO
Hunter
FOR
Info

#2

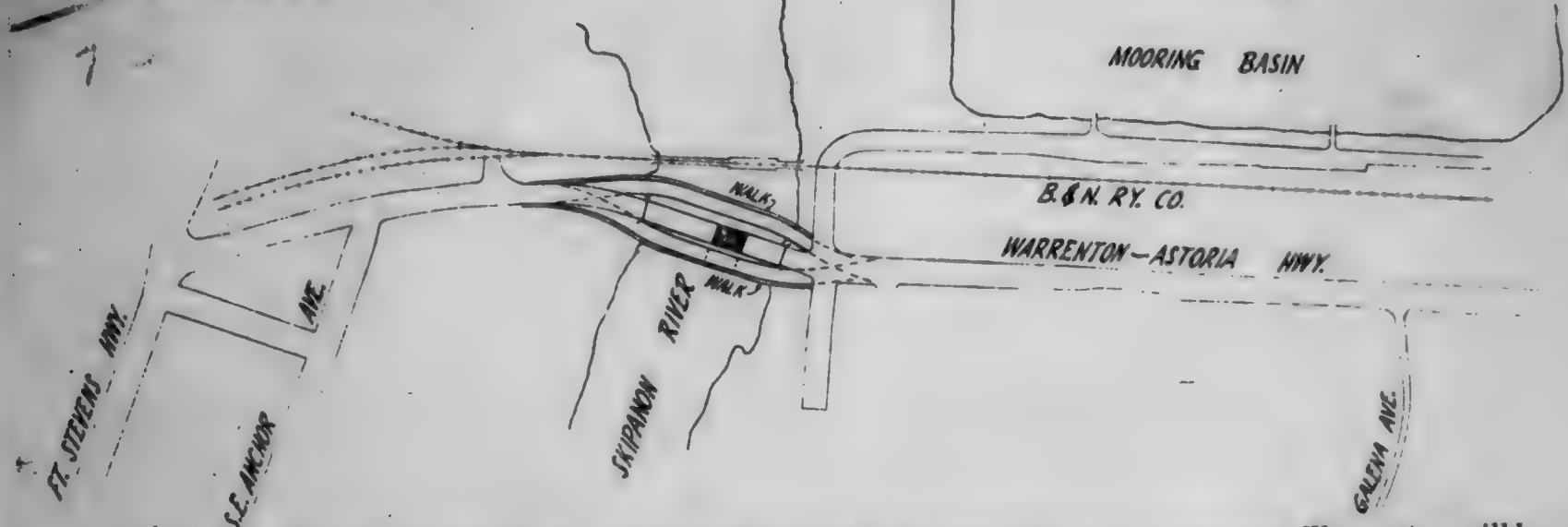
NOTED
A. E. J...

8651

Astoria, Oregon
Daily Astorian
(Circ. D 7,943)

Allen's P. C. B. Est. 1888

NOTED
E. S. HUNTER



The State Highway Dept. proposal for remodeling the Skipanon River bridge in downtown Warrenton will be considered in a public hearing tonight at 7:30 p.m. in the Warrenton City Hall.

'It's horrible . . .'

Officials rap Skipanon bridge plan

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON—"It's horrible," said one city official.

"It looks like a left over oil derrick with a tool shed on top," said another.

The two were discussing a drawing accompanying the State Highway Dept. plan for remodeling the Skipanon River bridge at Harbor Street in Warrenton.

A cadre of state engineers unveiled the plan Wednesday at an informational session. A second informational session was held this afternoon between 2 and 5 p.m. and a formal public hearing on the bridge plan will begin tonight at 7:30 p.m. in the Warrenton City Hall.

The city officials and a number of other residents who have dropped by city hall to take a look at the state's drawing don't like the design.

The state plan calls for a tall draw tower near the center of the existing span to mechanize it. The mechanization would bring opening time down from the present six hours (after at least 12 and possibly more hours notice) to about 15 minutes.

The Coast Guard is demanding the State Highway Dept. cut down opening time to meet original permit standards and Warrenton city officials and residents haven't opposed that goal.

They have spoken up about what they believe is an ugly design featuring steel tower stretching some 50 feet into the Warrenton skyline.

And the key issue of previous controversy, the clearance the rebuilt bridge will have, also remains as an issue of disagreement.

Herb Palmberg, a central figure in the drive of navigation interests for a structure with more clearance, strongly suspects the state plan doesn't call for a higher span. He attended Wednesday's informational session and claims the state engineers wouldn't tell him how much clearance their bridge would have.

The state admits it is trying to get out the cheapest way it can as the Coast Guard ordered the work done over repeated State Highway Dept. objections. The state's plan would cost $271,000 if no detour were provided (at least $425,000 with the detour) compared with up to $1 million for fancier designs.

But regional highway engineer Chuck Fredrickson, the man who will conduct tonight's public hearing, said there are also other considerations.

Fredrickson said the single leaf bascule design with the tower could be built without state acquisition of additional right of way. Other designs might require more right of way, and the process entailed in acquiring it can stretch out for years, he said.

The Coast Guard isn't allowing years.

Fredrickson said the same thing would be true of a bridge with increased vertical clearance. Admitting this morning that the state design allows for no additional clearance whatsoever, he said one which did would feature an increased grade requiring additional right of way.

Fredrickson didn t mention it, but there is also the consideration of the position lumbering interests have been taking on the bridge. They don't want a higher bridge allowing increased navigation because they believe boats would drive loggers off the waterway.

Whether the state will stick to its plans after tonight's 7:30 p.m. hearing is still up in the air. Presumably the state is willing to listen to residents or there would be little point in holding a hearing.

8651

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REGION 2 ENGINEER
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DEC 1973
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ULE GEO TA FILE

BURLINGTON NORTHERN

ENGINEERING DEPARTMENT
Portland Region

1101 N.W. Hoyt Street
P. O. Box 57
Portland, Oregon 97207
Telephone (503) 228-9111

104-1405

Mr. C. O. Frederickson
Regional Engineer
Oregon State Highway Department
2960 E. State Street
Salem, Oregon 97310

December 21, 1973

Dear Mr. Frederickson:

Reference is made to a hearing held at Warrenton, Oregon Thursday night, December 20th, which hearing was called on behalf of the Oregon State Highway Department as to its operations of its present highway bridge over Skipanon River in the City of Warrenton, Oregon, which is immedately adjacent to the Burlington Northern swing span, Bridge A 105.5.

NOTED
E. S. HUNTER

The proposal as submitted by the Oregon State Highway Department at that hearing as to the construction of a gantry type steel span with a deck at the same elevation as the present deck and placing this bridge on call for opening would certainly not be objectionable on the part of the Burlington Northern Inc., as at the present time we have proposed amendments to the U. S. Coast Guard District in Seattle for opening and closing of the Skipanon River Bridge.

NOTED
E. S. HUNTER
cc Wolfe

Very truly yours,

H. F. Moy
Director, Engineering

HFM:pe

RECEIVED
JAN 4 1974
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

cc - ES Hunter ✓ Please include with hearing transcript

1-4-74
Copy to Cec Head

365!

Warrenton Chamber of Commerce

WARRENTON, OREGON

December 5, 1973

Mr. E. S. Hunter
Oregon State Highway Department
Salem, Oregon 97310

Dear Mr. Hunter: Re: Skipanon River Bridge

At the last meeting of the Warrenton Chamber of Commerce, the highway committee was directed to correspond with you in an effort to obtain an insight as to what the Highway Department's plans are for the bridge across the Skipanon River in the City of Warrenton. This bridge is immediately upstream from the Burlington Northern Railroad bridge in downtown Warrenton.

Specifically, the chamber members are interested in the proposed grade, type of span to be adopted, alignment with the present highway, estimated cost and proposed time schedule. We are also very interested in planned provisions for detouring traffic during the renovation or reconstruction of the bridge.

The undersigned attended a meeting of the Clatsop County Advisory Citizens Committee recently and it was noted that subject bridge project was listed as item 12 under "Projects Contracted or Tentatively Scheduled". It also lists work to be done as "straighten". Certainly this must be erroneous as your reply will probably confirm.

Sincerely yours,
Stewart E. Cameron
Stewart E. Cameron
Member hiway committee, Warrenton COC

12-7
Start R/D soon
Est.

Info copies to:

Senator Wm H. Holmstrom
Rep. George F. Cole

RECEIVED
DEC 7 1973
BRIDGE DIVISION

RECEIVED
DEC 6 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8451

November 30, 1973

Commander
U. S. Coast Guard
400 Seventh Street S.W.
Washington, D.C. 20590

Attention: Captain K. G. Wiman

Dear Sir:

Skipanon River Bridge at
Warrenton, Oregon
Bridge 11226A
Restoration Work

Your November 9 letter requested a time schedule for the work required to modify the Skipanon River Bridge to place it in conformance with the 1916 bridge permit.

We are now proceeding as rapidly as possible to develop a project based on Alternate No. 2 from our study of alternate solutions.

You advised by letter dated August 15, 1973 that Alternate No. 2 would be in compliance with your order and the 1916 bridge permit.

The estimated schedule for the project is as follows:

December 19, 1973	-	Informal public hearing at Warrenton.
December 20, 1973	-	Formal public hearing at Warrenton.
February, 1974	-	Complete negotiations with City of Warrenton.
February, 1974	-	Permit application to Corps of Engineers for submerged water line.
April 1, 1974	-	Receive Corps' approval.

bc: F. B. Klaboe
E. S. Hunte
Walt Hart
L. H. Young
J. B. Boyd
H. S. Cox
C. O. Fredrickson

RWE:ag/ESH:jf dpy

Commander
U. S. Coast Guard
November 30, 1973

April 1, 1974 - Complete processing design and specifications and advertise for bids.

April 25, 1974 - Receive bids for restoration work.

May 10, 1974 - Award Contract

March, 1975 - Complete work except painting of structural steel (contingent upon availability of structural steel and machinery).

July, 1975 - Complete painting of structural steel.

The public hearing and negotiations with the City of Warrenton may indicate the need for a detour structure to carry highway traffic during the restoration period. We understand that a falsework permit for such a structure must be obtained from your Seattle office and, if necessary, will be requested in early 1974.

There will be a period during placing of the new span and installation of lift towers and machinery when the span cannot be opened for navigation. We understand that approval for this closed period must be obtained from your Seattle office. I have assumed that this approval and the falsework permit can be obtained in a timely manner during February and March of 1974 and have not included this item as a time factor in the above schedule.

You may wish to attend the hearing December 20, as I expect considerable testimony regarding navigational uses of the Skipanon River. The hearing is scheduled for 7:30 p.m. at the Warrenton City Hall.

If you have any questions regarding this scheduling, please do not hesitate to contact me.

Very truly yours,

A. E. Johnson
Deputy State Highway Engineer

cc: Commander (oan)
Thirteenth Coast Guard District
618 Second Avenue
Seattle, Washington 98104

11-27-73
Skipanon River Br.

Construction time and sequence to minimize River obstruction:

Main Road Work:

(1.) Close RD to traffic.

(2) Remove portion of structure to be removed.

(3) Drive piles and construct new abutments. Will require forming and pouring of concrete.

(4) Construct adjacent spans to navigation span.

(5) Erect prefabricated steel towers

(6.) Erect machinery housing with motor machinery.

(7) Place steel span over navigation channel and open to road way traffic. Close to river traffic.

Final River Closure:

(8) Lower up left span, adjust main drive steel machinery alignment and electrical interlock to operating of span

(9) Open to River navigation

(10) Complete remaining work.

11-28-73

Skagerron River Br.

Estimate of Bridge Structure:

Structure	$131,000
Mechanical	50,000
Electrical	10,000
Safety Devices	30,000
Temp. Protection & Dir. Traffic	5,000
	$226,000
20% EFC	45,000
	$271,000

Approach Structure & Roadway Costs

Structure (Concrete)	$64,000
Grading & Paving	17,000
Temp. Protection & Signals	18,000
	99,000
20% EFC	20,000
	$119,000

NOTED
E. S. HUNTER

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NOV 29 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-WBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE: 202-426-0942

RECEIVED
STATE HWY ENGR
NOV 14 '73
REFER TO
Hunter
FOR
Info | Invest | R/D | O/R | Sign | Act | File

• 3271
9 NOV 1973

• Mr. A. E. Johnson
Acting State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Keabone
cy all

Dear Mr. Johnson:

This is in response to your letter of 25 October 1973 wherein you request that the 1916 bridge permit for the Skipanon River highway bridge be modified to approve the structure as it now exists.

Your letter recites a number of points of view regarding the proper use of both water and rail affecting this bridge. You further suggest that a hearing be held so that these various points of view may be heard to determine the proper use of the waterway.

A number of your specific points regarding navigation may be responded to generally, in that there exists a public right of navigation on the navigable waters of the United States. No bridge may be used as a means of regulating the character of navigation on a waterway or as a device to enhance private interests.

A bridge lawfully constructed across navigable waters is an obstruction to navigation tolerated only because of necessity and the convenience of commerce on land. The right of navigation being paramount it is incumbent upon the bridge owner to maintain and operate it in accordance with the approved plans.

Your bridge is not being maintained and operated in accordance with the approved plans and therefore, is an unlawful structure. By an order dated 26 June 1972 the Oregon State Highway Division was informed of this determination. The order directed the Division to restore the bridge in conformance with the 1916 approval. The Coast Guard cannot now give approval to an unlawful structure nor can it tolerate continued noncompliance with the order on the basis presented.

The one year allowed for commencement of the restoration work tolled on 26 June 1973 and as yet work has not commenced. The delay has been forgiven in view of the efforts made in apparent good faith to comply with the order. Our letter of 21 May 1973 discussed this point and requested notification of a firm date for commencement of work.

NOTED
E. S. HUNTER

Hart R/D.

cc Wolfe
Fredrickson

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NOV 14 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

In view of the elapsed time since the order and our letter of 21 May 1973, commencement of work should be imminent. We would appreciate prompt advice of your plans to commence work or of your intentions otherwise.

Sincerely,

K. G. WIMAN
Captain, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

8651

2

11-28-73
Skipanon River Br.

Estimate W/o Detour Structure:

Structure	#131,000
Machinery	50,000
Electrical	10,000
Safety Devices	30,000
Temp. Protection & Dir. Traffic	5,000
	#226,000
20% E&C	45,000
	#271,000

Detour Structure & related Costs

Structure (one way traffic)	#64,000
Grading & Paving	17,000
Temp Protection & Signals	18,000
	99,000
20% E&C	20,000
	#119,000

NOTED
E. S. HUNTER

RECEIVED
NOV 29 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

11-28-73
Skipanon River Br.

Construction time and sequence to minimize river closure time:

4mon Road Closure

(1.) Close Rd to traffic.

(2) Remove portion of structure to be remodeled.

(3) Drive piling and construct new bents. Will require forming and pouring of concrete.

(4) Construct adjacent spans to navigation span.

(5) Erect prefabricated steel towers

(6.) Erect machinery housing with installed machinery.

(7) Place steel span over navigation channel and open to road way traffic. Close to river traffic.

2mon River Closure

(8.) Connect up lift span, adjust and make final machinery alignment and electrical installation test opening of span.

9.) Oper to River navigation

10.) Install guard devices and complete miscellaneous work.

11-28-73
Skipanon River Br.

Construction time and sequence to minimize road closure time:

3 mon. Road Closure

1.) Close Road to traffic

2) Remove portion of structure to be remodeled.

3) Drive piling and construct new bents. Will require forming and pouring of concrete.

4) Construct adjacent spans to navigation span.

5.) Install steel span over navigation channel and open road to traffic. River closed to navigation.

3 mon River Closure

6) Erect prefabricated steel towers. (May require road closure period of a day).

7.) Erect machinery housing with installed machinery. (Will require a short period of road closure.)

8.) Connect up, lift span, adjust and test.

9) Open River to navigation

10.) Install safety devices and complete miscellaneous work.

8161

FORM E-20

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon

DATE November 27, 1973

TO Memo to the File

FROM ORIGINAL SIGNED
R.W. ELLISON
R. W. Ellison
Bridge Administration Engineer

SUBJECT Skipanon River Bridge
Bridge No. 11226
Coast Guard Permit

NOTED
A. E. JOHNSON

I called Mr. Ed Shields of the Coast Guard in Seattle today about the subject project. His office concurs with our opinion that the letter we received from the Washington, D.C. Coast Guard office under date of August 15, 1973 is the only permit we need to proceed with the actual reconstruction of the structure.

If a detour structure is required at the site, a falsework permit will be required from their Seattle office.

If there is a time during reconstruction when the navigation channel will be closed to river traffic because of construction sequence, approval for the closure must be secured from the Seattle office.

RWE:dh

cc F. B. Klaboe
A. E. Johnson
E. S. Hunter
C. T. Keasey
V. D. Wolfe
D. H. Moehring
C. O. Fredrickson
D. O. Christensen

RECEIVED
STATE HWY ENGR
NOV 27 '73
REFER TO
FOR
Info | Invest | R/D | D/R | Chem | F.I. | Etc

8451

8

DEPARTMENT OF TRANSPORTAT
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-WBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE: 202-426-0942

3271
9 NOV 1973

Mr. A. E. Johnson
Acting State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Johnson:

This is in response to your letter of 25 October 1973 wherein you request that the 1916 bridge permit for the Skipanon River highway bridge be modified to approve the structure as it now exists.

Your letter recites a number of points of view regarding the proper use of both water and rail affecting this bridge. You further suggest that a hearing be held so that these various points of view may be heard to determine the proper use of the waterway.

A number of your specific points regarding navigation may be responded to generally, in that there exists a public right of navigation on the navigable waters of the United States. No bridge may be used as a means of regulating the character of navigation on a waterway or as a device to enhance private interests.

A bridge lawfully constructed across navigable waters is an obstruction to navigation tolerated only because of necessity and the convenience of commerce on land. The right of navigation being paramount it is incumbent upon the bridge owner to maintain and operate it in accordance with the approved plans.

Your bridge is not being maintained and operated in accordance with the approved plans and therefore, is an unlawful structure. By an order dated 26 June 1972 the Oregon State Highway Division was informed of this determination. The order directed the Division to restore the bridge in conformance with the 1916 approval. The Coast Guard cannot now give approval to an unlawful structure nor can it tolerate continued noncompliance with the order on the basis presented.

The one year allowed for commencement of the restoration work tolled on 26 June 1973 and as yet work has not commenced. The delay has been forgiven in view of the efforts made in apparent good faith to comply with the order. Our letter of 21 May 1973 discussed this point and requested notification of a firm date for commencement of work.

NOTED
W. J. HART

RECEIVED
NOV 19 1973
BRIDGE DIVISION

In view of the elapsed time since the order and our letter of 21 May 1973, commencement of work should be imminent. We would appreciate prompt advice of your plans to commence work or of your intentions otherwise.

Sincerely,

SIGNED

K. G. WIMAN
Captain, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

[redacted]

[redacted] navigation [redacted] a necessary or as a device to enhance [redacted].

[redacted] maintained across navigable waters is an obstruction to navigation [redacted] the owner to maintain and operate it in accordance with the approved plans.

[redacted] maintained and operated in accordance with the approved plans and [redacted] structure. If in your [redacted] the [redacted] you should [redacted] to notify the bridge in advance [redacted]. The Coast Guard cannot [redacted] structure or can it [redacted] navigation [redacted].

[redacted] of the requirement [redacted] the relay has been [redacted] and is [redacted] with the relay, [redacted] and [redacted] commencement of work.

A .8651

9

October 28, 1973

Mr. K. G. Himan
Commander, U. S. Coast Guard
Chief, Bridge Division
400 Seventh St., S. W.
Washington, D. C. 20590

Dear Mr. Himan:

Re: Skipanon River Bridge
Warrenton, Oregon
Bridge 11226A

By letter from your office dated August 15, 1973, we were advised that adoption of Alternate No. 2 of our study report would substantially comply with your previous order to restore the Skipanon River Bridge at Warrenton, Oregon, as originally approved on September 15, 1916. This order was the result of complaints by Mr. H. G. Palmberg, Palmberg Construction Company, Warrenton, Oregon, who was assumed to represent the local navigation interests.

Since the bridge is located within the City of Warrenton, the booklet containing possible alternates for revising the bridge to conform with the original Coast Guard permit was supplied to the Warrenton city officials. One of our Engineers presented the proposal to them and explained the reason for our considering reconstruction at this time and requested their opinion regarding the suitability of Alternate No. 2.

Following this meeting there have been a series of letters, newspaper articles and other meetings conducted in the area, all of which have pointed out a serious disagreement over the proper uses of the waterways and the necessity of revising the bridge to conform to the original permit.

We have recently received correspondence from counsel for Dant and Russell, Inc., (see attached letters to City of Warrenton, Oregon Department of Transportation, and Commander, 13th District of the U. S. Coast Guard), also a local navigation interest, indicating that the bridge should not be modified to allow increased river traffic. Evidently there exists a difference of opinion by local navigation interests as to the best use of the river.

There also appears to be some question as to the legality of the dam which has been installed upstream from the bridge site. Apparently it was installed below the upper limits of navigation without proper permit from the Corps of Engineers. The future of this dam and its effects upon the river, navigation, and local development seem to be in question at the present time.

Recently the Warrenton Planning Commission recommended a higher bridge permitting easier navigation because the comprehensive land use plan now in the development process will call for water-oriented and residential development along the waterway (see attached clipping from Daily Astorian and copy of Planning Commission Resolution).

The Warrenton City Commission has agreed to accept the recommendation of the Planning Commission and leave the actual construction of the bridge strictly to the State Highway Division. (See attached letter dated 18 September 1973).

In addition, Mr. H. G. Palmberg has written the Governor (copy of the letter attached) requesting immediate reconstruction of the bridge to provide 18 feet of vertical clearance above mean lower low water. In his letter he suggested that a short detour is available over the existing road which crosses the dam near 8th Street. Field investigation by our personnel indicates that this is a private road owned by Mr. Palmberg.

Further demands on the local transportation modes (rail, water and highway) will be caused by the development of the Amax Aluminum Plant, which is apparently scheduled to begin within the next one or two years. We have been advised that a considerable increase in rail and highway traffic can be expected in connection with the construction and operation of the aluminum plant.

Aside from local issues, the Highway Division is currently facing funding constraints due to the fuel shortage. Highway user revenue, which accrues to the State Highway Fund for Fiscal Year 1974, are currently running at about the same level as they were for the comparative period for 1973. This, of course, has caused the Highway Division to re-evaluate its construction program and some highway improvements needed for the economy and well being of the State will be delayed.

It is apparent that adoption of the City's proposed land use plan and construction of the aluminum plant may materially change the road user traffic pattern and traffic mix in the area. This may require a re-evaluation of the bridge location at some future time. At the present time reconstruction of the existing structure as proposed in Alternate 2 is probably not in the public interest, and a more prudent course of action would be to consider a new structure on new alignment when warranted by an evaluation of the effects these actions have on the transportation modes in the area.

In view of the foregoing discussions and because of the adequacy of the existing structure for existing uses as demonstrated by the very infrequent openings for navigation (approximately once per year) and because the existing bridge provides the clearances required by the existing permit, based on the tide data available in 1916, it does not appear prudent to expend funds on a revision that can not be justified by user demand.

If you believe, as a regulating agency, that revisions to the structure may be necessary, we request that you hold a hearing so that points of view regarding the proper use of both water and rail affecting this bridge can be determined before making a final decision to revise the existing structure.

We respectfully request that you modify the 1916 permit to approve the structure as it now exists until this determination can be made.

Very truly yours,

A. E. Johnson
Acting State Highway Engineer

Attachments
cc: Rear Admiral J. J. McClelland, Commander
United States Coast Guard
13th District Office
618 Second Avenue
Seattle, Washington 98104

M. F. May, Regional Manager
Burlington Northern Railroad Co.
1101 N. W. Hoyt
Portland, Oregon 97207

Kessler Cannon - Governor's Office

bc: F. B. Klaboe
A. E. Johnson
W. J. Hart
D. H. Moehring
V. D. Wolfe
C. T. Keasey
C. O. Fredrickson

ESH:jf cm

8651

8

Copies to Klein

LAW OFFICES OF

BLACK, HELTERLINE, BECK & RAPPLEYEA

12TH FLOOR
THE BANK OF CALIFORNIA TOWER
PORTLAND, OREGON 97205

CABLE ADDRESS BLACAP
TELEPHONE 224-5560

HARVEY N. BLACK
JOHN P. APICELLA (1966)
RUSSELL M. HELTERLINE
BORDEN F. BECK, JR.
GUY J. RAPPLEYEA
CHARLES J. STRADER
GEORGE C. SPENCER
H. KENT HOLMAN
STEVEN R. SCHELL
RICHARD N. ROSKIE
JAMES E. PETERSEN
CRAIG M. CHISHOLM
JOSEPH T. HASEN
ERIC SOSSE

October 19, 1973

RECEIVED
STATE HWY ENGR
OCT 23 '73
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

Rear Admiral J. J. McClelland, Commander
United States Coast Guard
13th District Office
618 Second Avenue
Seattle, Washington 98104

NOTED
A. E. JOHNSON

Reference: Bridge across the Skipanon River at Warrenton.

Dear Sir:

This office represents Dant & Russell, Inc. and its subsidiary D&R Timber Company. D&R Timber Company is a commercial user of the waterway above the presently existing highway and railroad bridges across the Skipanon River at the City of Warrenton in Oregon.

As we understand them, the facts regarding this bridge are as follows: On September 15, 1916 the Corps of Engineers issued a permit to Clatsop County to construct a drawbridge across the Skipanon River at Warrenton. The drawings accompanying the permit show a bascule span as well as extensive log booming activities in the immediate area of the bridge and upriver therefrom. (Since the time of the drawings accompanying the permit the Skipanon has substantially changed its course.)

During the 1920's the bridge was regularly opened to provide access for a mail boat to the City of Warrenton and for a cargo vessel taking out canned clams from a clam cannery located above the bridge. Subsequently, the clam cannery was closed and mail was brought in by land; the bridge was not opened frequently after that time.

While the Corps of Engineers has had an authorized project on the Skipanon River since 1941, no maintenance dredging has been done by the Corps. The Skipanon is a narrow stream above the highway bridge and has been diked to prevent flooding the City of Warrenton.

COPY

Apparently in the early 1940's the bridge was modified so that it could only be floated out rather than opened as a bascule span. In 1948 Clatsop County transferred the bridge to the state. Over the last twenty years the bridge has been opened less than once a year. In short, the water use conditions have significantly changed since the 1916 bridge permit was issued.

Recently, the Coast Guard, to which has been transferred jurisdiction over all bridges in navigable waters, made a demand that the State of Oregon modify its bridge to conform with the 1916 permit. It is D&R Timber Company's position that such a request does not conform to the needs of either navigation or of the community of Warrenton for the following reasons:

1. A boat harbor has been constructed for use of recreational and commercial boats in the area. It has been the City of Warrenton's policy to confine use of the waterway to logs above the bridge and allow boats to use the mooring facilities below the bridge. The bridge has been the effective means of carrying out this policy.

2. If the bridge is modified to be easily opened, demand for opening will increase and will result in significant traffic congestion, both in the City of Warrenton and on the very narrow waterway. Such congestion will result from log trucks and probably from the trucks or railroad cars of the new aluminum smelter planned for the area.

3. The City of Warrenton maintains the dikes above the bridge on the Skipanon. Allowing easy opening of the bridge would result in much heavier use of the waterway and be detrimental to the dikes.

4. A comparison of the drawings accompanying the 1916 permit with the present configuration shows that a significant avulsion has occurred in the waterway some time after 1916. The present permit does not take account of these facts.

Based on these reasons, D&R Timber Company respectfully requests that the Corps hold a public hearing for the purpose of determining whether the 1916 permit issued by the Corps of Engineers for the bridge across the Skipanon River at Warrenton should be modified to reflect present and anticipated conditions or use.

During the week of September 17, I discussed this matter with Captain Hackney of the 13th Coast Guard District. At Captain Hackney's suggestion the matter has been taken up with Oregon's Department of Transportation. As you can see from the enclosed response of Transportation Director George Baldwin, the state, under duress, has gone ahead with plans to conform its structure to the 1916 permit even though such permit does not adequately reflect current conditions.

Before the state is compelled to commit funds for what may well be an inadequate structure improperly placed and not reflecting current or anticipated water use, it is submitted that a public hearing on this matter, conducted by the Coast Guard is imperative.

Your prompt action on this matter is respectfully requested.

Very truly yours,

Stephen R. Sihull

SRS:lw

cc: Mr. George Baldwin
The Honorable Jiggs Johnson
Mr. Dick Baldwin

RECEIVED
OCT 22 1973
OFFICE OF
DIRECTOR of TRANSPORTATION

8651

8

DEPARTMENT OF TRANSPORTATION

HIGHWAY BUILDING • SALEM, OREGON • 97310 • Phone 378-6388

OCT 17 1973

TOM McCALL
GOVERNOR

GEORGE M. BALDWIN
Director of Transportation

SAM R. HALEY
Deputy Director

Mr. Steven R. Schell
Black, Helterline, Beck & Rappleyea
The Bank of California Tower
Portland, Oregon 97205

NOTED
A. E. JOHNSON

Dear Mr. Schell:

I have your letter about the status of the Skipanon River Bridge at Warrenton. You are correct in your understanding that the Coast Guard (Washington, D. C. office) requires modification of the structure to conform to the 1916 permit issued for its construction. It is our understanding that this demand was brought about by action of local navigational interests.

We have tried to dissuade the Coast Guard several times, pleading lack of funds and inappropriate timing. Expenditure of future funds for a new structure on a realignment when warranted by automotive traffic appears to be a more prudent course of action. The Coast Guard has rejected our arguments and insisted, under threat of fine, that we complete the conformity.

Under the circumstances, it appears our only course of action is to comply with the Coast Guard's demands. Our tentative plans are to leave the bridge basically in its present configuration revising it only as required to install a bascule span in place of the present float-out span. We have approval from the Coast Guard for such work.

The City of Warrenton and other local interests have requested that the structure be raised to provide additional vertical navigation clearance. This matter has not been resolved. However, such a change may not be in compliance with Coast Guard requirements.

Local navigational interests apparently precipitated the current Coast Guard demand for revision of the structure. Perhaps similar action brought about by other interests could reverse their decision and you may therefore wish to contact the Coast Guard direct stating your position.

We will also again raise the question of appropriations regarding revision of the structure at this time with the Coast Guard.

Your interest and help in this matter is greatly appreciated.

Sincerely,

George H. Baldwin
Director of Transportation

cc F. B. Klaboe
A. E. Johnson
E. S. Hunter
W. J. Hart

RWE:dh fn

RECEIVED
STATE HWY ENGR
OCT 18 '73
REFER TO
FOR
Info | Invest | R/D | D/R | [illegible] | [illegible] | [illegible]

-8651

October 17, 1973

Mr. Kassler R. Cannon
Assistant to the Governor
Governor's Office
207 Capitol
Salem, OR 97310

Dear Mr. Cannon:

Skipanon River Bridge
Warrenton, Oregon
Bridge 11226A
Construction

The letter from Mr. H. G. Palmberg dated September 21, which you forwarded for comments, suggests that the interest of all waterborne commerce on the Skipanon River at Warrenton necessitates construction of a new bridge at the earliest possible date. We wonder if this may be a one-sided interest since we recently received a letter from counsel for Dant & Russell, Inc. (see attached) indicating that the bridge should not be modified to allow increased river traffic. Evidently, there is a difference of opinion by local navigational interests as to the best use of the river.

As you may know, when we took over the Skipanon River Bridge from the county in 1946 it contained a float-out span which could be removed by barge to allow boat passage. The permit for construction issued by the Corps of Engineers in 1916 called for a bascule span. The change to a float-out span was made without benefit of permit prior to take-over by the State.

In 1972 the U.S. Coast Guard, to whom jurisdiction for bridges has been transferred, demanded under threat of fine that we bring the Skipanon Bridge to conformity with the 1916 permit. This demand was the result of complaints by Mr. Palmberg. Although we protested, citing infrequent openings, lack of funds and inappropriate timing, the U.S.

Coast Guard persisted in its demand. We then submitted a proposal to do the minimum work necessary to install a bascule span, which the Coast Guard approved. This did not include raising the grade to provide greater navigation clearance when the bascule is in lowered position.

The City of Warrenton has now requested that the grade be raised five feet for benefit of navigational interests. This is beyond the requirements of the Coast Guard and has not yet been resolved. Because of the infrequent use of the existing facility (about once a year), such additional expenditure does not appear warranted at this time. It is possible that the Coast Guard may hold a hearing to resolve the issue of whether additional vertical clearance is for navigation at this time.

Our current plans to provide a bascule span do include a temporary detour structure as mentioned in Mr. Palmberg's letter. That letter suggests an alternate detour route which we have since discovered is a private road across Mr. Palmberg's property. We have compared the cost of our proposed temporary detour structure with the cost of improving Mr. Palmberg's road so it can carry two-lane traffic. The road improvement is estimated to be $230,000, not including right-of-way costs. The temporary structure is estimated at $150,000. In addition, the total road-user cost of going around a long detour versus using a short detour structure is approximately $100,000.

Mr. Palmberg's letter requests that we withdraw objections to his applications for permits to drive piles and dredge in the Skipanon River (see Corps of Engineers' Public Notices 70-10 and 70-12). The Governor's letter of August 31, 1973, to the Corps of Engineers regarding this cites construction of the waterway by our proposed reconstruction activities and detour as reasons for not issuing the permits. This is still valid.

Mr. Palmberg's activities progressing coincidentally with ours would certainly create conflict, confusion and delay for both river and highway traffic. This is especially true because of the float-out span presently incorporated in the bridge. Removal and replacement of the span is accomplished during periods of high water and required five to eight hours.

Upon completion of our reconstruction work, the passage of pile drivers and dredges through the bascule span will greatly reduce delays for both highway and river traffic. Mr. Palmberg's permit applications should be reviewed at that time.

I hope these comments give you the information you need. If you have any questions, I will be glad to try to answer them.

Very truly yours,

A. E. Johnson
Acting State Highway Engineer

cc: F. B. Klaboe
E. S. Hunter
W. J. Hart

RWE:sh dpy

FORM E-30 (REV. 10-69)

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
October 10, 1973

SUBJECT: Comments Relative to Detour Proposal at 8th Street-Haron Avenue for Skipanon River Project

To:
Mr. R.W. Ellison
Bridge Design Engineer
B u i l d i n g

1. The route followed by the detour proposal between the Skipanon River at the tidegate structure (8th Street) and SE Galena Avenue is on the private property of Mr. H.G. Palmberg. Mr. Palmberg has asserted that a 70-foot right of way would be made available at no cost should the detour be built. It is believed that he would dedicate this right of way in exchange for the vacation of existing street dedicated right of way on his property.

2. The floodgate structure appears heavy enough to support detour traffic. Heavy loads have passed over it in connection with the Palmberg construction and barging equipment. This is an opinion of expediency based on cursory observations. Should it be determined to use the structure, an inspection and analyses for load capacity would be appropriate. There is approximately 5 feet of fill with ±14 feet of top on the floodgate structure now. In order to obtain a two-lane road it would be necessary to carefully place rock embankment on the 50-foot (inside headwalls) structure.

3. Mr. Palmberg (and others, I think) maintains that the floodgate structure was improperly approved and has expressed the desire that it be removed. Should the proposed detour be constructed and the floodgate subsequently removed, the detour road would be dead-ended.

4. Detour fills at the river crossing and at the sloughs would encroach on the estuary. The entire detour may lie within wetland regulation and require a permit from the Oregon Coast Conservation and Development Association.

5. It would appear that out-of-direction road user costs with the proposed detour would be over $100,000 as determined by rough prorate of prior computations considering existing highways for detour.

Herewith estimate and computations.

Victor D. Wolfe
Location Engineer

By W. N. Hackleman

W.N. Hackleman
Reconnaissance Engineer

WNH:jp
Attachments

VICINITY MAP
DETOUR PROPOSAL for SKIPANON RIVER PROJECT

Reconnaissance

OREGON STATE HIGHWAY DEPARTMENT
QUANTITY SUMMARY & COST ESTIMATE

Sheet 1 of ____ Sheets

Prop. Detour for Stayton River Eng. Project.
Section Ex. Stayton Hwy & 22 Sq — Ker. Aubrey Hwy & Hwy 99. Unit ____
Highway Detour for Stayton - Aubrey County Clackamas Prefix 104-1+05
Length 4600' Designer ____ Draftsman ____ Date Oct 9, 1973

Grading and Surfacing Items

Item	Unit	Net	10% Allow	Gross	Price	Amount
Mobilization — —	Considered subsidiary to Bridge				lOK —	— —
Clearing & Grubbing	All					$ 5,000
Rock excavation	Cu. yd	8,200	200	9,000	$4.00	36,000
Com Exc. (Eg Rental)	All					4,800
Drainage	All					5,000
Base Rock	tons	11,000	1000	12000	4.50	54,000
Asphalt Concrete	tons	2,300	200	2,500	12.00	30,000
A.C. Cement in Base	tons	140	10	150	40.00	6,000
Guard Rail	lin. ft.	1000	100	1100	3.00	3,300
						144,100
Eng & Cost +40% of 144,100 =						55,200
Grade & Pave						$ 200,000
Structure at Mills Slough 20x28						23,000
Utilities						2,000
R/W Metalmarking of Palmberg marks						5,000
R/w along his Private Rd.						
available (some needed for radii & Herm.)						
TOTAL COST						$ 230,000

Total ____

SEP 24 1973

PALMBERG CONSTRUCTION CO.

P. O. BOX 448 WARRENTON, OREGON 97146
PHONE 503-861-1842

September 21, 1973

Governor Tom McCall
State Capitol
Salem, Oregon 97310

Re: Your letter 8-31-73 to District Engineer, Corps of Engineers, U. S. Army, Portland District, concerning Public Notices 70-10 and 70-12, Piling and Dredging in Skipanon River.

Dear Governor;

The Warrenton City Commission voted unanimously 9-17-73 to request that the Oregon State Highway Department replace the bridge over the Skipanon River at Warrenton with an opening structure providing a closed vertical clearance of not less than 18 feet above Mean Lower Low Water. The congestion of waterborne commerce in Skipanon River below the said bridge, including log rafting and storage, marinas, barges and commercial fishing, towing and recreational vessels, necessitates construction of a new bridge at the earliest possible date to make the Federal waterway above the said bridge available for marine uses in accordance with existing laws and regulations.

For your information, a short detour is available over the dam at 8th Street and across Hill's Slough. This would eliminate constructing an expensive detour span over Skipanon River. Further, the potential use of this portion of Skipanon River has been too long deferred and is now resulting in serious loss, damage, inconvenience and embarrassment to those of us having urgent need for the waterway.

Upriver developments and marine installations, imminent even without the advent of the Amax aluminum complex, could be done concurrent with the bridge construction, but without permits would be delayed at considerable cost; and, since the permits requested under 70-10 and 70-12 have been deferred for more than 3 years while an illegal use of the river and an illegal bridge have been permitted to exist, time is now definitely of the essence.

In view of the additional information presented herein, this final request is made that you reconsider and withdraw your objections to the said permits and recommend immediate construction of the revised bridge structure as being in the best economic and public interests of the State for accommodating vehicular and vessel traffic.

Sincerely yours,

H. G. Palmberg

cc: 13th District, U.S.Coast Guard
Portland District, Corps of Engineers
Oregon Highway Commission
City of Warrenton
Clatsop County Board of Commissioners

RECEIVED
OCT 3 1973
BRIDGE DIVISION

RECEIVED
STATE HWY ENGR
OCT 2 '73
REFER TO
Gail Nant
FOR
Info | Invest | R/D | D/R | Sign | ... | File
Cy Nant To

Klaboe

PLEASE RETURN TO
GEORGE M. BALDWIN
W/ Dant

LAW OFFICES OF
BLACK, HELTERLINE, BECK & RAPPLEYEA
12TH FLOOR
THE BANK OF CALIFORNIA TOWER
PORTLAND, OREGON 97205

CABLE ADDRESS BLACAP
TELEPHONE 224-5560

HARVEY N. BLACK
JOHN R. APICELLA (1966)
RUSSELL M. HELTERLINE
BORDEN F. BECK, JR.
GUY J. RAPPLEYEA
CHARLES J. STRADER
GEORGE C. SPENCER
H. KENT HOLMAN
STEVEN R. SCHELL
RICHARD N. ROSKIE
JAMES E. PETERSEN
CRAIG M. CHISHOLM
JOSEPH T. HAGEN
ERIC SOGGE

September 19, 1973

RECEIVED
STATE HWY ENGR
SEP 24 '73
REFER TO
Dant
FOR

Mr. George M. Baldwin, Director
Oregon State Department of Transportation
State Highway Building
Salem, Oregon 97310

Re: Skipanon River Bridge at Warrenton

Dear Mr. Baldwin:

This office represents Dant & Russell, Inc. and its subsidiaries, Warrenton Lumber Company and Astoria Forest Products Inc. Warrenton Lumber Company has a mill at the mouth of the Skipanon River. Astoria Forest Products Inc. has a log dump in the City of Warrenton. The State Highway Department owns a bridge across the Skipanon River downriver from the log dump of Astoria Forest Products.

It is our understanding that the Coast Guard has asked the State Highway Department to bring that bridge into conformity with a permit issued for its construction in 1916. It is our further understanding that when the bridge was originally constructed it was capable of being opened on call. Subsequent modifications, however, resulted in a span that must be floated out before high clearance vessels can pass upriver in the Skipanon. We understand that in response to the request of the Coast Guard, you have prepared a series of alternatives to the present bridge which you are evaluating and asking the City of Warrenton to evaluate.

It is our position that the bridge should not be modified so as to allow increased river traffic above it and the parallel Burlington Northern railroad bridge. This position is based on several factors. Prior to about 1930, a mail boat called above the bridge in order to deliver mail to the Warrenton area. Also, there was a clam cannery above the bridge and vessels called to deliver clams and remove canned goods. When the road system was improved, both of these activities ceased. Over the last twenty years, the bridge has been opened perhaps

RECEIVED
SEP 25 1973
BRIDGE DIV.

9-25-73
Dant
B/D
EGH

RECEIVED
SEP 25 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

once a year. In the early 1960s, a boat basin was prepared in the lower Skipanon River below the bridge and a parallel railroad crossing. At present, the only commercial use above the bridge is the log booming and raft operation of Dant & Russell's subsidiary. Furthermore, there exists a tide gate between the Warrenton Bridge and the State Highway 101 Bridge which would prohibit navigation through the full length of the Skipanon River.

Boat traffic on the Skipanon River will greatly affect the rather fragile dikes presently maintained by the City of Warrenton. If a bridge is constructed which can regularly open and river traffic is increased, heavy congestion in the form of log trucks will result in the City of Warrenton. Furthermore, it is our understanding that American Metal Climax (AMAX) is considering a proposal to move alumina from an area called Tansy Point on the Columbia River to its proposed plant location southeast of the present bridge site. It has been proposed to use trucks to move this alumina. These trucks would have to cross the Warrenton Bridge. Because of the volume of alumina used, there would be further congestion in the City of Warrenton if the Warrenton Bridge could be readily opened.

If river traffic in the Skipanon River above the Warrenton railroad and highway bridges increases, it will be necessary for Astoria Forest Products to abandon its log dump in the City of Warrenton. This is the only log dump available for several companies in the Lower Columbia River. Its abandonment may compel these companies to transport their logs by log trucks to St. Helens and other points up the Columbia River. Because of the volume of logs involved, abandonment would result in transportation difficulties at the Warrenton Bridge, at the Youngs Bay Bridge and in the City of Astoria. Also, there will be a loss of revenue generated for the City of Warrenton from the activities at the log dump.

We feel that the expenditure of highway monies for revision of this bridge at the present time is highly inappropriate, not in accordance with the needs of river traffic and not in accordance with the highway transportation of goods in this area. Informal discussions with officials of the Coast Guard indicate that they would entertain a request from the State Department of Transportation to evaluate the need for modifying the 1916 permit in order to allow the bridge to remain in basically its present configuration.

RECEIVED
SEP 1973
BRIDGE

We respectfully request that you ask the Coast Guard to modify the 1916 permit and to hold a hearing so that all points of view as to the proper use, both water and land, of this bridge and the affected waterway above the railroad bridge can be determined.

Very truly yours,

Steven R Schell

SRS:sj

cc: Commander, 13th District
United States Coast Guard

Mr. Richard Baldwin, City Manager
City of Warrenton

The Hon. Jiggs Johnson, Mayor
City of Warrenton

Mr. Joseph S. Heigel
Dant & Russell, Inc.

RECEIVED
SEP 21 1973
OFFICE OF
DIRECTOR of TRANSPORTATION

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SEP 21 1973
BRIDGE DIV.

8651

10-15-73

WARRENTON SECTION
SKIPANON RIVER BRIDGE
WARRENTON-ASTORIA HIGHWAY
CLATSOP COUNTY

It appears that the following laws would affect a 2nd Street or 9th Street route:

1. Section 10 of the River and Harbor Act of 1899.
2. Section 404 of the Federal Water Pollution Control Act (PL 92-500).
3. Section 307 (a)(3) of the Coastal Zone Management Act of 1972 (PL 92-583).
4. The National Environmental Policy Act of 1969.
5. The Fish and Wildlife Act of 1956.

The following agencies would have to approve and issue permits for either of these routes:

1. U. S. Coast Guard.
2. Corps of Engineers.
3. Council of Governments.
4. Division of State Lands.

Another permit that could be required, particularly on the 9th Street route, is a permit from the Department of Geology and Minerals.

Both of these routes would require an Environmental Impact Statement with reviews and comments from all agencies.

Considering the Governor's edict regarding construction in estuaries, it appears a 9th Street Route would be almost impossible and a 2nd Street Route would be difficult but possible.

10/15/73

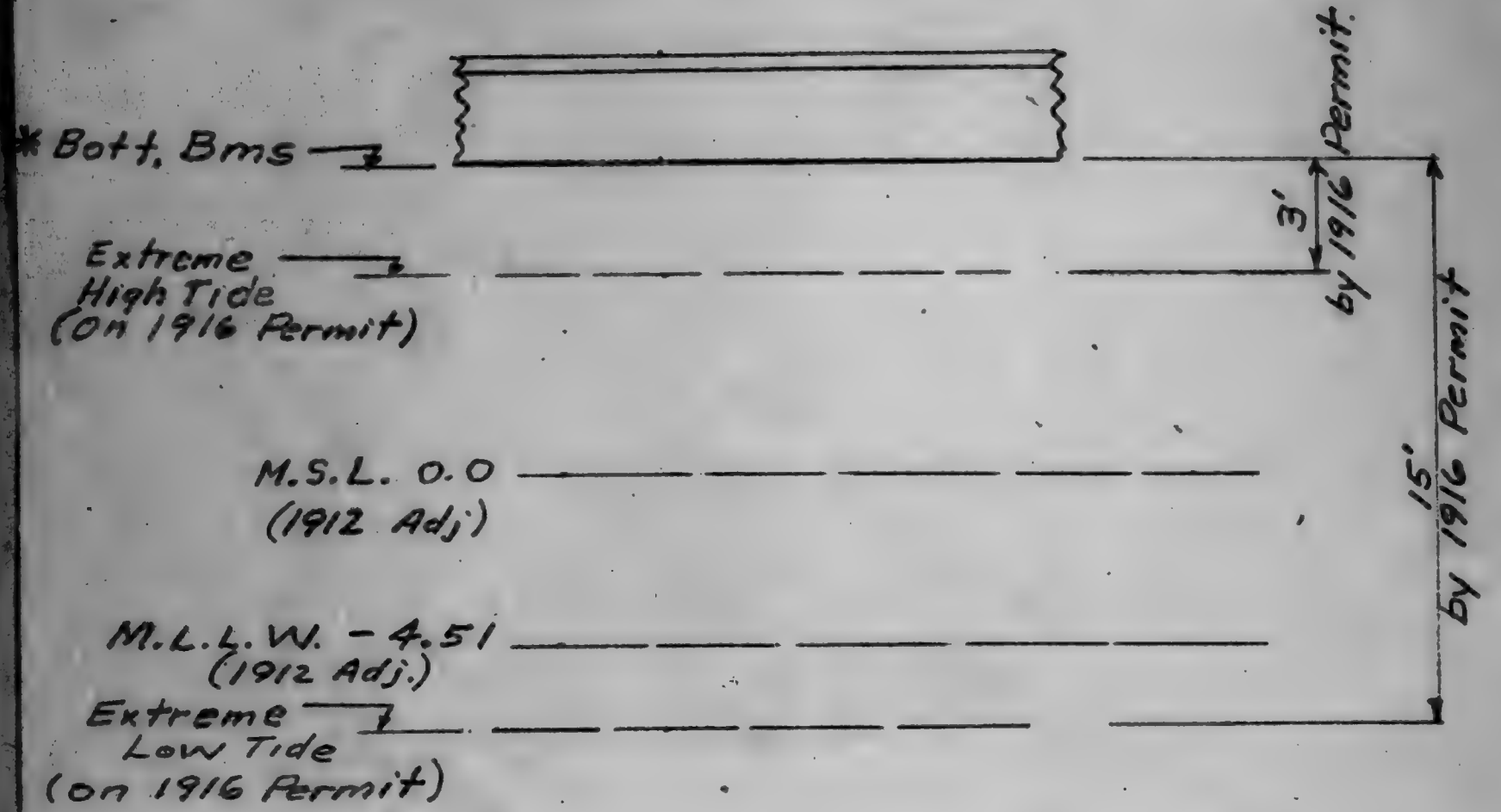
(1) Section 10 of the River and Harbor Act approved March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403) prohibits the unauthorized obstruction or alteration of any navigable water of the United States. The construction of any structure in or over any navigable water of the United States, the excavation from or depositing of material in such waters, or the accomplishment of any other work affecting the course, location, condition, or capacity of such waters are unlawful unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of the Army. The instrument of authorization is designated a permit or letter of permission. The authority of the Secretary of the Army to prevent obstructions to navigation in the navigable waters of the United States was extended to artificial islands and fixed structures located on the outer continental shelf by Section 4 of the Outer Continental Shelf Lands Act of 1953 (67 Stat. 463; 43 U.S.C. 1333(f.)).

(2) Section 404 of the Federal Water Pollution Control Act (PL 92-500, 86 Stat. 816) authorizes the Secretary of the Army, acting through the Chief of Engineers, to issue permits, after notice and opportunity for public hearings, for the discharge of dredged or fill material into the navigable waters at specified disposal sites. The selection of disposal sites will be in accordance with guidelines developed by the Administrator of the Environmental Protection Agency (EPA) in conjunction with the Secretary of the Army. Furthermore, the Administrator can prohibit or restrict the use of any defined area as a disposal site whenever he determines, after notice and opportunity for public hearings, that the discharge of such materials into such areas will have an unacceptable adverse effect on municipal water supplies, shell fish beds and fishery areas, wildlife or recreational areas.

(3) Section 307(a)(3) of the Coastal Zone Management Act of 1972 (PL 92-583, 86 Stat. 1280) requires any applicant for the Federal license or permit to conduct an activity affecting land or water uses in the State's coastal zone to furnish a certification that the proposed activity will comply with the State's coastal zone management program. Generally, no permit will be issued until the State has concurred with the applicant's certification. This provision becomes effective upon approval by the Secretary of Commerce of the State's coastal zone management program.

(4) The National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347) declares the national policy to encourage a productive and enjoyable harmony between man and his environment. Section 102 of that Act directs that "to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall * * * * * insure that presently unquantified environmental amenities and values may be given appropriate consideration in decision making along with economic and technical considerations * * * * *." See also paragraph (1)(1), below, on environmental statements.

(5) The Fish and Wildlife Act of 1956 (16 U.S.C. 742a, et seq), the Migratory Marine Game-Fish Act (16 U.S.C. 760c-760g) and the Fish and Wildlife Coordination Act (16 U.S.C. 661-666c) express the concern of Congress with the quality of the aquatic environment as it affects the conservation, improvement and enjoyment of fish and wildlife resources. The latter Act requires that any Federal permits which authorize the control or modification of any body of water must be coordinated with the United States Fish and Wildlife Service and with the head of the appropriate State agency excercising administration over the wildlife resources of the affected State. Reorganization Plan No. 4 of 1970 transferred certain functions from the Secretary of the Interior to the Secretary of Commerce. The National Marine Fisheries Service of the National Oceanic and Atmospheric Administration of the Department of Commerce has an interest in fish and wildlife coordination.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M.L.L.W. -4.51 (1912 Adj.)
Extreme Low Tide (on 1916 Permit)
3' by 1916 Permit
15' by 1916 Permit

VERTICAL (NAVIGATION) CLEARANCE

(Clearances shown are on the Clatsop County 1916 permit)

* Bottom of beam elevations are to be determined in the field.

SKIPANON RIVER BRIDGE
WARRENTON-ASTORIA HWY.
CLATSOP CO.

BR No. 11226A

U.S.C.&G.S.

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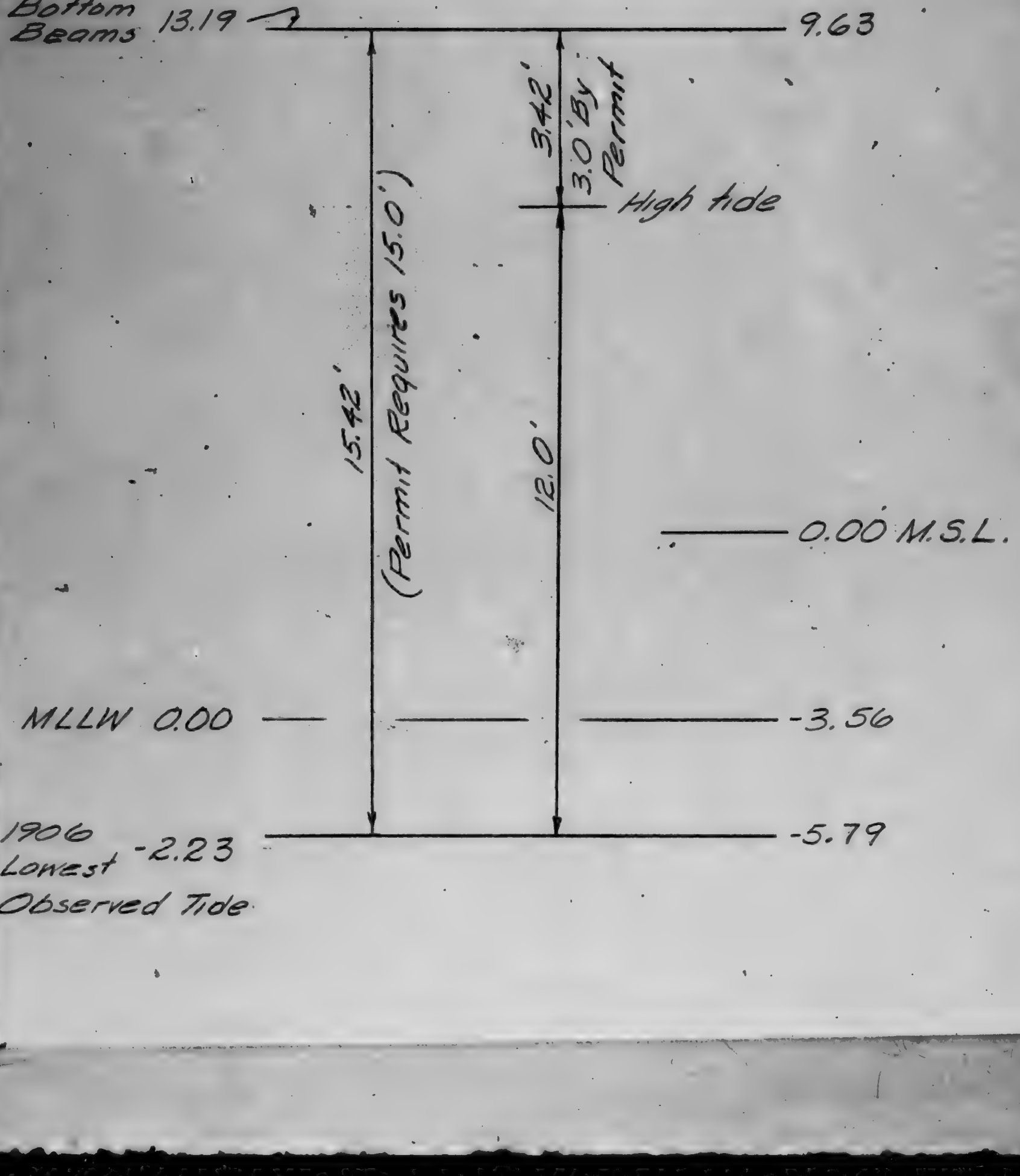
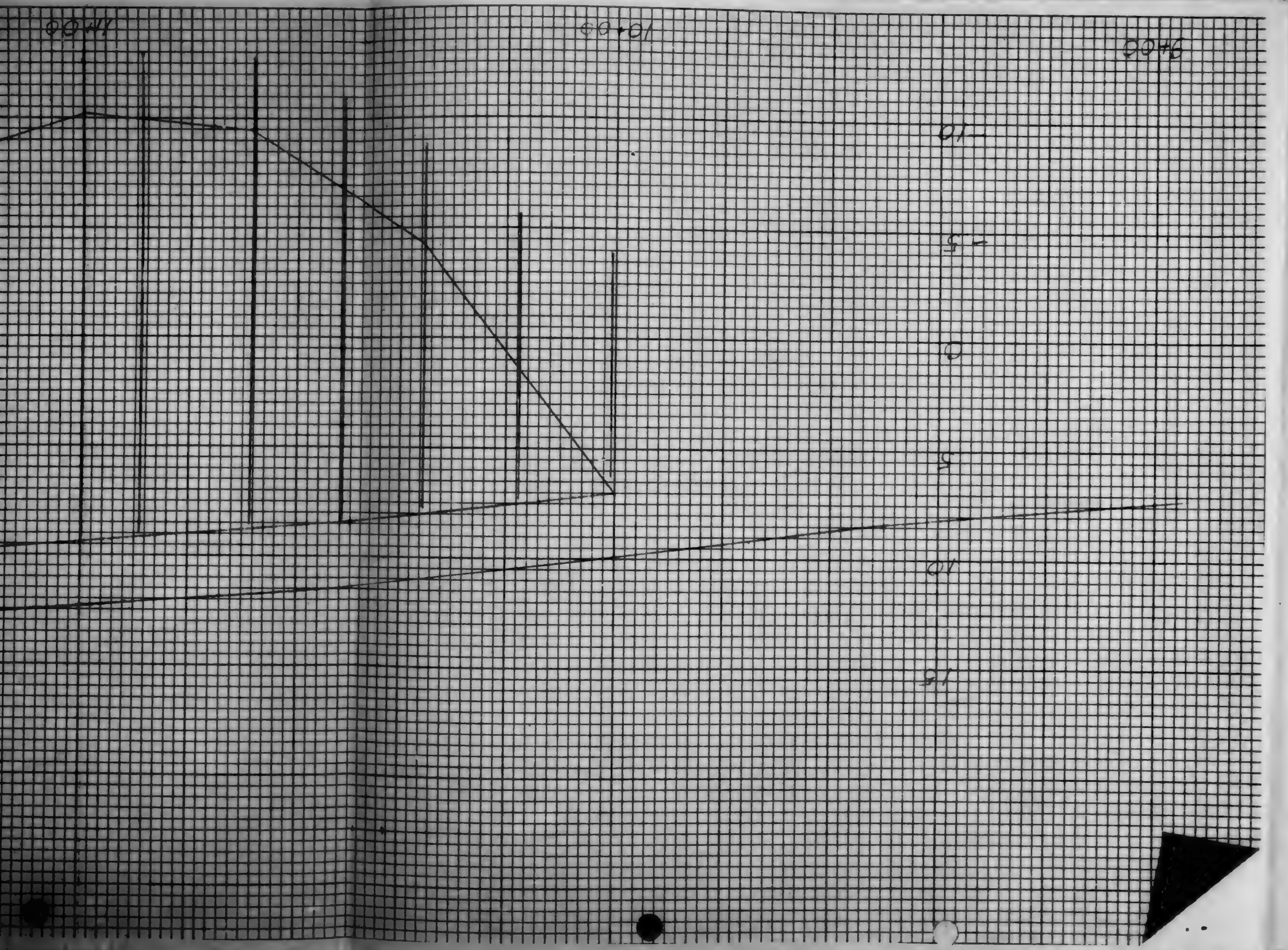
1947 Adj.

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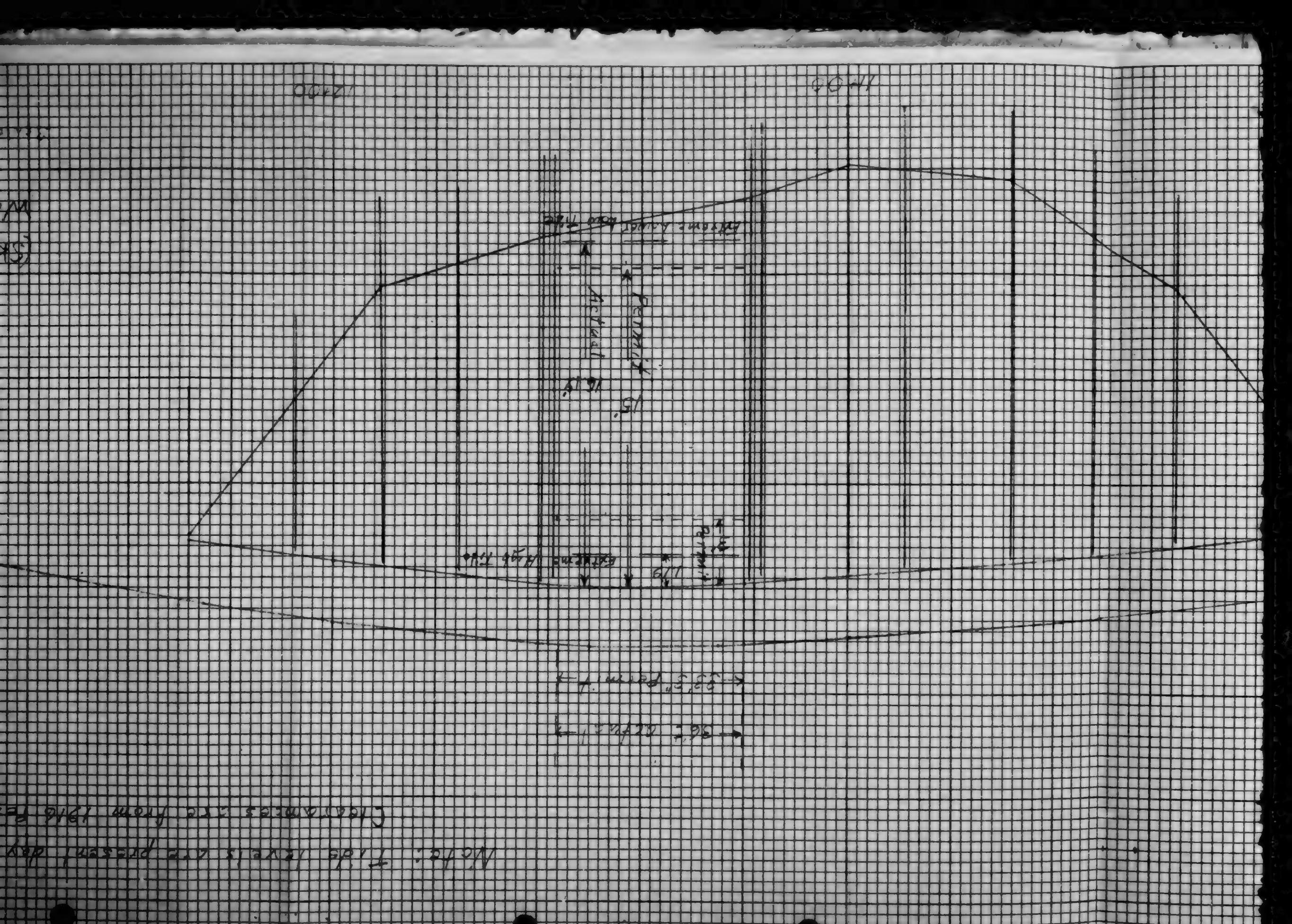

Note: The Levels are arranged present day elements
Electronegs are from high Fermi.

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Estimated Highest Tide 8.44

Mean High Tide 4.14

Mean Sea Level

Mean Lower Low water – 3.56

estimated extreme Lower Low water – 6.56

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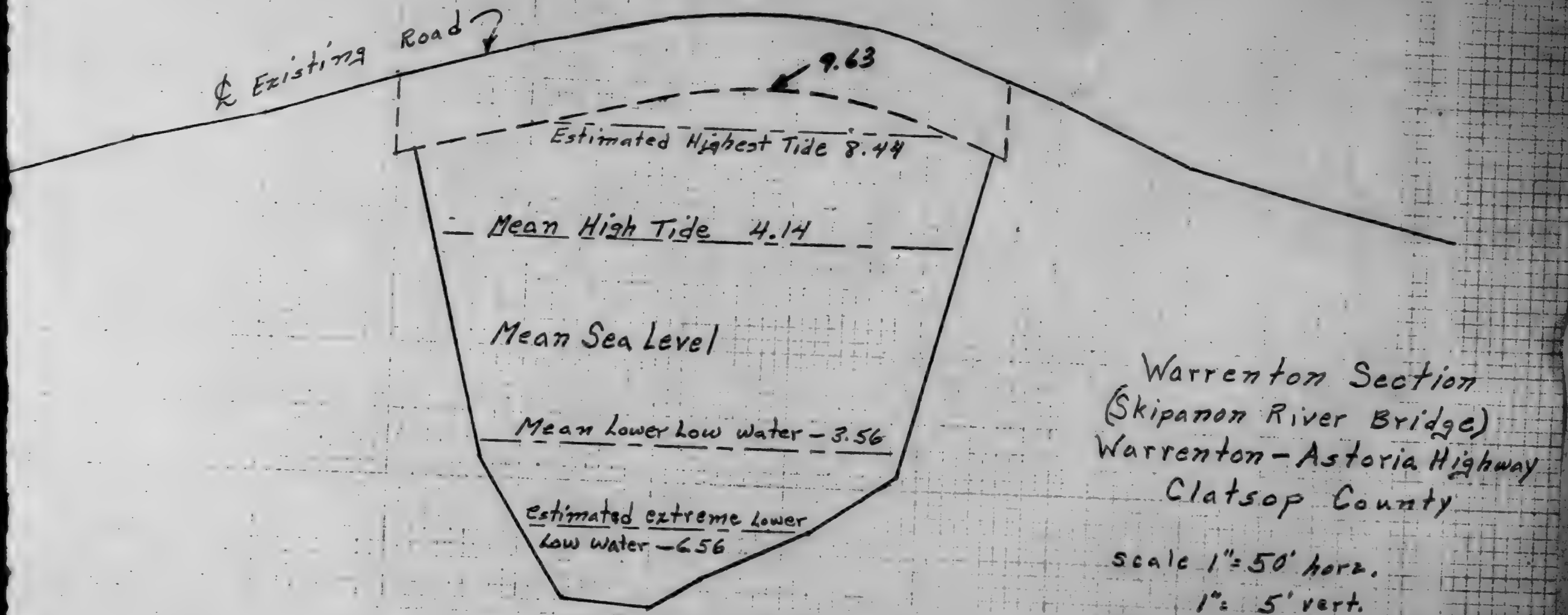
scale 1"=50' h
1"= 5' v



Warrenton Section
(Skipanon River Bridge)
Warrenton – Astoria Highway
Clatsop County

Scale 1" = 50' horz.
1" = 5' vert.

8651

FORM E-30

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon

DATE October 10, 1973

TO Mr. E. S. Hunter
Assistant State Highway Engineer

FROM Walter J. Hart
Bridge Engineer

SUBJECT Skipanon River Bridge
Warrenton-Astoria Hwy.
Br. 11226
Truman-Hobbs Act

Title 33 of the U. S. Code, Par. 511-525, is known as the Truman-Hobbs Act and provides that when the Secretary of Transportation orders alterations to a bridge for the purpose of navigation the government shall bear that cost not attributable to the requirements of the bridge owner or the requirements of the traffic over the bridge.

If the owner and the Secretary agree that relocation of the bridge is necessary or desirable to remove an obstacle to navigation, the cost of such relocation, including right-of-way, et cetera, shall be apportioned between the owner and the government in a similar manner. Copies of the appropriate paragraphs of the U. S. Code are attached for your use.

This may apply in the case of the Skipanon River Bridge at Warrenton. The cost of making the bridge comply with the 1916 permit would not be eligible as a charge against the government under this act. The raise in grade as currently proposed by the City of Warrenton, if ordered by the Secretary of Transportation would seem to be chargeable against the government.

RWE/ag

cc L. L. Wallace
D. O. Christensen

RECEIVED
OCT 10 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 503, 506 of this title.

§ 507. Same; failure to obey order prescribing toll; punishment.

In any case where there is in effect a toll prescribed by an order issued under section 504 of this title, for passage or transit over any bridge to which this section and sections 503 to 506 of this title apply, any person who demands or collects a toll for such passage or transit in excess of that so prescribed shall, upon conviction thereof, be punished by a fine of not to exceed $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. (Aug. 21, 1935, ch. 597, § 5, 49 Stat. 672.)

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other offices and officers of the Department of the Army relating to reasonableness of tolls under sections 503 to 507 of this title were transferred to and vested in the Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(4)(E) of Title 49, Transportation.

CROSS REFERENCES

Felony and misdemeanor defined, see section 1 of Title 18, Crimes and Criminal Procedure.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 503 of this title

ALTERATION OF BRIDGES

§ 511. Definitions.

When used in sections 511 to 523 of this title, unless the context indicates otherwise—

The term "alteration" includes changes of any kind, reconstruction, or removal in whole or in part.

The term "bridge" means a lawful bridge over navigable waters of the United States, including approaches, fenders, and appurtenances thereto, which is used and operated for the purpose of carrying railroad traffic, or both railroad and highway traffic, or if a State, county, municipality, or other political subdivision is the owner or joint owner thereof, which is used and operated for the purpose of carrying highway traffic.

The term "bridge owner" means any State, county, municipality, or other political subdivision, or any corporation, association, partnership, or individual owning, or jointly owning, any bridge, and, when any bridge shall be in the possession or under the control of any trustee, receiver, trustee in bankruptcy, or lessee, such terms shall include both the owner of the legal title and the person or the entity in possession or control of such bridge.

The term "Secretary" means the Secretary of Transportation acting directly or through the Chief of Engineers.

The term "United States", when used in a geographical sense, includes the Territories and possessions of the United States. (June 21, 1940, ch. 409, § 1, 54 Stat. 497; July 16, 1952, ch. 889, § 1, 66 Stat. 732.)

CODIFICATION

The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by section 205 (a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205 (a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces", which in sections 3011—3013 continued the military Department of the Army under the administrative supervision of a Secretary of the Army.

AMENDMENTS

1952—Act of July 16, 1952, redefined "bridge" and "bridge owner".

TRANSFER OF FUNCTIONS

"Secretary of Transportation" was substituted for "Secretary of the Army" pursuant to Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which transferred all functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, to the Secretary of Transportation. See section 1655 (g) (3) of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 518, 519, 520, 521, 522 of this title.

§ 512. Obstruction of navigation.

No bridge shall at any time unreasonably obstruct the free navigation of any navigable waters of the United States. (June 21, 1940, ch. 409, § 2, 54 Stat. 498.)

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 518, 519, 520, 521, 522 of this title.

§ 513. Notice, hearings, and findings.

Whenever any bridge shall, in the opinion of the Secretary, at any time unreasonably obstruct such navigation, it shall be the duty of the Secretary, after notice to interested parties, to hold a hearing at which the bridge owner, those interested in water navigation thereunder or therethrough, those interested in either railroad or highway traffic thereover, and any other party or parties in interest shall have full opportunity to offer evidence and be heard as to whether any alteration of such bridge is needed, and if so what alterations are needed, having due regard to the necessity of free and unobstructed water navigation and to the necessities of the rail or highway traffic. If, upon such hearing, the Secretary determines that any alterations of such bridge are necessary in order to render navigation through or under it reasonably free, easy, and unobstructed, having due regard also for the necessities of rail or highway traffic thereover, he shall so find and shall issue and cause to be served upon interested parties an order requiring such alterations of such bridge as he finds to be reasonably necessary for the purposes of navigation. (June 21, 1940, ch. 409, § 3, 54 Stat. 498.)

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of

June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 518, 519, 520, 521, 522 of this title.

§ 514. Submission and approval of general plans and specifications.

It shall be the duty of the bridge owner to prepare and submit to the Secretary, within ninety days after service of his order, general plans and specifications to provide for the alteration of such bridge in accordance with such order, and for such additional alteration of such bridge as the bridge owner may desire to meet the necessities of railroad or highway traffic, or both. The Secretary may approve or reject such general plans and specifications, in whole or in part, and may require the submission of new or additional plans and specifications, but when the Secretary shall have approved general plans and specifications, they shall be final and binding upon all parties unless changes therein be afterward approved by the Secretary and the bridge owner. (June 21, 1940, ch. 409, § 4, 54 Stat. 498.)

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

SECRETARY OF THE AIR FORCE

For transfer of certain functions insofar as they pertain to the Air Force, and to the extent that they were not previously transferred to the Secretary of the Air Force and Department of the Air Force from the Secretary of the Army and Department of the Army, see Secretary of Defense Transfer Order No. 40, July 22, 1949.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 518, 519, 520, 521, 522 of this title.

§ 515. Contracts for project; guaranty of cost.

After approval of such general plans and specifications by the Secretary, and after notification of such approval, the bridge owner shall, in such manner and within such times as the Secretary may prescribe, take bids for the alteration of such bridge in accordance with such general plans and specifications. All bids, including any bid for all or part of the project submitted by the bridge owner, shall be submitted to the Secretary, together with a recommendation by the bridge owner as to the most competent bid or bids, and at the same time the bridge owner shall submit to the Secretary a written guaranty that the total cost of the project, including the cost of such work as is to be performed by the bridge owner and not included in the work to be performed by contract, shall not exceed the sum stated in said guaranty. The Secretary may direct the bridge owner to reject all bids and to take new bids, or may authorize the bridge owner to proceed with the project, by contract, or partly by contract and partly by the bridge owner, or wholly by the bridge owner. Upon such authorization and fixing of the proportionate shares of the cost as provided in section 516 of this title, the bridge owner shall, within a reasonable time to be prescribed by the Secretary, proceed with the work of alteration; and the cost thereof shall be borne by the United States and by the bridge owner, as provided in sections 516 and 517 of this title: *Provided*, That where funds have been appropriated for part only of a project, the bridge owner may take bids for part only of the work. In the event the bridge owner proceeds with the alteration through the taking of successive partial bids, the bridge owner shall, if required by the Secretary, submit a revised guaranty of cost after bids are accepted for successive parts of the work. (June 21, 1940; ch. 409, § 5, 54 Stat. 498; Aug. 14, 1958, Pub. L. 85–640, § 1 (a), (b), 72 Stat. 595.)

AMENDMENTS

1958—Pub. L. 85–640 eliminated provisions which required the bridge owner to take bids within 90 days after notification of approval of general plans and specifications, and inserted provisions permitting the taking of partial bids where funds have been appropriated for part of a project, and requiring the bridge owner, if requested, to submit a revised guaranty of cost.

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 518, 519, 520, 521, 522 of this title.

§ 516. Apportionment of cost.

At the time the Secretary shall authorize the bridge owner to proceed with the project, as provided in section 515 of this title, and after an opportunity to the bridge owner to be heard thereon, the Secretary shall determine and issue an order specifying the proportionate shares of the total cost of the project to be borne by the United States and by the bridge owner. Such apportionment shall be made on the following basis: The bridge owner shall bear such part of the cost as is attributable to the direct and special benefits which will accrue to the bridge owner as a result of the alteration, including the expectable savings in repair or maintenance costs; and that part of the cost attributable to the requirements of traffic by railroad or highway, or both, including any expenditure for increased carrying capacity of the bridge, and including such proportion of the actual capital cost of the old bridge or of such part of the old bridge as may be altered or changed or rebuilt, as the used service life of the whole or a part, as the case may be, bears to the total estimated service life of the whole or such part. *Provided*, That in the event the alteration or relocation of any bridge may be desirable for the reason that the bridge unreasonably obstructs navigation, but also for some other reason, the Secretary may require equitable contribution from any interested person, firm, association, corporation, municipality, county, or State desiring such alteration or relocation for such other reason, as a condition

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precedent to the making of an order for such alteration or relocation. The United States shall bear the balance of the cost, including that part attributable to the necessities of navigation: *And provided further*, That where the bridge owner proceeds with the alteration on a successive partial bid basis the Secretary is authorized to issue an order of apportionment of cost for the entire alteration based on the accepted bid for the first part of the alteration and an estimate of cost for the remainder of the work. The Secretary is authorized to revise the order of apportionment of cost, to the extent he deems reasonable and proper, to meet any changed conditions. (June 21, 1940, ch. 409, § 6, 54 Stat. 499; July 16, 1952, ch. 889, § 2, 66 Stat. 733; Aug. 14, 1958, Pub. L. 85-640, § 1 (c), 72 Stat. 595.)

AMENDMENTS

1958—Pub. L. 85-640 permitted the issuance of an order of apportionment of cost for the entire alteration based on the accepted bid for the first part of the alteration and an estimate of cost for the remainder of the work where the bridge owner proceeds with the alteration on a successive partial bid basis.

1952—Act July 16, 1952, made railroads share equally with the proprietors of highways in hearing the cost of alterations necessary to remove obstacles to navigation.

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 515, 518, 519, 520, 521, 522 of this title.

§ 517. Payment of share of United States.

Following service of the order requiring alteration of the bridge, the Secretary of Transportation may make partial payments as the work progresses to the extent that funds have been appropriated. The total payments out of Federal funds shall not exceed the proportionate share of the United States of the total cost of the project paid or incurred by the bridge owner, and, if such total cost exceeds the cost guaranteed by the bridge owner, shall not exceed the proportionate share of the United States of such guaranteed cost, except that if the cost of the work exceeds the guaranteed cost by reason of emergencies, conditions beyond the control of the owner, or unforeseen or undetermined conditions, the Secretary of Transportation may, after full review of all the circumstances, provide for additional payments by the United States to help defray such excess cost to the extent he deems to be reasonable and proper, and shall certify such additional payments to the Secretary of the Treasury for payment. All payments to any bridge owner herein provided for shall be made by the Secretary of the Treasury through the Fiscal Service upon certifications of the Secretary of Transportation. (June 21, 1940, ch. 409, § 7, 54 Stat. 499; 1940 Reorg. Plan No. III, § 1 (a) (1), eff. June 30, 1940, 5 F. R. 2107, 54 Stat. 1231; Aug. 14, 1958, Pub. L. 85-640, § 1(d), 72 Stat. 596; Dec. 31, 1970, Pub. L. 91-605, title I, § 118, 84 Stat. 1725.)

CODIFICATION

The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by section 205 (a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205 (a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces", which in sections 3011—3013 continued the military Department of the Army under the administrative supervision of a Secretary of the Army.

AMENDMENTS

1970—Pub. L. 91-605 substituted provision permitting the Secretary of Transportation to make payments for design work performed prior to the actual commencement of bridge alteration but after the order to alter has been issued for provision requiring Secretary of the Army to approve alteration plans, the cost guaranty, the fixing of proportionate shares as between the United States and bridge owner, and the commencement of the alteration, before the Chief of Engineers may make payments for bridge alteration, added reference to Secretary of Transportation in the second sentence, and substituted "Secretary of Transportation" for "Secretary of the Army" in the third sentence.

1958—Pub. L. 85-640 eliminated provisions which required the Secretary of the Army to furnish to the Secretary of the Treasury a certified copy of his approval of the plans and specifications and guaranty, and of his order fixing the proportionate shares, and which required the Secretary of the Treasury to set aside the share of the United States for the project.

TRANSFER OF FUNCTIONS

Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 931, transferred all functions, powers and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, to the Secretary of Transportation. See section 1655(g)(3) of Title 49, Transportation.

1940 Reorg. Plan No. III, § 1 (a) (1), consolidated the Division of Disbursement in the Treasury Department, and various other offices and divisions, and their functions, into one agency of the Treasury Department to be known as the Fiscal Service.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 515, 518, 519, 520, 521, 522 of this title.

§ 518. Authorization of appropriations.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of sections 511 to 523 of this title. (June 21, 1940, ch. 409, § 8, 54 Stat. 500.)

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 519, 520, 521, 522 of this title.

§ 519. Noncompliance with orders; penalties; removal of bridge.

Any bridge owner who shall willfully fail or refuse to comply with any lawful order of the Secretary, made in accordance with the provisions of sections 511 to 523 of this title, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished in any court of competent jurisdiction by a fine not exceeding $5,000, and every month such bridge

owner shall remain in default shall be deemed a new offense and subject such bridge owner to additional penalties therefor. In addition to the penalties above prescribed the Secretary may, upon the failure or refusal of any bridge owner to comply with any lawful order issued by the Secretary in regard thereto, cause the removal of any such bridge and accessory works at the expense of the bridge owner; and suit for such expense may be brought in the name of the United States against such bridge owner and recovery had for such expense in any court of competent jurisdiction. The removal of any bridge erected or maintained in violation of the provisions of said sections or the order or direction of the Secretary made in pursuance thereof, and compliance with any order of the Secretary made with respect to any bridge in accordance with the provisions of such sections, may be enforced by injunction, mandamus, or other summary process upon application to the district court of any district in which such bridge may, in whole or in part, exist, and proper proceedings to this end may be instituted under the direction of the Attorney General of the United States at the request of the Secretary. (June 21, 1940, ch. 409, § 9, 54 Stat. 500.)

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

CROSS REFERENCES

Felony and misdemeanor defined, see section 1 of Title 18, Crimes and Criminal Procedure.

FEDERAL RULES OF CIVIL PROCEDURE

Writ of mandamus abolished, see Rule 81 (b), Title 28, Appendix, Judiciary and Judicial Procedure.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 518, 520, 521, 523 of this title.

§ 520. Review of findings and orders.

Any order made or issued under section 516 of this title may be reviewed by the court of appeals for any judicial circuit in which the bridge in question is wholly or partly located, if a petition for such review is filed within three months after the date such order is issued. The judgment of any such court shall be final except that it shall be subject to review by the Supreme Court of the United States upon certification or certiorari, in the manner provided in sections 346 and 347 of Title 28. The review by such Court shall be limited to questions of law, and the findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive. Upon such review, such Court shall have power to affirm or, if the order is not in accordance with law, to modify or to reverse the order, with or without remanding the case for a rehearing as justice may require. Proceedings under this section shall not operate as a stay of any order of the Secretary issued under provisions of sections 511 to 523 of this title other than section 516 of this title, or relieve any bridge owner of any liability or penalty under such provisions. (June 21, 1940, ch. 409, § 10, 54 Stat. 501; June 25, 1948, ch. 646, § 32 (a), 62 Stat. 991; May 24, 1949, ch. 139, § 127, 63 Stat. 107.)

REFERENCES IN TEXT

Sections 346 and 347 of Title 28, as amended, referred to in text, were repealed by act June 25, 1948, § 39. Similar provisions are now covered by section 1254 of Title 28, Judiciary and Judicial Procedure.

CHANGE OF NAME

Act June 25, 1948, as amended by act May 24, 1949, substituted "court of appeals" for "circuit court of appeals".

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 518, 521, 523 of this title.

§ 521. Regulations and orders.

The Secretary is authorized to prescribe such rules and regulations, and to make and issue such orders, as may be necessary or appropriate for carrying out the provisions of sections 511 to 523 of this title. (June 21, 1940, ch. 409, § 11, 54 Stat. 501.)

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 518, 519, 520, 522 of this title.

§ 522. Existing provisions of law.

(a) The first sentence of section 494 of this title, and section 502 of this title, shall be inapplicable with respect to any bridge to which the provisions of sections 511 to 523 of this title are applicable, except to the extent provided in this section.

(b) Any bridge, the construction, reconstruction, or alteration of which was required by an order of the Secretary issued prior to July 1, 1939, and was not completed on such date, and in the case of which no penalties have accrued at the time of the enactment of sections 511 to 523 of this title, shall be constructed, reconstructed, or altered as required by such order, and not in accordance with the provisions of such sections. In the case of any such bridge, however, the Secretary shall apportion the cost of the project between the bridge owner and the United States, and payment of the share of the United States shall be made, in the same manner as if the provisions of such sections applied to such construction, reconstruction, or alteration, subject to the following limitations:

(1) In case such construction, reconstruction, or alteration has not begun on or before April 1, 1940, such apportionment of cost shall be made only if (A) the construction, reconstruction, or alteration

is carried out in accordance with plans and specifications, and pursuant to bids, approved by the Secretary, and (B) the bridge owner has submitted to the Secretary a written guaranty of cost as provided for in section 515 of this title.

(2) The Secretary's determination as to such apportionment, and as to such plans and specifications and bids, shall be final.

(3) Such apportionment shall not be made if such construction, reconstruction, or alteration is not completed within the time fixed in such order of the Secretary or within such additional time as the Secretary, for good cause shown, may allow.

(c) Any bridge (except a bridge to wh'ch subsection (b) of this section applies) the construction, reconstruction, or alteration of which was required by an order of the Secretary issued prior to July 1, 1939, and was not begun before such date, shall be subject to the provisions of sections 511 to 523 of this title as though such order had not been issued, and compliance with the provisions of such sections and with such orders as may be issued thereunder shall be considered to constitute compliance with such order issued prior to July 1, 1939, and with the provisions of law under which it was issued. (June 21, 1940, ch. 409, § 12, 54 Stat. 501.)

TRANSFER OF FUNCTIONS

All functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army relating to obstructive bridges under Act of June 21, 1940, sections 511 to 523 of this title, were transferred to the Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 1655(g)(3) of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 518, 519, 520, 521 of this title.

§ 523. Relocation of bridges.

If the owner of any bridge and the Secretary shall agree that in order to remove an obstruction to navigation, or for any other purpose, a relocation of such bridge or the construction of a new bridge upon a new location would be preferable to an alteration of the existing bridge, such relocation or new construction may be carried out at such new site and upon such terms as may be acceptable to the bridge owner and the Secretary, and the cost of such relocation or new construction, including also any expense of changes in and additions to rights-of-way, stations, tracks, spurs, sidings, switches, signals, and other railroad facilities and property, and relocation of shippers required for railroad connection with the bridge at the new site, shall be apportioned as between the bridge owner and the United States in the manner which is provided for in section 516 of this title in the case of an alteration and the share of the United States paid from the appropriation authorized in section 518 of this title: *Provided*, That nothing in this section shall be construed as requiring the United States to pay any part of the expense of building any bridge across a navigable stream which the Secretary of the Army shall not find to be, in fact, a relocation of an existing bridge. (June 21, 1940, ch. 409, § 13, 54 Stat. 502; July 16, 1952, ch. 889, § 4, 66 Stat. 733.)

CODIFICATION

The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by section 205 (a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205 (a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces", which in sections 3011—3013 continued the military Department of the Army under the administrative supervision of a Secretary of the Army.

AMENDMENTS

1952—Act July 16, 1952, struck out "used for railroad traffic" following "owner of any bridge".

TRANSFER OF FUNCTIONS

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SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 511, 518, 519, 520, 521, 522 of this title.

§ 524. Applicability of Administrative Procedure Act.

In the administration of this Act, hearings and other procedures shall be exempted from the provisions of the Administrative Procedure Act, except as to the requirements of section 1002 of Title 5. (July 16, 1952, ch. 889, § 3, 66 Stat. 733.)

REFERENCES IN TEXT

This Act, referred to in text, is classified to this section and sections 511, 516, and 523 of this title.

The provisions of the Administrative Procedure Act, referred to in text, are now covered by sections 551 et seq. and 701 et seq. of Title 5, Government Organization and Employees.

Section 1002 of Title 5, referred to in text, was repealed in the general revision of Title 5, and is now covered by section 552 of Title 5.

GENERAL BRIDGE AUTHORITY

§ 525. Construction and operation of bridges; consent of Congress; approval of plans; private highway toll bridges.

(a) The consent of Congress is granted for the construction, maintenance, and operation of bridges and approaches thereto over the navigable waters of the United States, in accordance with the provisions of sections 525 to 533 of this title.

(b) The location and plans for such bridges shall be approved by the Chief of Engineers and the Secretary of the Army before construction is commenced, and, in approving the location and plans of any bridge, they may impose any specific conditions relating to the maintenance and operation of the structure which they may deem necessary in the interest of public navigation, and the conditions so imposed shall have the force of law.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, it shall be unlawful to construct or commence the construction of any privately owned highway toll bridge until the location and plans thereof shall also have been submitted to and approved by the highway department or departments of the State or States in which the bridge and its approaches are situated; and where such bridge shall be between two or more States

Boaters win Skipanon 'war'

8651-

9-18-73

Warrenton votes to bump logs, expand bridge

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON — Logging interests and boating interests have been battling over the downtown Warrenton Skipanon River bridge since the Coast Guard told the State Highway Dept. the structure needed to be remodeled or replaced. It opens too slowly to meet standards.

At a Warrenton Commission meeting Monday night, the boating forces won a big battle, if not the war, when the commission voted to recommend that the Highway Dept. put in a bridge permitting maximum navigation.

The logging forces fear increased navigation on the waterway.

Martin Nygaard of Warrenton Lumber and now Dant and Russell oversees piling, rafting and dumping operations along the Skipanon that have gone on for a generation or more.

He told the commission several times boat traffic in the waterway would mean an end to his log dump and accompanying operations.

Currently the loggers have the run of the river because the Skipanon structure is too low for all but the smallest boats and can't be opened on less than 24 hour notice.

Though the river was declared a federal waterway requiring a channel dredged no less than 40 feet wide and six feet deep by the River and Harbor Act of 1930, the Corps of Engineers hasn't enforced the provision because the bridge blocks navigation.

The city allowed the situation to continue, informally dividing the waterway so the logging interests had the upper part and the boaters the lower.

The logging along the waterway has come under heavy fire of late, however.

The Corps of Engineers wrote a letter to the city explaining, "The piling and log rafting operations which exist between the bridge and the tide gate are illegal, in that they are not now, and never have been covered by a Dept. of the Army permit."

Three members of the Corps of Engineers came to the meeting to back up that statement and a number of others in the letter.

John Payne of the Corps' Portland District office said Dant and Russell submitted a permit application recently, but it would have to receive approval from the Dept. of Environmental Quality, Environmental Protection Agency, Gov. McCall and the Corps of Engineers, among other individuals and agencies.

Meanwhile, the logging is vulnerable to legal action, Payne said.

A letter from Dant and Russell President J.S. Heigel cautioned Warrenton that increased navigation would reduce a $120,000 payroll in the community, force the firm to go through the process previously outlined by Payne to get a permit for a new dump elsewhere and mean 50 more log trucks per day passing through the city.

Heigel's letter didn't take up the matter of the apparent illegality of the current operation.

Another communication on the subject came from the Warrenton Planning Commission. The planning body recommended a higher bridge permitting easier navigation because the comprehensive land-use plan now in the works will call for water-oriented and residential development along the waterway.

Dant and Russell's dump will be a nonconforming use when the plan is adopted.

The State Highway Dept., the agency responsible for financing and directing the work, made a higher bridge harder to get by excluding it from preliminary considerations. State engineers posed eight alternatives to remodel or replace the span, ranging widely in cost and alignment, but little in the way of clearance.

Highway engineers said they thought a higher bridge wouldn't be possible because the approaches would extend too far, disrupting business accesses on Harbor Drive and requiring additional right of way.

But Herb Palmberg, local property owner, instigator behind the original Coast Guard order to improve the bridge and an engineer with experience with the highway department and Corps of Engineers, disputed this.

He surveyed the bridge and drew up a profile which indicated a bridge with ample clearance is feasible.

Palmberg pushed his cause even harder after that. He circulated petitions, protested to all government agencies involved and attended repeated public meetings to call for a higher Skipanon structure.

Palmberg was again in attendance Monday and again asked for "the best bridge we can get as soon as we can get it."

The Warrenton Commission finally saw it Palmberg's way.

Over the opposition of Nygaard and Dant and Russell, and in some senses under the gun of the Corps of Engineers, Commissioner Del Shepherd moved to adopt the planning commission recommendation and forward it to the state.

His motion was seconded by Ken Ostgard and passed without visible dissent.

The recommendation to be forwarded to the state calls for a bridge with 18 feet of clearance over mean lower low tide, about five feet more than there is at present. It also urges new alignment at the same location.

The recommendation contains qualifications Mayor Earl Johnson has demanded from the beginning of the dispute. It stipulates business accesses aren't to be disrupted, the location isn't to be altered and the bridge shouldn't create new safety hazards.

The commission was influenced in its decision by a Corps of Engineers report that not only the logging and the current bridge are illegal, but the dam at Eighth Street as well.

The statement said the dam never was approved properly and would be removed unless the city made a strong stand against it.

The dam's removal, reportedly favored by the Skipanon Water Control District, would open further the waterway to navigation and make a higher bridge even more desirable if traffic weren't to be tied up with constant openings of the draw span.

City Manager Dick Baldwin, said, "What we are really talking about is phasing out the logging industry as it is now and bringing in another way of life."

It would seem so. And the commission reluctantly made its stand with the new way of life.

18 Sept '73 issue of Daily Astorian

NOTED
VICTOR D. WOLFE

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CITY OF WARRENTON
WARRENTON, OREGON
97146

EARL E. JOHNSON
MAYOR

EMERSON R. BALDWIN
AUDITOR AND POLICE JUDGE

P. O. Box 250
TELEPHONE 861-2233

18 September 1973

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F. B. KLABOE

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Mr. C. O. Fredrickson
Regional Engineer
Highway Division
Department of Transportation
State of Oregon
East Salem Highway Building
2960 East State Street
Salem - OREGON - 97310

NOTED
E. S. HUNTER
Info to Klaboe

Dear Mr. Fredrickson:

Enclosed is a copy of a memorandum from the city's planning commission to the Warrenton City Commission.

In the absence of expert advice, the city commission has agreed to accept the recommendation and leave the actual construction of the bridge strictly to the state highway department.

If any substantial modification is to be made to the Skipanon bridge, it is the request of the city commission that a realignment of the present structure be provided.

Enclosed also is a copy of a letter from Dant & Russell, Inc., which was introduced at the latest meeting and has some bearing on the situation.

Sincerely,

CITY OF WARRENTON

E. R. Baldwin

E. R. Baldwin
Auditor & Police Judge

ERB:jb
Encls.

cc: Ed Hunter
R.W. Ellison
Eldon Everton
} w/attach

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SEP 24 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

REGION 2 ENGINEER
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September 17, 1973

MEMORANDUM

TO: Warrenton City Council

FROM: Warrenton Planning Commission

At a meeting on September 12, the proposed modification of the Skipanon Bridge was the subject of discussion by the Warrenton Planning Commission. The Planning Commission fully recognizes the problems involved in making a decision on this subject and are aware of the controversy surrounding the modification of the bridge. They felt however, if the bridge was to be changed it should be designed to meet the needs required when development occurs in the areas above the bridge. The following items were thoroughly discussed by the Planning Commission before a decision was reached.

1. Additional boat moorage space would become available if access was provided.

2. Waterfront owners could build private mooring space and have direct access to the river.

3. The comprehensive land use plan developed for Warrenton shows this area will probably be a water oriented residential area.

4. It was felt there should be minimum traffic disruption and a higher bridge would allow most boats through without raising the bridge.

After considerable discussion a motion was made by Donna Hitchman and seconded by Roger Edwards to recommend the following to the City Council:

1. The bridge be raised five (5) feet above the existing structure which would place it eighteen (18) feet above mean low water. In addition serious consideration be given to straighten out the bridge alignment.

The following conditions were included in the above recommendation.

~~1. It was felt if a shift in realignment delays the project for five or six years this could be eliminated.~~

2. The access to existing business and the mooring basin are not to be adversely effected by changing the bridge approaches.

3. There will not be any safety hazard created by raising the bridge.

4. The dikes along the water way will not be damaged or seriously affected.

The Planning Commission members appreciated the opportunity to review this matter for the Council and respectively submit our finding for your consideration.

Sincerely,

Gil Gramson

Gil Gramson, Chairman
Warrenton Planning Commission

Dant & Russell, Inc.
Pacific Coast Forest Products
2000 S. W. Fifth Avenue
Portland, Oregon 97201

CABLE "DANTRUS" PORTLAND
TELEX 36-0523
ALL CODES

TELEPHONE
503-228-2311

September 14, 1973

REGION 2 ENGINEER
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Mr. E. R. Baldwin
City Hall
P.O. Box 250
Warrenton, Oregon

Dear Mr. Baldwin:

This letter is written as an indication to you and the City Council of Dant & Russell, Inc.'s position regarding the proposed bridge over the Skipanon River in the City of Warrenton.

If construction of the new bridge is allowed and the Skipanon River above that bridge continues as a navigable stream, then Dant & Russell, Inc. will be forced to terminate operations at its log dump above the present bridge.

Besides the obvious loss of revenue, which no community likes to sustain, our objection is based on the following:

1. Reduction in the employment of men from the Warrenton area. Our payroll for that operation has been approximately $120,000 per year.

2. We will not be able to move the operation to our dump at the Warrenton Mill without extensive improvement in that yard and along the Skipanon River which will require approval from governmental agencies, such as the Department of Environmental Quality and the Corps of Engineers. In addition, if permission were obtained, transfer of the operation would generate increased congestion in the lower Skipanon River.

Sincerely,

Elden Everton

Skipanon #3-d

3. If the yard at the mill were improved to accommodate the additional volume and sorting that would be required by the closure of our dump above the bridge, it would mean the movement of approximately 50 more log trucks per day through the downtown section of the City of Warrenton.

4. Loss of revenue to the City of Warrenton. We presently pay the City of Warrenton a fee based on volume for the lease of certain properties adjacent to our upriver dump.

5. Assuming the bridge would open for navigable travel, this would mean highway traffic would be halted during these times. This would be extremely detrimental to Dant & Russell, Inc. as it would retard the movement of lumber from our Warrenton Mill to the Astoria Dock.

The cost of building the bridge plus the loss of revenue and payroll to the people of the City of Warrenton, as well as the increased truck traffic and related hazards, appear to be completely inconsistent with the minimal amount of benefit that could be realized by construction of a new bridge.

Yours truly,

DANT & RUSSELL, INC.

J. S. Heigel

J. S. Heigel
President

JSH/hlp

K.W. Ellison
Eldon Everton

1VF

THE DAILY ASTORIA

Warrenton PC votes to push for new Skipo

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON — The Warrenton Planning Commission voted unanimously Wednesday night to use its influence to obtain a new Skipanon River bridge with increased clearance.

The commission will send a letter to the Warrenton City Commission spelling out its recommendation prior to the city commission meeting next Monday.

The planning commission passed a motion calling for raising the existing bridge approximately five feet so there is 18 feet of clearance at mean lower low tide.

A second part of the motion urged the State Highway Dept. to straighten out the alignment of the old bridge when it is replaced, but the commission offered an alternative recommendation omitting the reference to alignment.

This was done because the state believes even a slight shift in alignment might delay the project for years and the commission feels the shift isn't worth it.

The planning body attached some conditions to its recommendation.

The recommendation stands only if the accesses to existing businesses and the mooring basin aren't affected adversely and no safety hazards are created.

The motion with its conditions was made by commission member Donna Hitchman. Commission members Roger Edwards, Dave Palmberg and Gil Gramson supported it.

Members Fred Andrus and Bill Berg were excused from the meeting because of other commitments. Vern Davis didn't attend.

Chairman Gramson was able to vote on the measure because his vote would affect the outcome by providing a majority of four for the measure.

At the insistence of Warrenton property owner Herb Palmberg, the Coast Guard is requiring the state to replace the Skipanon structure.

The Coast Guard has jurisdiction over bridges on navigable inland waterways and the existing bridge can't be opened fast enough to meet conditions in the original permit. The permit also shows the clearance provided by the present bridge doesn't meet standards set in 1916.

The State Highway Dept. didn't build the non-conforming bridge, but it took the structure over without conditions shortly after World War II and now is responsible for replacing or remodeling it.

The highway department came up with eight possible plans for doing the work, but Herb Palmberg and his supporters along the waterway have termed them all unsuitable.

Palmberg promised he will fight the state over the matter if it fails to meet all pertinent regulations regarding navigation rights.

He claims only one of the state plans offers the clearance called for in the original permit and he wants more clearance than that so most small boats can navigate the Skipanon without having to have the bridge opened.

Palmberg has reiterated on several occasions recently, at the Warrenton City Commission meeting Monday, at the Warrenton Chamber of Commerce luncheon Wednesday and at the planning commission meeting, his companion concern about vehicular traffic.

He said the city should take a [illegible] for a bridge with ample clearance because increased navigation on the waterway will mean constant bridge openings. These openings seriously would disrupt the already bad traffic flow into downtown Warrenton, Palmberg contends.

A former engineer with both the Highway Dept. and the Corps of Engineers, Palmberg has drawn up a profile of the bridge he would like to see the state build.

According to his calculations, the bridge could be built for the amount of money the state is willing to spend and would offer extra benefits to the community without creating any additional problems.

No one appeared at the planning commission meeting to oppose Palmberg Wednesday, but a number of lumbermen and their allies argued against his plan at the commission meeting Monday.

Tommy Johnson, Dan Hess, J.C. Benson and Bob Bechtolt led the way. Their concern was log rafting in the river, mainly by the Dant and Russell-owned Warrenton Lumber.

The men said Palmberg's plans to open the Skipanon to increased boat traffic, which would require the increased clearance, would disrupt logging activity and drive Warrenton Lumber and others out of business.

They also said boating on the waterway would damage the dikes and argued the city would have to maintain them at great expense.

A few of the men thought compromise was possible. Hess in particular suggested the loggers and boaters could share the waterway.

Palmberg said, "Logs have a place in the river. I've been in log booming for 30 years myself. We should still get the best bridge we can get."

As for dikes, Palmberg maintained it is lumbering activity instead of boat traffic that takes the greatest toll on dikes. And he said the dam at Eighth Street causes water pressure damaging to dikes.

The dam may not be there forever, though. Palmberg has a letter from U.S. Rep. Wendell Wyatt, R-Ore., which reads in reference to the dam, "I am advised by the Corps of Engineers (in Washington, D.C.) that there is no act of Congress or any other 'instrument' which would authorize the closure of the river at the present location."

The Corps of Engineers also has indicated to Palmberg and to City Manager Dick Baldwin its intention to protect navigation rights on the waterway. A representative apparently will appear at the next commission meeting to state the corps case.

The engineers also are responsible for dredging the waterway and maintaining the dikes if navigation warrants it. At present, with the low Skipanon structure and the log booming blocking boaters, dredging and diking aren't being done.

Palmberg said that if they

NOTED
E. S. HUNTER
9-25-73
cc Klabo
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OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

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Skipanon

THE DAILY ASTORIAN, Astoria, Oregon, Thursday, September 13, 1973 Page

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As for dikes, Palmberg maintained it is lumbering activity instead of boat traffic that takes the greatest toll on dikes. And he said the dam at Eighth Street causes water pressure damaging to dikes.

The dam may not be there forever, though. Palmberg has a letter from U.S. Rep. Wendell Wyatt, R-Ore., which reads in reference to the dam, "I am advised by the Corps of Engineers (in Washington, D.C.) that there is no act of Congress or any other 'instrument' - which would authorize the closure of the river at the present location."

The Corps of Engineers also has indicated to Palmberg and to City Manager Dick Baldwin its intention to protect navigation rights on the waterway. A representative apparently will appear at the next commission meeting to state the corps case.

The engineers also are responsible for dredging the waterway and maintaining the dikes if navigation warrants it. At present, with the low Skipanon structure and the log booming blocking boaters, dredging and diking aren't being done.

Palmberg said that if they were done, the area above the bridge would be as much of a benefit to the city as its mooring basin.

The planning commission noted Palmberg's plans conformed with the city's comprehensive land-use plan as it is developing, while the log dump in the heart of the city clearly is going to be a non-conforming use in making its decision.

The commission also expressed concern about vehicular traffic. The majority seemed to fear repeated bridge openings could foul up the future traffic flow.

The matter now is in the hands of the city commission, though the Highway Dept. is the body which ultimately will decide what kind of structure it will build.

The state is expected to weigh petitions for a higher bridge, petitions against and the city recommendation on the matter before deciding.

RECEIVED
SEP 24 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

...TED
...HUNTER
9-25-73
...e Klabo
Hart

8651

September 7, 1973

Mr. H. G. Palmberg
P. O. Box 448
Warrenton, Oregon 97146

Dear Mr. Palmberg:

This will acknowledge receipt of your letter dated August 28, 1973 and the petition containing 15 signatures requesting certain specific revisions to the movable span of the Skipanon River bridge near Warrenton, Oregon.

Your letter and the petition will become a part of the record and will be given due consideration in deciding the alternate to be used for reconstruction of the existing bridge.

Very truly yours,

E. S. Hunter
Assistant State Highway Engineer

ESH:jf

bc: F. B. Klaboe
A. E. Johnson
Walt Hart

August 28, 1973

District Engineer, Portland Oregon District, Corps of Engineers

Commander, 13th U. S. Coast Guard District

Director, Oregon State Highway Department

Gentlemen;

Signatures on the attached self-explanatory petition may be verified by contacting the signers at Warrenton, Oregon, except the last two who may be contacted at Hammond, Oregon.

Sincerely yours,

H. G. Palmberg

P. O. Box 448

Warrenton, Oregon 97146

RECEIVED
STATE HWY ENGR
AUG 30 '73
REFER TO
FOR
Info | Invest | R/D | Dir | Sign | Act | File

RECEIVED
AUG 29 1973
HIGHWAY
ADMINISTRATIVE SERVICES

RECEIVED
SEP 4 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

PETITION

August 27, 1973

To: District Engineer, Portland Oregon District, Corps of Engineers
Commander, Thirteenth United States Coast Guard District
Director, Oregon State Highway Department

Subject: Navigation in Skipanon River, Oregon

Gentlemen;

The undersigned operators of marine repair yards, marinas, charter vessel services, fishing vessels, marine construction equipment, etc., all operating in Skipanon River, Oregon, and aware of the present and future potential navigation needs in that portion of Skipanon River above the railroad and highway bridges at Warrenton, urgently petition that this portion of Skipanon River be re-opened at the earliest possible date to unrestricted navigation by limiting log booming and rafting operations; by restoring project depth and width in the waterway; by providing a bascule span highway bridge with closed vertical clearance of not less than 18 feet above mean lower low water and horizontal clearance of not less than 30 feet; and by regulating the railroad swing bridge to close only for the infrequent passage of trains.

Use of Skipanon River above the Railroad and Highway bridges is important not only to the undersigned but to the increasing number of recreation and fishing vessels also desiring to use this waterway.

Slaton's Warrenton marine — Slaton O. Hughes
West Coast Propeller Service — John R. Falander
Warrenton Boat Yard — Elmer R. Salmi
Warrenton Dog Sea Inc. — Arthur F Charlton
Dalmberg Construction Co — David E. Palmberg
New England Fish Co — J. Gramson
Skipanon Corp. — H E Balko Sec
Emarine repairs; fuel facility; moorage Bar + Restaurant
Oregon Ocean Services — Norman F. Kryala
Marine Surveyor + Builder — Robert E Hendrickson
Commercial Fisherman + River boat land Owner — Karl Richard Hellberg
Jack Webb — Joey Charlies
Glyn H. Carruthers — C. H. Carruthers Co.
Don Miller

8651

8-73

8

THIS IS YOUR ASTORIA DISTRICT ENGINEER?

Local Engineer Locks Horns with Lumber Firms

Palmberg Raps Skipanon Bridge Alternatives

By STEVE BAGWELL
Of The Daily Astorian

WARRENTON — It may be bad to look a gift horse in the mouth, but the people of Warrenton showed they like to look over gift bridges pretty carefully at a city commission meeting Monday.

The state offered the city eight alternatives for a new or remodeled Skipanon River bridge recently, but Herb Palmberg and some other Warrenton citizens said none of them represent what the city should have.

At the outset of the affair, the commission appeared ready to accept the state's recommendation Warrenton take the cheapest way out for the state and concur in a plan for a renovated bridge of the same height and alignment as the present one.

But by the end, the commission wasn't sure whether that was the best plan after all.

There is a rub, however. The state may do the work on the bridge without Warrenton's approval, and so could stick with the alternative it favors even if the city comes around to Palmberg's point of view by next meeting when the matter will be considered again.

That aside, the commission heard all kinds of advice on what type of recommendation it should make to the state.

It heard from Palmberg, the Warrenton Planning Commission, an attorney for Warrenton Lumber, a representative of Boise Cascade and a number of Warrenton citizens in person and by mail.

The discussion began with State Highway Dept. employe Eldon Everton outlining the proposals. He explained the Coast Guard was demanding only that the structure be brought up to the standard required by the original 40-year-old permit to build, but the alternatives ranged from just that to much more.

Five of the state plans would leave the bridge at its present location, but provide it with mechanized lift capacity to open in 10-15 minutes. All would leave the structure with its present clearance and most would utilize at least part of the old bridge.

These plans range in cost from $308,000 to $873,000, including the cost of providing a detour, a matter of about $150,000 itself.

The state favors the $308,000 job, Everton said, a single leaf bascule draw bridge using all but the center spans of the present Skipanon Bridge.

The other three alternatives, he said, would mean a shift in alignment to the south or north and a cost of at least $1.3 million for the state.

He also told the commission any of these plans would mean right of way would have to be acquired and hence an environmental impact statement prepared and corridor and design hearings held that might stretch over five to seven years.

The five plans for bridges at the current location provide for a starting date in the summer of 1974 and a completion date from nine months to a year later.

Palmberg, principal detractor on the state proposal, agreed with the commission and everyone else who spoke that the three plans calling for alignment shifts were undesirable.

But he said the other five were equally undesirable because they allowed so little clearance the bridge would have to be opened often to allow even small pleasure boats to pass.

He said this meant traffic tieups and would eventually cause the state to employ a crew of bridgetenders at a cost as high as $100,000 per year.

Major Jiggs Johnson noted the bridge probably hadn't been opened more than 20 times in 20 years, but Palmberg promised it would have to be opened far more frequently in the future. He also contended the low number of openings was a result of the trouble involved in getting the bridge opened as it is now.

NOTED L. JOHNSON

Everton said he wasn't an engineer, but would guess that raising the fixed part of the structure wasn't feasible because the approaches would have to be extended past present right-of-way to handle the grade.

Palmberg said he was an engineer and it wasn't true. He said a five or six foot increase in clearance probably would improve the grades. It would allow many small boats to pass without having the bridge raised, he said.

The planning commission statement simply called for the highest clearance possible with existing right of way for the approaches.

The Warrenton Lumber and Boise Cascade representatives took a different tack. They both said they need the Skipanon River for log dumps and would be displeased if small boat trific made this impossible.

Another problem is a low-lying railroad bridge built in 1916 that meets Coast Guard requirements, but blocks boat traffic as effectively as the highway bridge.

According to Palmberg, the railroad is on record as agreeing to leave the rail span open except for short periods when a train must pass.

If the American Metal Climax plant is built and increases rail traffic, this might affect the suitability of this solution, several people pointed out previously.

When all the information was in, the commission didn't feel it was in a position to decide on the spot. Noting the commission had until October to make a recommendation to the state, the mayor said the matter would be discussed at a future session.

8651
Maint
Bridges
Drain
S Bipp

REFERRED TO
BY SECRETARY

8

31 August 1971

George E. Hyde, Chief
Navigation Division
Portland District, Corps of Engineers
Department of the Army
Post Office Box 2946
Portland - OREGON - 97208

Dear Sir:

The commissioners of the city of Warrenton have requested that a letter be directed to the Corps, objecting to the opening of the Skipanon Bridge, set for September 21. The city's objections have been set out previously, but are herein reiterated.

The lift span requires too many hours of the highway being out of service, with the accompanying lack of fire protection and ingress or egress from the city. The Skipanon Bridge is on the city's main artery.

At this time, the city petitions for the closure of the Skipanon channel to navigation above the Burlington-Northern bridge. Previously the Skipanon was closed from the south Skipanon Bridge at Highway 101, and more recently by the structure permitted at Eighth Street.

The records will show that the Skipanon, prior to a bond issue in the early 1920's, was an unimportant slough and that at some cost to the city, as previously stated, was straightened and dredged, with the Corps of Engineers setting up a project for dredging to the Burlington-Northern Bridge.

It appears to be to the city's best interest, and in serving the most people, to keep the highway open at all times and close the channel, which is of very doubtful value, from the Burlington-Northern bridge to Eighth Street.

Sincerely,

CITY OF WARRENTON

E. R. Baldwin

E. R. Baldwin
Auditor & Police Judge

ERB:jb
cc: Oregon State Hwy. Divn. ✓
Burlington-Northern RR.
U. S. Coast Guard, 13th Dist.
H. G. Palmberg

RECEIVED
SEP 1 1971
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
SEP 1 1971
OREGON
STATE HIGHWAY COMMISSION

8651

104-1405Z-05 8

FORM S-30 (REV. 10-69)

REGION 2 ENGINEER
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AUG 24 1973
RE | RGE | RME | RTE | ROE
ULE | GEO | TA | FILE

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Astoria, Oregon
22 August 1973

SUBJECT: Skipanon River Drawbridge

NOTED
H. S. COULTER

To: C. O. Fredrickson
Regional Engineer
Region II

At 7:30 p.m. on 20 August 1973, I attended the Warrenton City Council meeting with the intention of answering any questions that the city council might have in regard to the proposal of the replacement of the subject bridge that we had left with Mr. Baldwin at an earlier date.

Mr. Baldwin had not discussed this with the other council members and requested that I explain the eight different alternates that the study had been made for. This I did.

Mr. Herb Palmberg was in attendance and he was the main individual talking against the state's proposal. There was one other tug boat operator that I think was there at Mr. Palmberg's request, that also spoke against the state's proposal and they were the only two that I heard that made any objections. Mr. Palmberg feels that the present structure is not high enough above the water and what he wants is a new structure in approximately the same location with the clearance raised approximately 10 feet so that most all pleasure craft can pass under the bridge at all times without an opening.

Representatives of Warrenton Lumber Company and Boise Cascade were present and I got the feeling that they were against Mr. Palmberg's proposal, as I feel that they think they will lose their log storage and log dumping facilities that they now have in the vicinity of the bridge.

The city council finally stated that they were not engineers and would like to have a little more time to look over the different alternates before making a decision. I advised them that we would like to have a letter from them concurring with the proposal we recommend; but as they did not concur, we would still like a letter stating their position. They were advised that there was no assurance that this proposal would not be built even though they did not approve it, nor was there any assurance that if they selected one of the other alternates that it would be the one that would be built. The Oregon Transportation Commission would still have the final decision, but would prefer having the approval of the local council on the plan to be built.

CC: Coulter
Hunter

RECEIVED
AUG 24 1973
Office of
Assistant State Highway Engineer

City Council advised that they would like a little more time and would then get a letter off to the highway division expressing their thoughts. I will keep in touch with Mr. Baldwin to try to keep abreast of the city's actions in regard to this subject matter.

Eldon L. Everton
DISTRICT ENGINEER

ELE:bh

8651

8

Clatsop Environmental Council
P. O. Box 504
Astoria, Oregon 97103

RECEIVED
AUG 23 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

August 17,1973

To: Warrenton City Commission
Warrenton, Oregon

Gentlemen:

Regarding the matter of replacing the existing Skipanon River Bridge, situated near and adjacent to Warrenton city center, with a mechanized bridge

We commend this action as a progressive approach toward making the Skipanon River waterway fully accessable to waterborn traffic.

However, we are concerned with one proposal that suggests such a mechanized bridge would have a clearance of only 4 feet at high tide. The potential hazard this low clearance could pose to unwary recreational boat traffic and the safety of the people aboard these boats should be obvious. Secondly, future growth of this area and use of the river would cause such a low clearance span to be opened with ever increasing frequency causing traffic congestion and unnecessary delay for both vehicular traffic and boaters.

Again, we would like to commend the appointed and elected officials who are taking steps to replace the present bridge with a mechanized one. We do recommend to you gentlemen and all interested agencies that the span of such a bridge have no less than 7 feet clearance at maximum high tide for the safety and convenience of all.

Sincerely,

Board of Directors
Clatsop Environmental Council

Copies to:

Director
State Highway Commission
Salem, Oregon

Oregon Environmental Council
2637 S.W. Water St.
Portland Oregon 97201

RECEIVED
STATE HWY ENGR
AUG 22 '73
REFER TO
Hewitt
FOR
Info | Inves | R/D | D/R | Sign | Act | File
✓ | | | | | | ✓

NOTED
E. S. HUNTER

RECEIVED
AUG 21 1973
OFFICE OF
DIRECTOR of TRANSPORTATION

8451.

2

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-WBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE:

15 AUG 1973

Mr. E. S. Hunter
Assistant State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

NOTED
A.E. [illegible]

Dear Mr. Hunter:

This is in reply to your letter of 7 August 1973 written as a progress report on the Skipanon River bridge project.

We have reviewed your study of alternate solutions to the problem. We can advise that adoption of alternate 2 would be compliance with the Order dated 26 June 1972 to restore the bridge as originally approved on 15 September 1916. No further approval by the Coast Guard is required so long as the construction substantively complies with the provisions of the order.

The Commander, Thirteenth Coast Guard District should be informed in a timely fashion when construction will commence and at other mileposts of construction where navigation is affected to permit proper notification to navigation interests.

Sincerely,

A. T. MESCHTER
Assistant Chief, Bridge Division
By direction of the Commandant

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STATE HWY ENGR
AUG 22 73
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FOR
Info | Invest | R/D | D/R | Sign | Act | File

8-23-73
Copy to Henderickson

NOTED
E. S. HUNTER

RECEIVED
AUG 20 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

8651

U.S.C.G. Br. 11226A .8

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

TOM McCALL
GOVERNOR

GEORGE M. BALDWIN
Administrator of Highways

August 7, 1973

Mr. K. G. Wiman
Commander, U.S. Coast Guard
Chief, Bridge Division
400 Seventh Street S.W.
Washington, D. C. 20590

Dear Mr. Wiman:

Skipanon River Bridge
Warrenton, Oregon
Bridge No. 11226A

This letter is written as a progress report on the Skipanon Bridge project.

Enclosed is a copy of our study of alternate solutions to the problem of providing satisfactory navigation clearance. The study includes various revisions to allow opening of the existing structure as well as relocations on different routes.

Because of the few openings involved during the past years, the high cost of relocations, and availability of funds, revision of the center spans to incorporate a movable section is the preferred solution at this time. Alternate 2 of the study provides for a single leaf bascule span which is opened by use of towers and cables.

Your letter of May 21, 1972, indicates that such a solution will effect the restoration ordered by the Commandant and will not require public procedure by the Coast Guard. It is our understanding that such a restoration would be classed as normal maintenance or replacement in kind which would require only a letter of approval instead of a formal Coast Guard Bridge Permit.

It is our intent, at this time, to proceed with Alternate 2, financing the project with state funds only. We believe that such funding combined with the fact that this is maintenance type work on an existing alignment and

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AUG 7 1973
BRIDGE DIVISION

Attached Brochure file.

grade eliminates the necessity of public hearings and an environmental impact statement. This will allow elimination of some items on our previous schedule and accelerate the project.

The City of Warrenton, Oregon has a water pipe line attached to the existing structure at approximately deck level. This must be relocated as a submerged line to allow functioning of the movable span. Negotiations with the City relative to this matter will begin this week and, hopefully, can be concluded in October. A Corps of Engineers permit for the pipe line relocation will probably be required.

In view of all the above items the time schedule for the project has been revised and is included in the study report and July 1975 is shown for completion of construction. This date is contingent upon the type of financing and the lack of need for right-of-way, public hearings, environmental impact statement, et cetera.

As indicated in the revised time schedule, we plan to request your approval of the work as maintenance or replacement in kind about December 1973.

Your cooperation and indulgence in this matter to date is greatly appreciated.

Very truly yours,

ORIGINAL SIGNED
E. S. HUNTER

E. S. Hunter
Assistant State Highway Engineer

Enclosure

RWE:dh jf

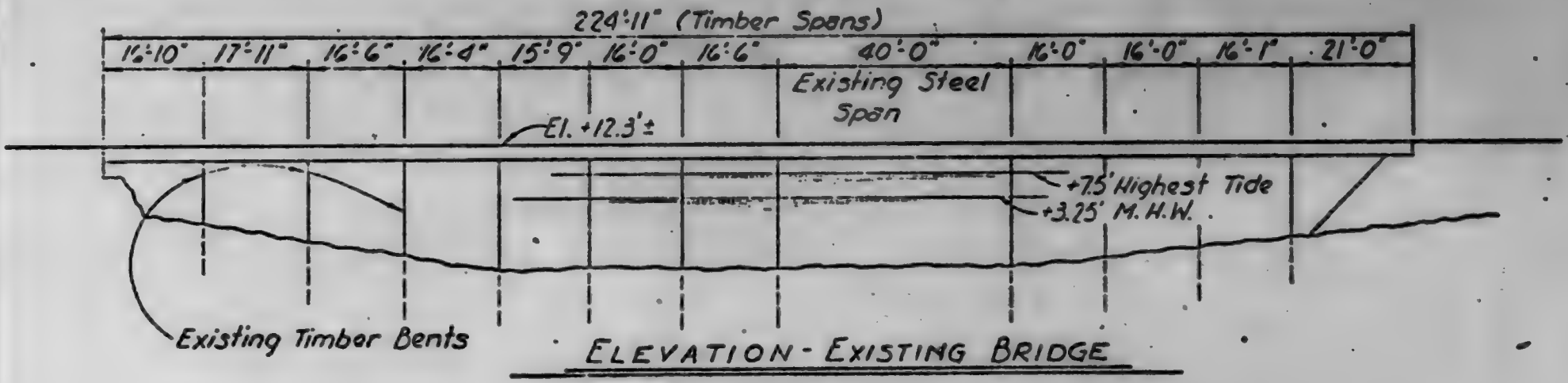
bc: F. B. Klaboe
A. E. Johnson
W. J. Hart w/att. ✓
R. N. Bothman w/att.
V. D. Wolfe
J. B. Boyd
C. T. Keasey w/att.
C. O. Fredrickson w/att.

NOTED
D. O. Christensen

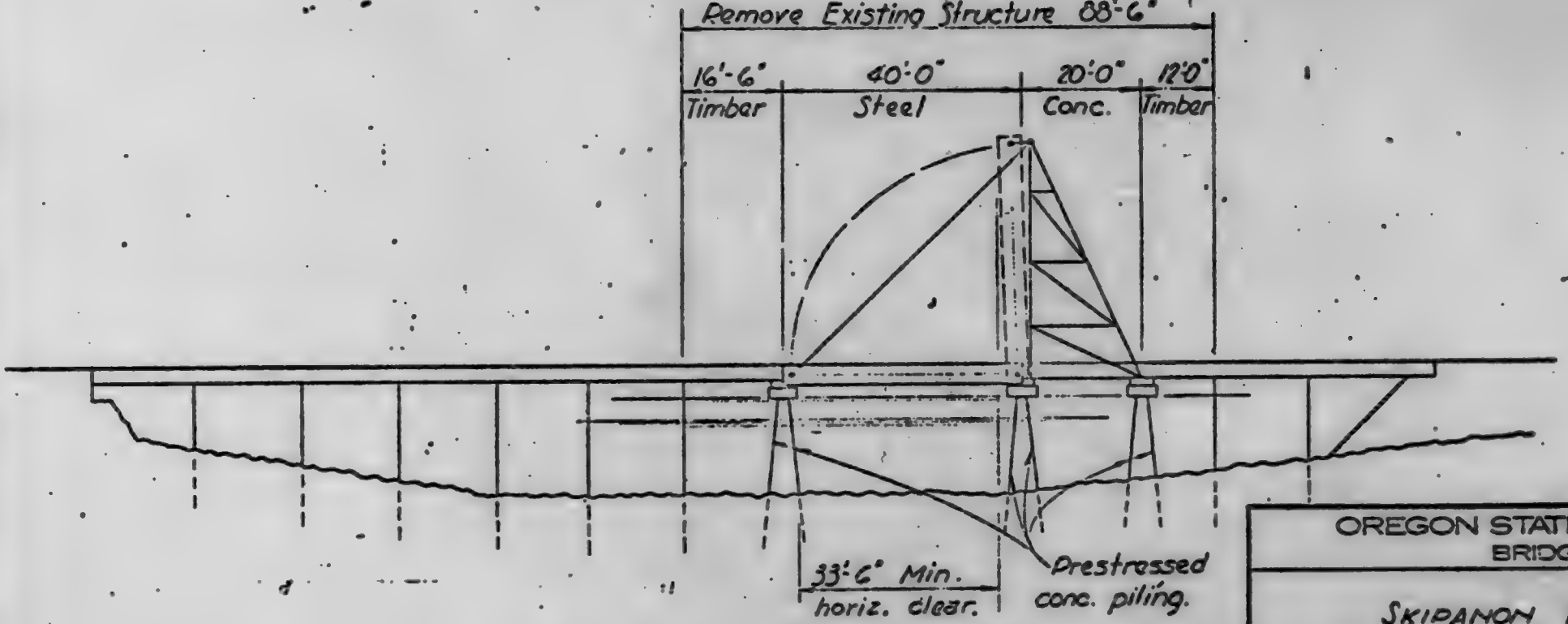
NOTED
W. J. HART

NOTED
R. W. ELLISON

RECEIVED
AUG 7 1973
BRIDGE DIVISION



ELEVATION - EXISTING BRIDGE



ELEVATION - REMODELED BRIDGE

Alt. 2

OREGON STATE HIGHWAY DIVISION
BRIDGE SECTION

SKIPANON RIVER BRIDGE
SINGLE LEAF BASCULE SPAN

APPROVED:

BRIDGE ENGINEER

DATE _____ BRIDGE NO 11-2

DESIGNED _____

DRAWN _____ DRAWING NO. 2

ALTERNATE #2

This alternative is to remodel the existing bridge.

Length of construction	88 feet
Maximum curve	0
Maximum grade	0
Highway class	D
Design speed	40 mph

Estimated Costs

Grade and pave	- - -	
Structure	155,000	
Right of way	- - -	
Relocate water main	3,000	
Construct detour and structure	150,000	
Road-user cost (out-of-direction travel) in lieu of detour		($216,000)
Total Cost (with detour	$308,000	

Construction time 9 months

In the remodeling, towers would be added and a 40-foot span lifted by cables and a motor. Average delay to vehicles each time bridge is opened would be 10 to 15 minutes.

8651

CLATSOP COUNTY

Courthouse . . . . Astoria, Oregon 97103

August 9, 1973

Oregon State Highway Division
Location Section
225 Highway Building
Salem, Oregon 97310

Attention: Victor D. Wolfe, Location Engineer

Gentlemen:

In reviewing your proposed solutions for the draw span problem on the Skipanon, it would be the recommendation of the Clatsop County Board of Commissioners that alternate #2 be used as an interim solution to the problem.

This would solve the immediate problem and serve the needs of the area until such time as long range highway planning for the area can be completed.

This proposal would be able to serve the needs for the immediate area if at some future date the main highway to Warrenton was relocated as proposed in alternate #4 as in other areas above the navigable section of the Skipanon.

We appreciate this opportunity to comment on your project proposals.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS
OF CLATSOP COUNTY, OREGON

By, _____
Commissioner

By, _____
Commissioner

By, _____
Commissioner

RECEIVED
LOCATION
SECTION

8651

FORM S-30 (REV. 10-69)

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

August 3, 1973

To: Mr. E. S. Hunter
Assistant State Highway Engineer

SUBJECT: Warrenton (Skipanon River Br) Section
Warrenton-Astoria Highway
Clatsop County

In response to your request of March 27, a reconnaissance investigation has been made and eight alternate solutions are submitted for the replacement of the highway bridge across the Skipanon River at Warrenton. Six of these alternates would utilize the same corridor in which the present bridge is located, and the other two would lie in different corridors. Five alternates would involve reconstruction of the existing bridge and the other three would require new structures.

We investigated a more northerly route which would provide a fixed-bridge river crossing with a 60-foot vertical clearance about one-half mile downstream from the existing bridge. However, the estimated cost of this solution is nearly $6.5 million or roughly five times the cost of the most expensive of the first four alternates presented in this report. Therefore, it is no longer being considered.

It is not known at this time if the Coast Guard will allow scheduled bridge openings or opening by advance notification, or will insist that the bridge be opened upon demand. Total delay for vehicular traffic caused by opening and closing the span, for all alternates requiring an opening bridge, would be 10 to 15 minutes except for Alternate #8 which would delay traffic for approximately 30 minutes. Alternate #8 is impractical if opening on demand is required.

If the Coast Guard will only allow opening on demand rather than by schedule or upon advance notification, the cost of a fulltime operator must be considered. If we assume two shifts, a present annual cost of approximately $20,000 must be allowed for bridge tenders. In addition, pleasure craft might be encouraged to use the area upstream of the bridge more intensively if fulltime bridge tenders were on duty, requiring more numerous openings and more frequent delays of vehicular traffic if the bridge could be opened on demand.

All alternates except #3 and #4 will require a detour structure across the Skipanon River if the present traffic pattern is maintained. The cost estimate for this timber pile trestle and approaches is predicated on its being constructed just upstream (southerly) of the existing structure.

A six-inch city water line is presently attached to the Skipanon Bridge and it is recommended that it be relocated and buried under the river streambed. This would permit an uninterrupted water supply during the time the bridge would be opened for river traffic. A Corps of Engineers permit will be required for this water line relocation.

Victor D. Wolfe
Location Engineer

GRH:jp/mc

Attachments

Columbia River
To Fort Stevens
To Olympic Peninsula
TOLL BRIDGE
ASTORIA
Young's Bay
WARRENTON
Alder
NW
Skipanon Dr
S MAIN
Warrenton Dr
Lief Erikson Dr
County Airport
AIRPORT
To Seaside
To Fort Clatsop
Scale in Miles
101
26
202
Hammond
Point Adams
Coast Guard Sta
Tank
Soldiers Cem
SPOKANE PORTLAND AND SEATTLE
Oil Tanks
Tower
Tansy Point
Tansy
Tidal Flat
Skipanon Waterway
30 FEET JUNE 1950
Skipanon Waterway Lig
Snag
Pile
Sand
Abbot Lake
Clear Lake
Alder Creek
Crabapple Lake
Shag Lake
Burke Lake
Warrenton
Skipanon Range Rear Light
Power Sta
Skipanon Slough
SKIPANON
Warrenton Sch
Leinenweber Lake
Long Lake
Wild Ace Lakes
Kyle Lake
Ocean View Cem
Cemetery Lake
Warrenton High Sch
U.S. 101
CAMP
STUDY AREA
N
BM
9
36
27
42
43
33
30
25
20
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2,5,6,7&8
MOORING BASIN
WARRENTON
SKIPANON WATERWAY
YOUNGS BAY
RIVER
Clear Lake
Jurbe Lake
Lake
Smith Lake
Coffenbury Lake
Ala Lake
Slough
SKIPANON
TEMP
COLUMBIA BEACH RD.
OCEANVIEW RD.
SEASIDE
COAST
HWY.
LEGEND
Post Office
School
R. R. Depot
Public Bldg.
cv – City Hall
ct – Court House
a – Armory
l – Library
Street open for travel.
Street dedicated but not open.
City Limits.
BUSWED ROUTES
INTERSTATE
U.S.
ORE.
WARRENTON
CLATSOP COUNTY, OREGON
OREGON STATE HIGHWAY DEPARTMENT
TRAFFIC ENGINEERING DIVISION
Population 1,787
Scale in Feet
December 1962
SHEET 4 OF 5 SHEETS

ALTERNATE #1

This route starts at the intersection of the Fort Stevens Highway and the Warrenton-Astoria Highway and ends at the intersection of Galena Street and the Warrenton-Astoria Highway.

Length of construction	0.4 mile
Maximum curve	8°
Maximum grade	4%
Highway class	A(2)
Design speed	40 mph

Estimated Costs

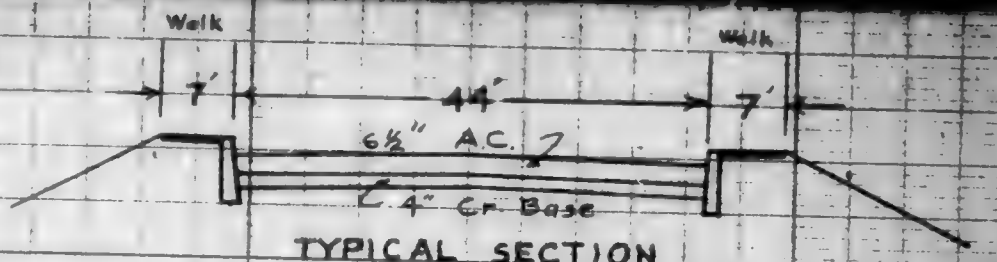
Grade and pave	210,000	
Structure	940,000	
Right of way	50,000	
Remove existing structure	30,000	
Relocate water main	3,000	
Construct detour and structure	150,000	
Road-user cost (out-of-direction travel) in lieu of detour		($292,000)
Total Cost (with detour)	$1,383,000	

Construction time 12 months

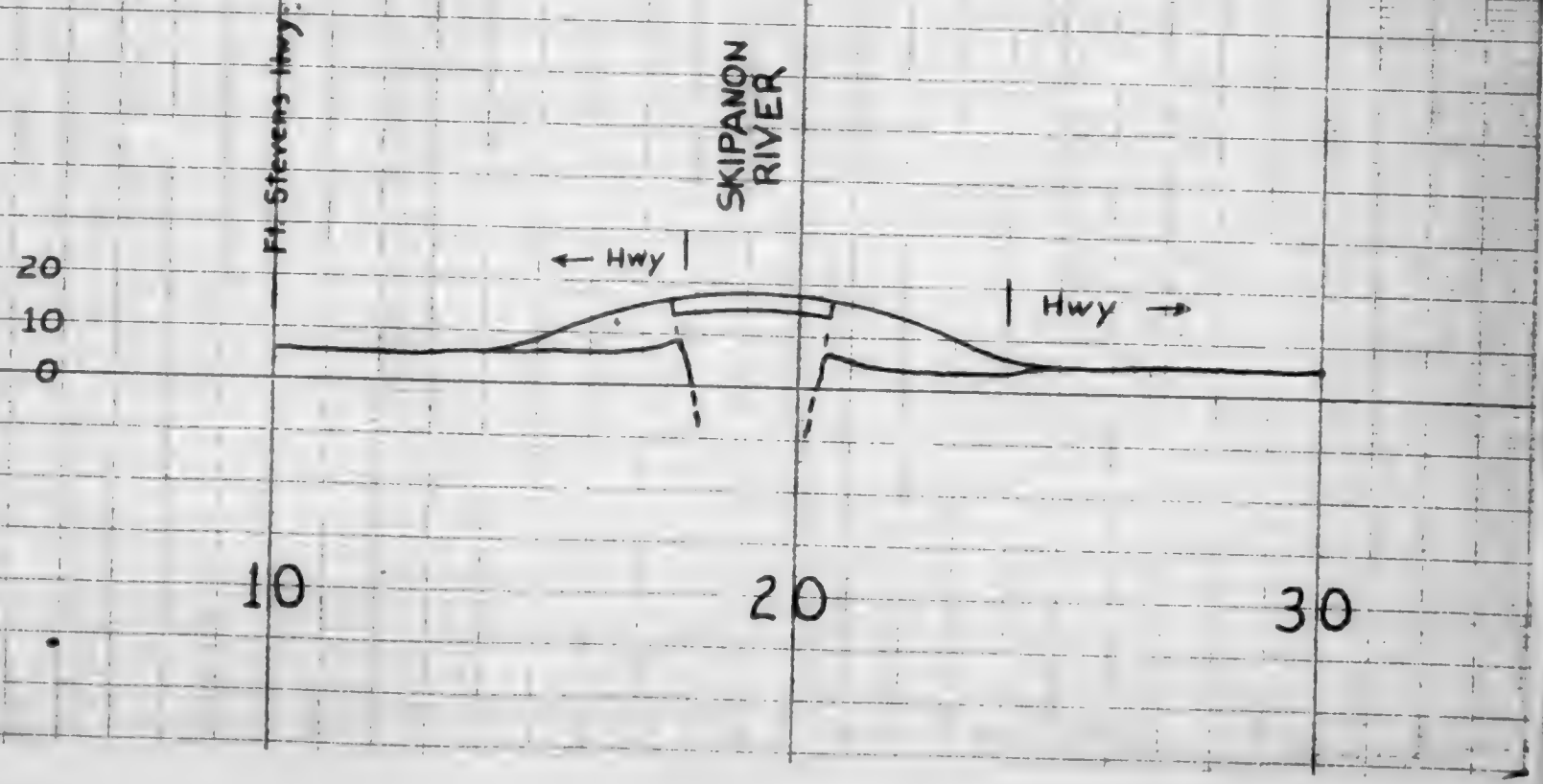
The structure assumed in this estimate is a swing span. However, a single-leaf or double-leaf bascule span could also be constructed at this location. These solutions would require an elevation approximately five feet higher and would cost approximately 15 percent more than the swing span. Average delay to vehicles each time bridge is opened would be approximately 10 to 15 minutes.

ROUTE #1

Scale: 1" = 400' Horiz.
1" = 40' Vert.



TYPICAL SECTION



ALTERNATE #2

This alternative is to remodel the existing bridge.

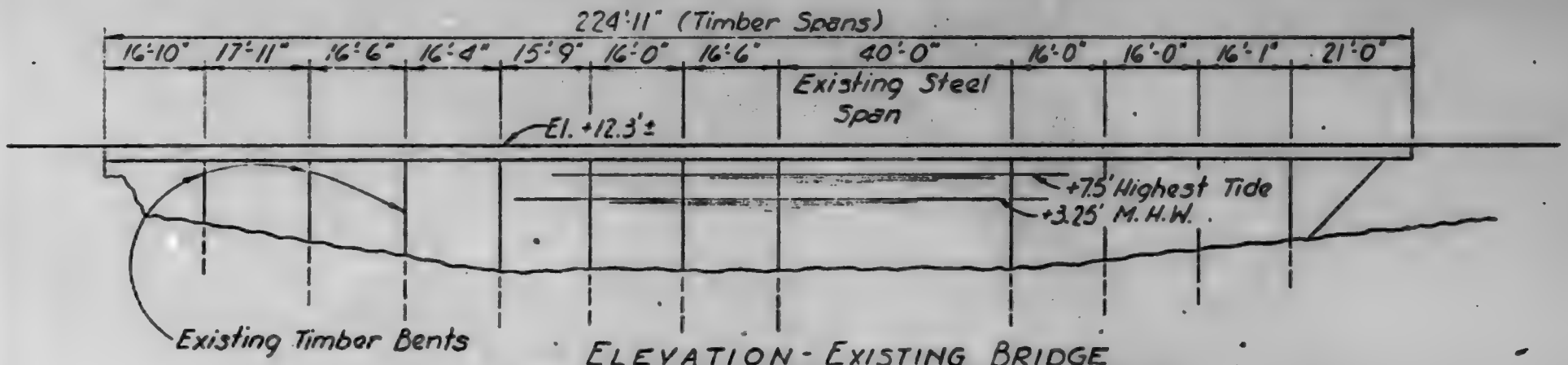
Length of construction	88 feet
Maximum curve	0
Maximum grade	0
Highway class	D
Design speed	40 mph

Estimated Costs

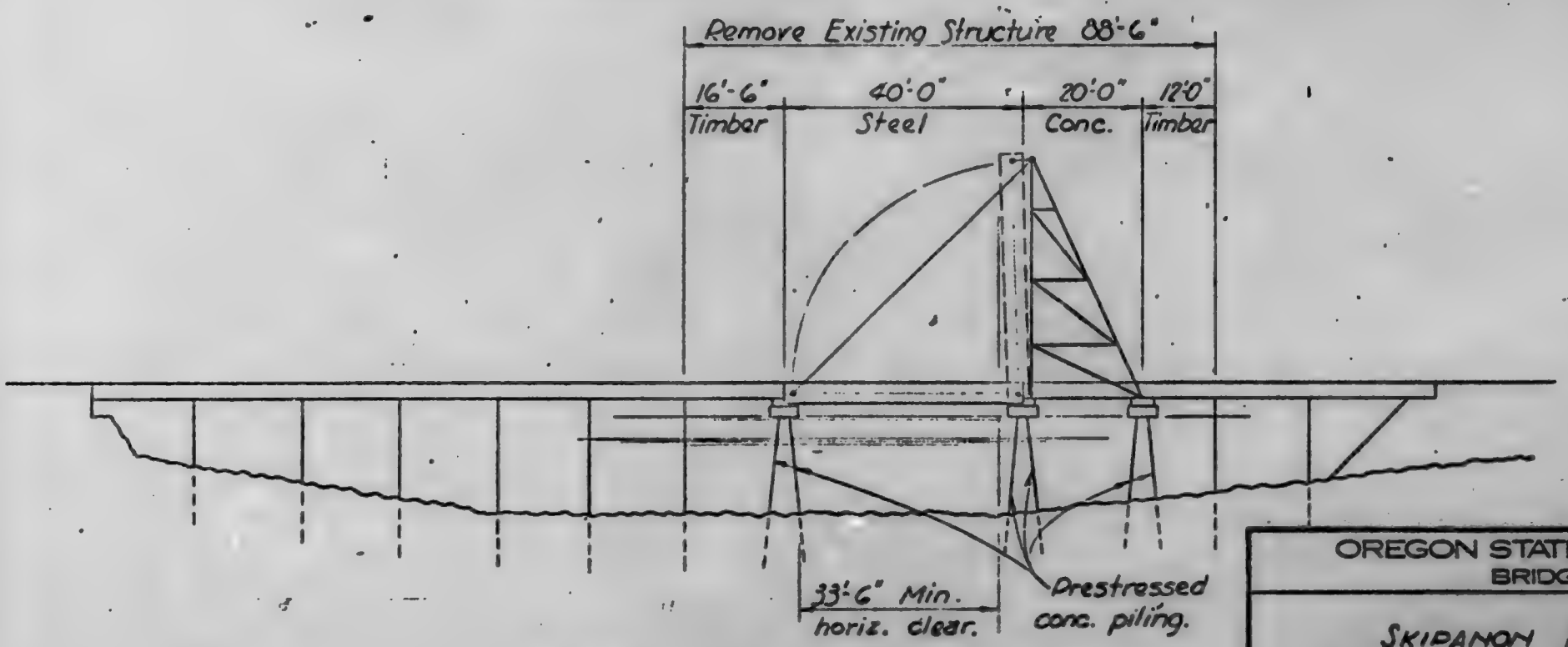
Grade and pave	- - -	
Structure	155,000	
Right of way	- - -	
Relocate water main	3,000	
Construct detour and structure	150,000	
Road-user cost (out-of-direction travel) in lieu of detour		($216,000)
Total Cost (with detour	$308,000	

Construction time 9 months

In the remodeling, towers would be added and a 40-foot span lifted by cables and a motor. Average delay to vehicles each time bridge is opened would be 10 to 15 minutes.



ELEVATION - EXISTING BRIDGE



ELEVATION - REMODELED BRIDGE

Alt. 2

OREGON STATE HIGHWAY DIVISION
BRIDGE SECTION

SKIPANON RIVER BRIDGE
SINGLE LEAF BASCULE SPAN

APPROVED:

BRIDGE ENGINEER

DATE _____ BRIDGE NO. 11226A

DESIGNED _____

DRAWN _____ DRAWING NO. 2

ALTERNATE #3

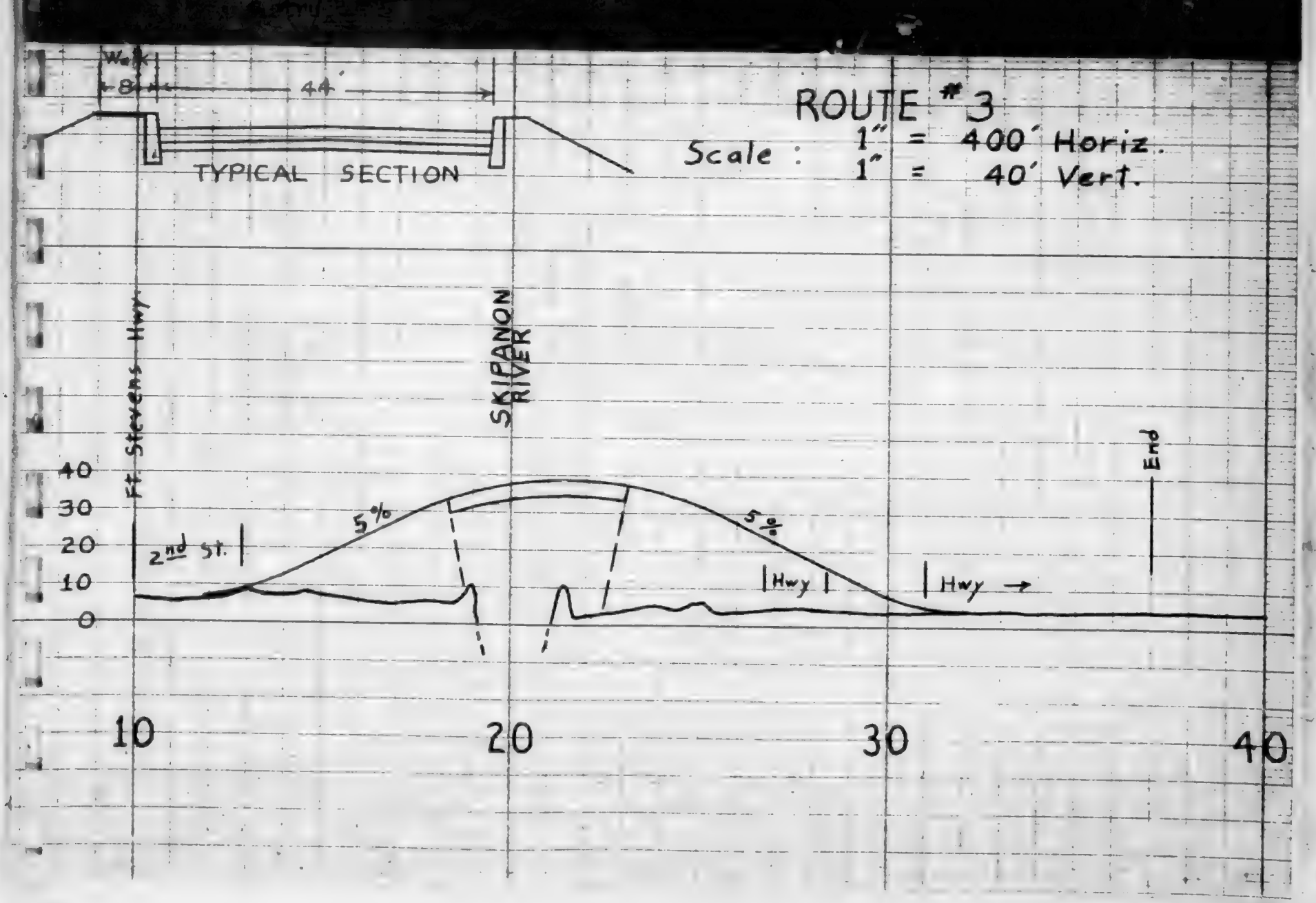
This route would begin at the intersection of the Fort Stevens Highway and SE Second Street and would end just west of the intersection of Heron Street and the Warrenton-Astoria Highway.

Length of construction	0.5 mile
Maximum curve	10°
Maximum grade	5%
Highway class	A(2)
Design speed	40 mph

Estimated Costs

Grade and pave	470,000
Structure	750,000
Right of way	160,000
Remove existing structure	30,000
Relocate water main	3,000
Construct Cul-de-sac & barricades	10,000
Total Cost	$1,423,000
Construction time	9 months

The structure envisioned is a fixed span with a vertical clearance of 30 feet above mean high water. (MHW is 3.5 feet above datum.) No delay to vehicles or water traffic.


Walk
8'
44'
TYPICAL SECTION
ROUTE # 3
Scale : 1" = 400' Horiz.
1" = 40' Vert.
Ft Stevens Hwy
SKIPANON RIVER
40
30
20
10
0
2nd St.
5%
5%
Hwy
Hwy →
End
10
20
30
40

ALTERNATE #4

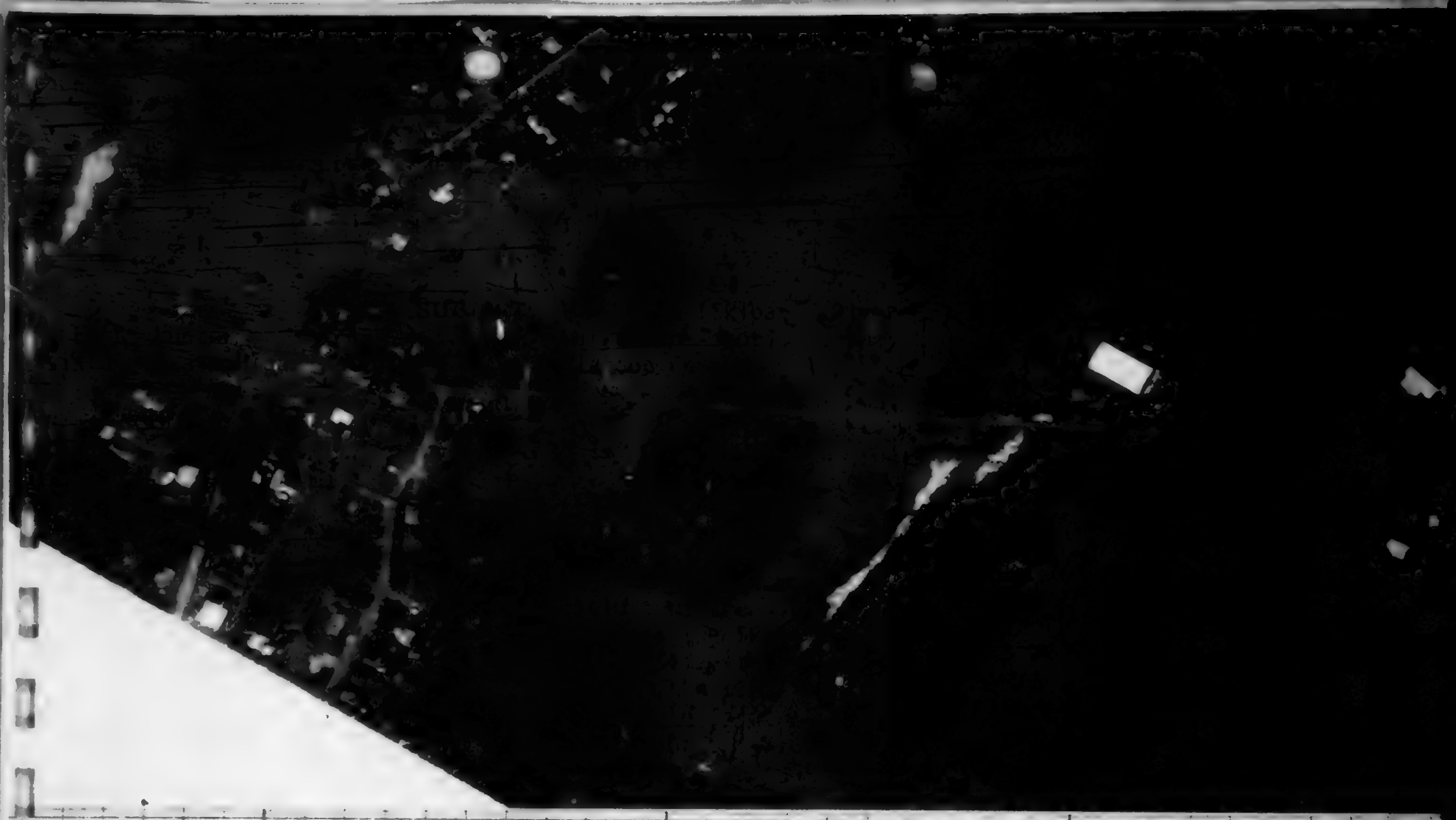
Alternate #4 begins at the intersection of the Fort Stevens Highway and SE 9th Street. It ends at the intersection of King Avenue and the Warrenton-Astoria Highway.

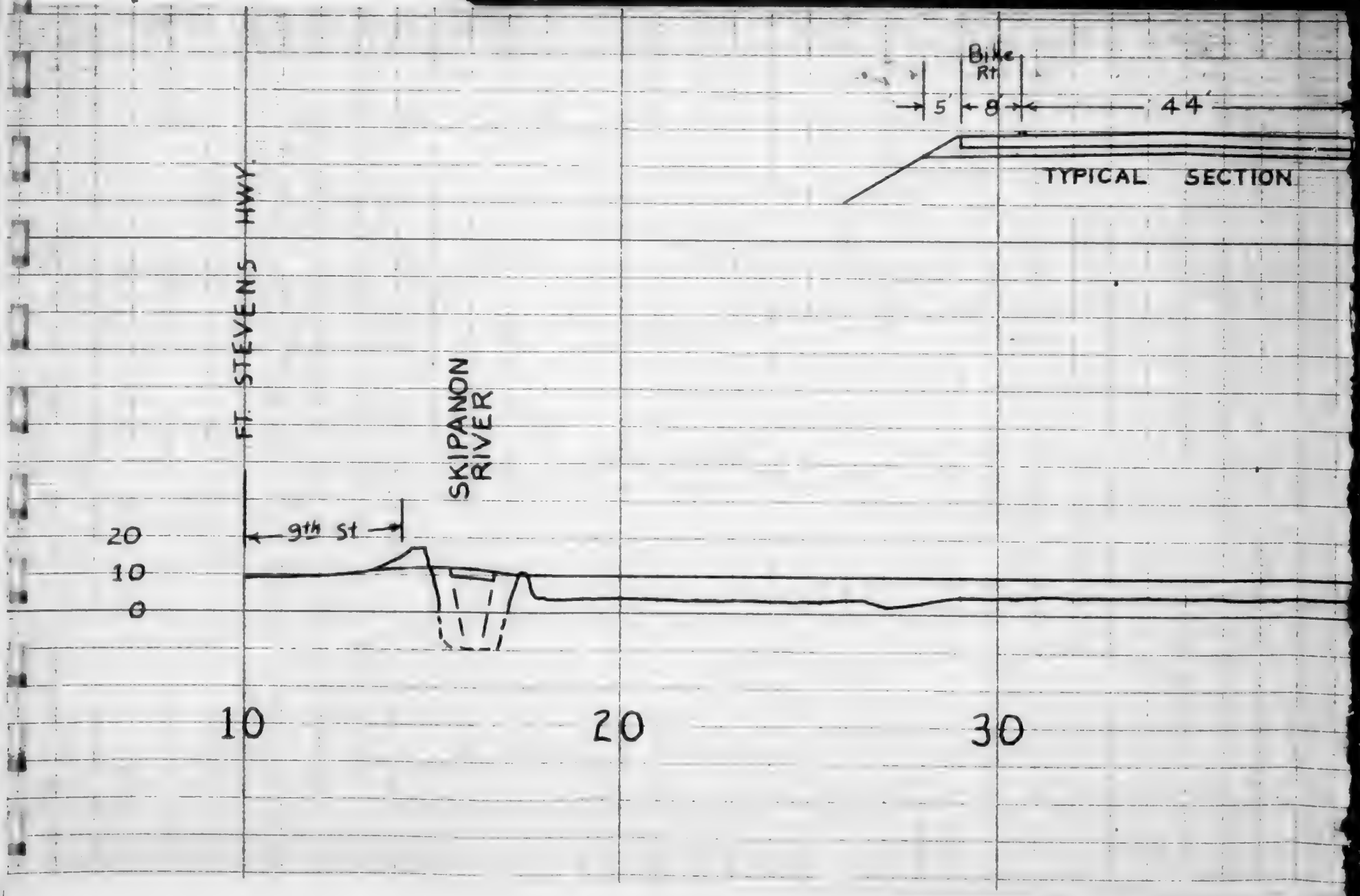
Length of construction	1.0 mile
Maximum curve	10°
Maximum grade	2%
Highway class	A(2)
Design speed	45 mph

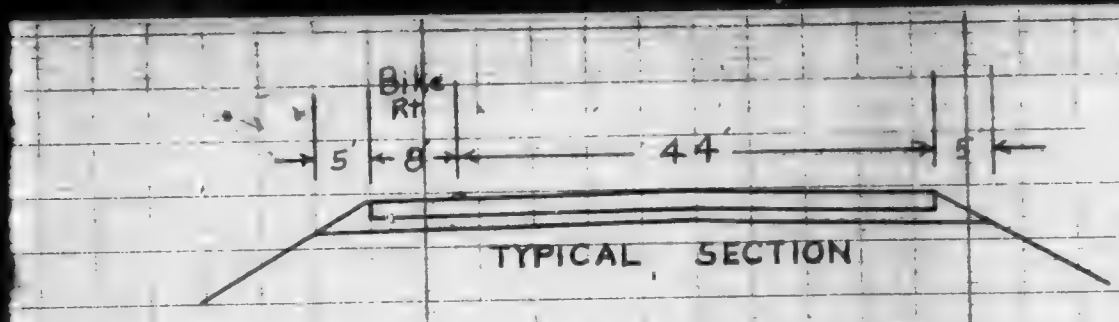
Estimated Costs

Grade and pave	1,010,000
Structure	170,000
Right of way	120,000
Remove existing structure	30,000
Relocate water main	3,000
Construct Cul-de-sac & barricade	10,000
Total Cost	$1,343,000
Construction time	12 months

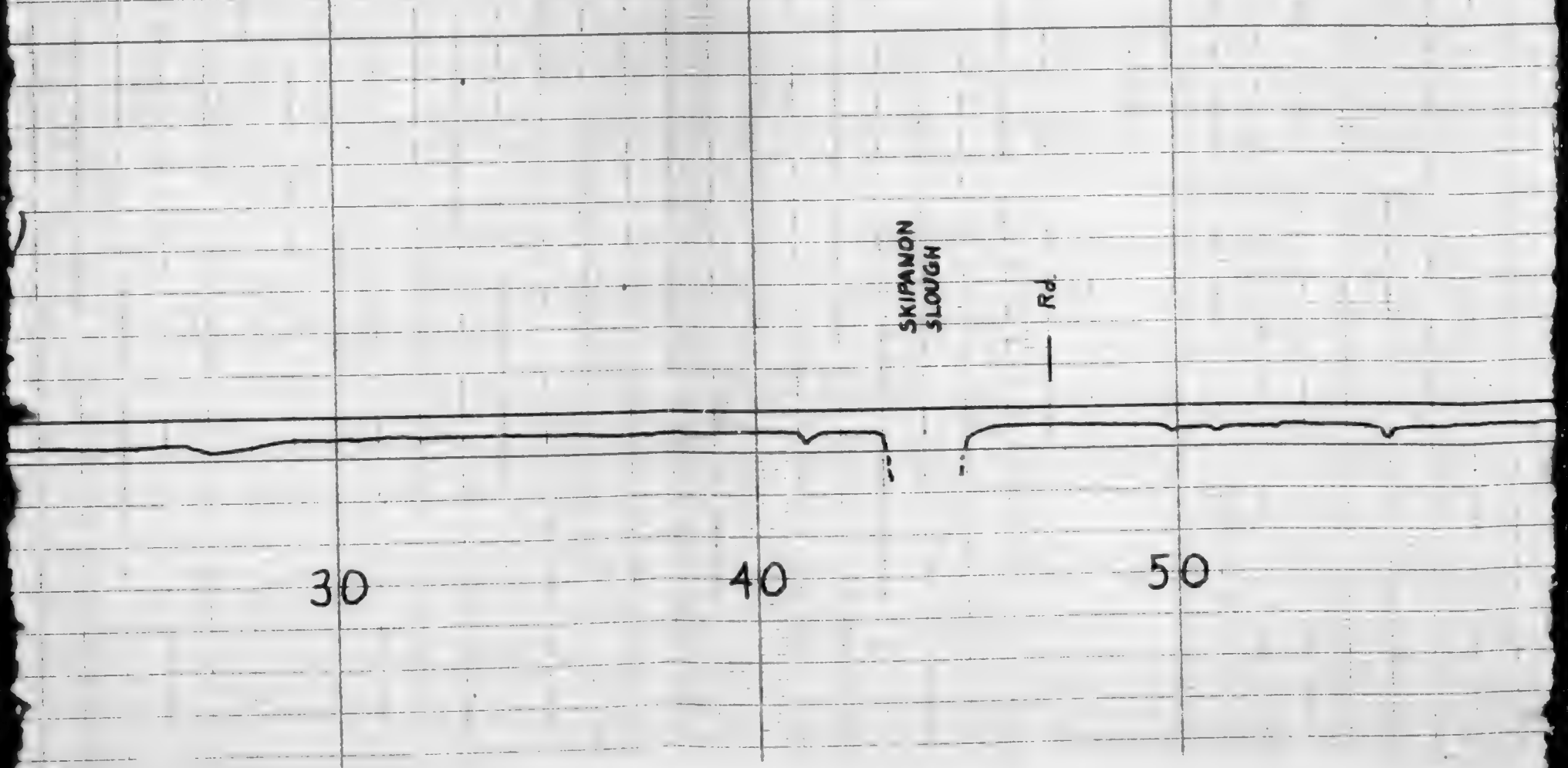
The structure on this route is a fixed span providing a channel 40 feet wide. This river crossing is upstream of the earth dam that marks the head of navigation; therefore, no consideration was given to vertical clearance for the passage of waterborne traffic. The road would cross Skipanon Slough over a causeway with a permanent pipe drain in it.




Bike Rt
5'
8'
44'
TYPICAL SECTION
FT. STEVENS HWY.
SKIPANON RIVER
9th St
20
10
0
10
20
30

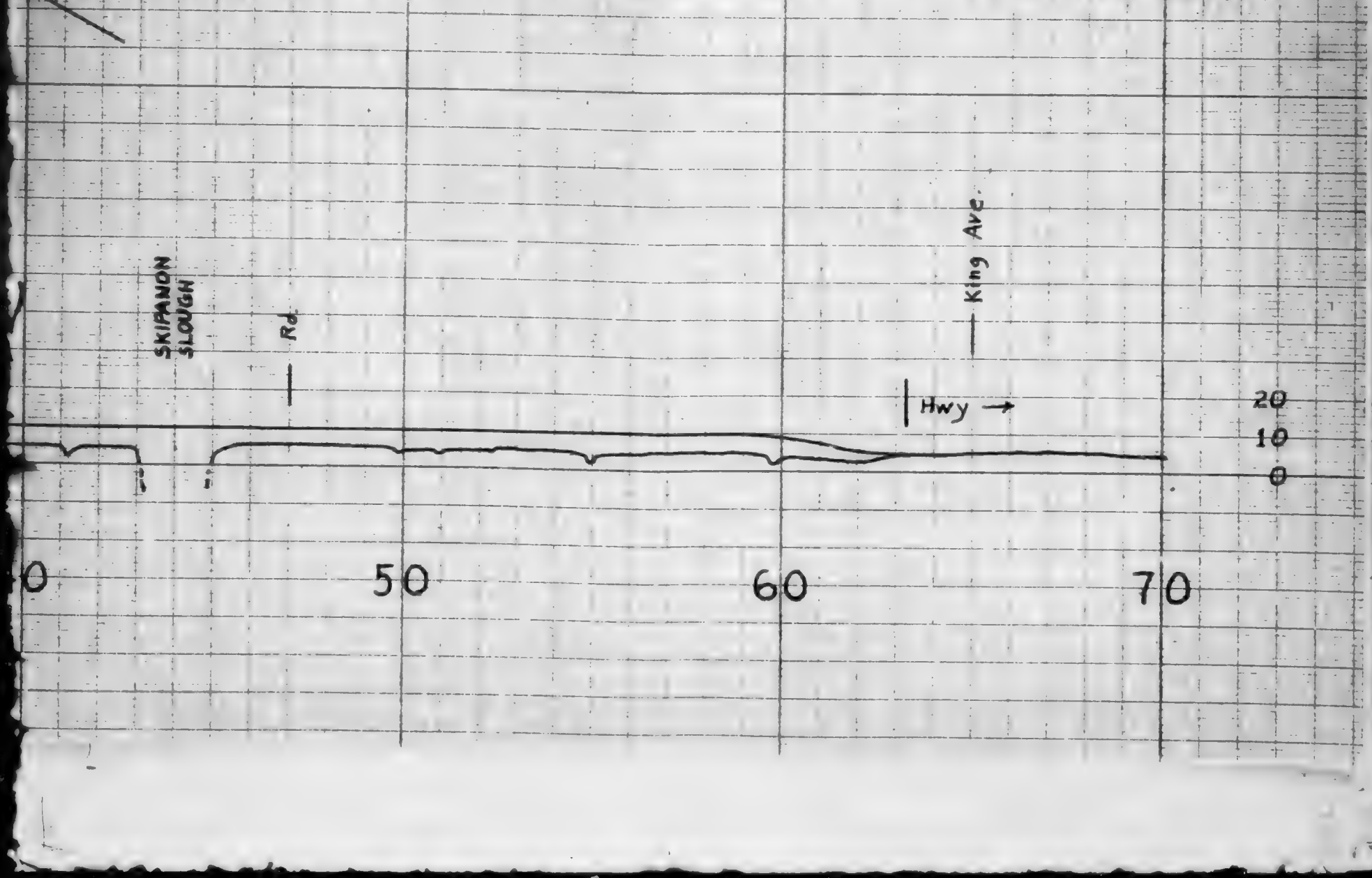


TYPICAL SECTION



ROUTE # 4

Scale : 1" = 400' Horiz.
1" = 40' Vert.



ALTERNATE #5

This proposed alternate is a double-leaf bascule type moveable span. (See Drawing 1.) The minimum depth structure would require raising the existing grade a minimum of 2 feet to give sufficient clearance above the high tide line. (See Drawing 3.) This would require remodeling the total length of the existing structure. Average delay to vehicles each time bridge is opened would be 10 to 15 minutes.

Estimated cost based on using existing roadway width of 26'9":

Bascule span	445,000	
Approach spans	190,000	
Grade and pave	75,000	
Right of way	10,000	
Construct detour and structure	150,000	
Road-user cost (out-of-direction travel) in lieu of detour		($292,000)
Relocate water main	3,000	
Total Cost (with detour)	$873,000	
Construction time	12 months	

84'-0" Bascule Span

℄ LL brg. ℄ LL brg.2

26'-9" Rdwy. (Existing)

24'-4½" ctr-ctr Girders

1'-0"

1' Swk.

26'-9" Rdwy.

9" curb

7" 7"

11" 31' 31' 11'

Anchor Span Anchor Span

PLAN

Existing Grade El. +12.2±

℄ Highest Tide +7.5

℄ M.H.W. +3.25

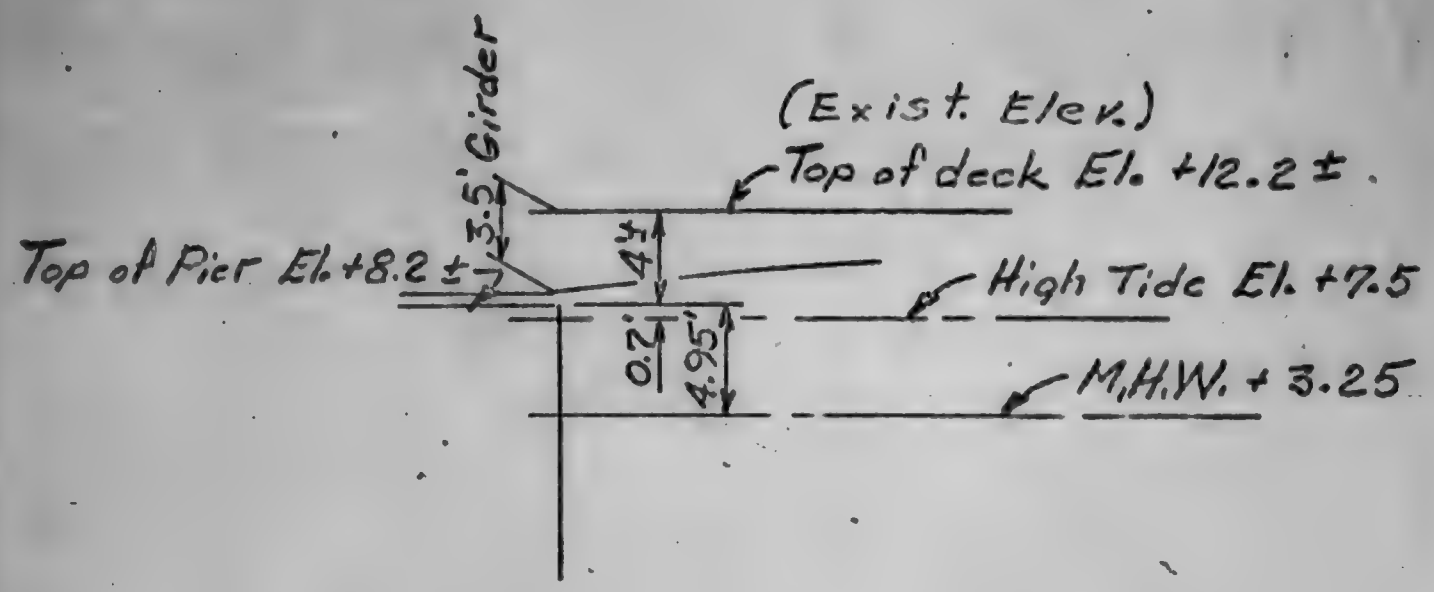
13'± 34' Horiz cl.

ELEVATION

Scale: 1"=20'

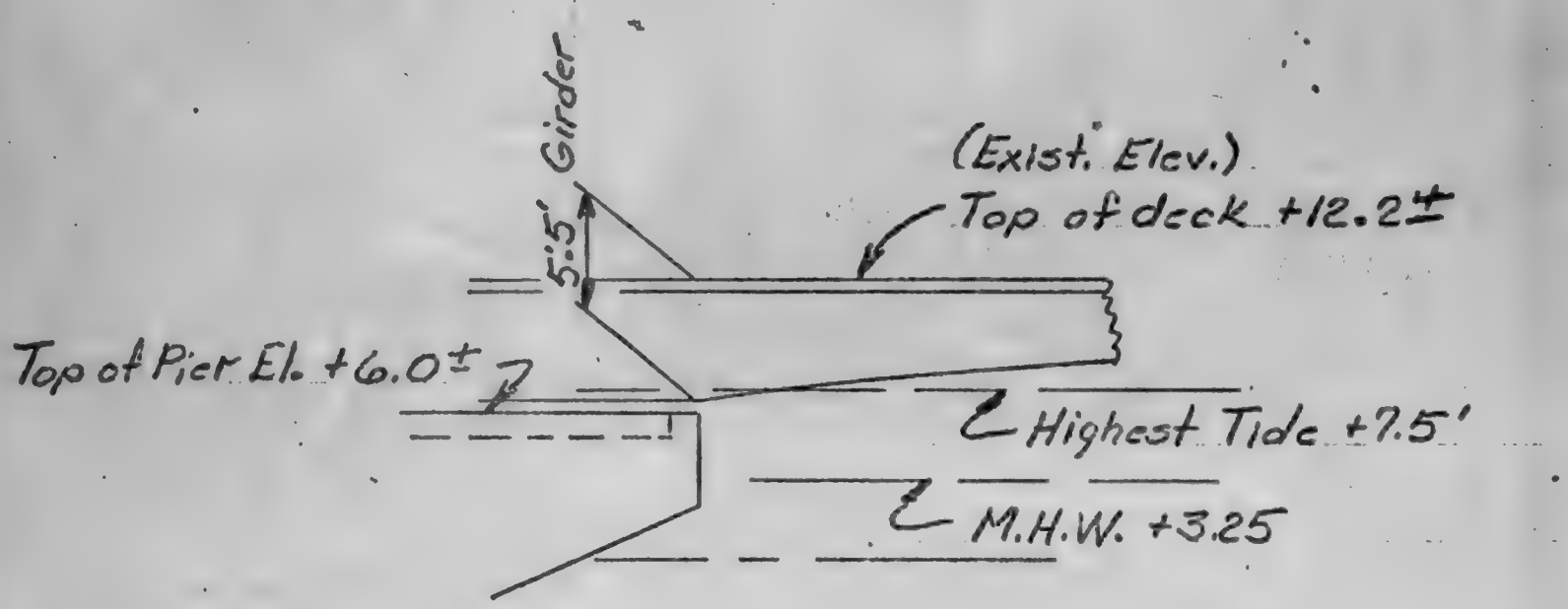
ALT. 5

OREGON STATE HIGHWAY DIVISION BRIDGE SECTION	APPROVED: BRIDGE ENGINEER
SKIPANON RIVER DOUBLE BASCULE SPAN	BRIDGE NO. 1226A DATE 6-11-73 DRAWING NO. 1 DRAWN



CLEARANCES FOR DOUBLE BASCULE SPAN

No Scale



CLEARANCES UNBALANCED SWING SPAN

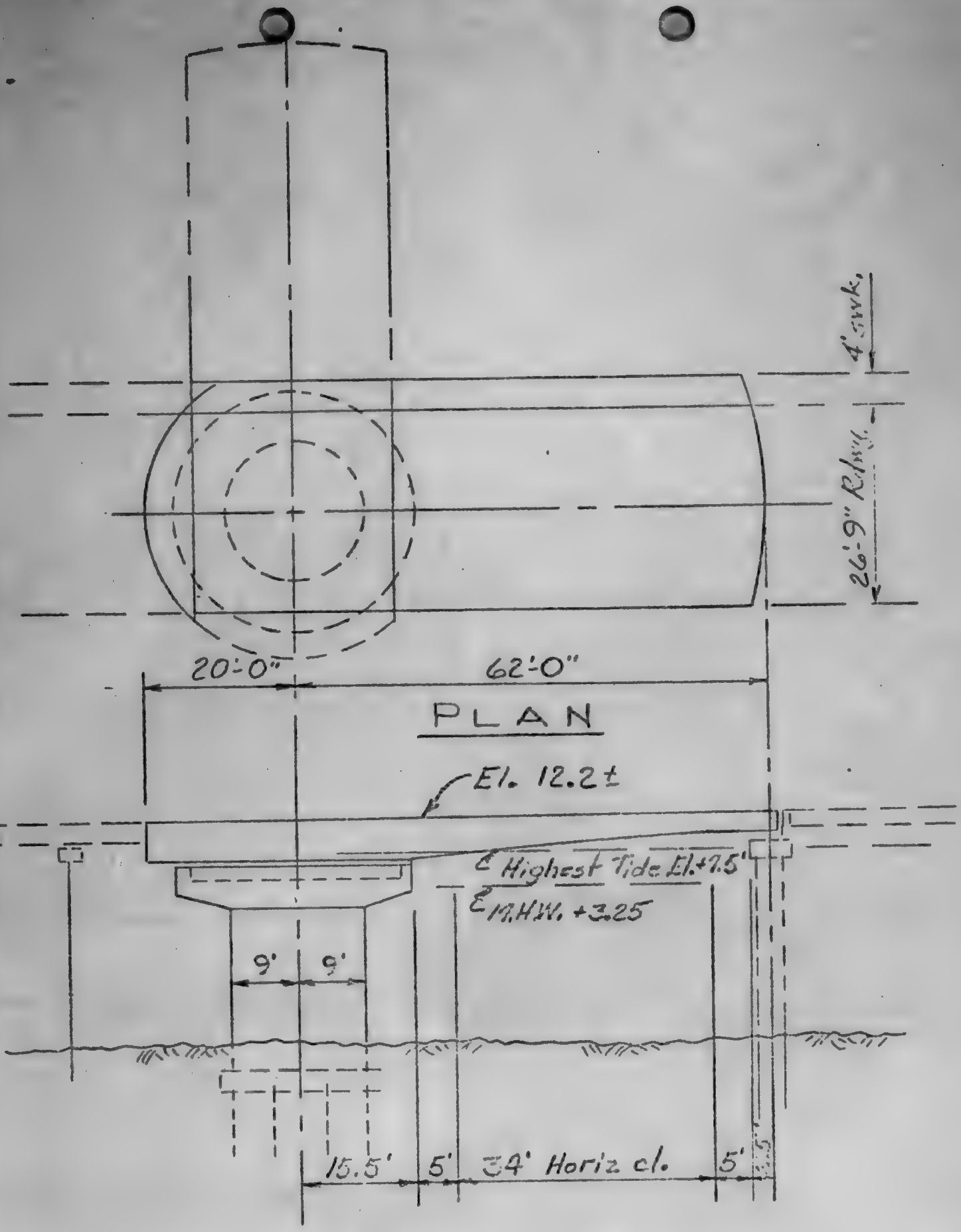
OREGON STATE HIGHWAY DIVISION BRIDGE SECTION	APPROVED: BRIDGE ENGINEER
SKIPANON RIVER CLEARANCES	BRIDGE NO. 11226A DATE 6-11-73 DRAWING NO. 3 DRAWN

ALTERNATE #6

This proposed alternate is an unbalanced swing type movable span. (See Drawing 2.) The minimum depth structure would require raising the existing grade 3-1/2 feet to give sufficient clearance above the high tide line. (See Drawing 3.) This would require remodeling the total length of the existing structure. Average delay to vehicles each time bridge is opened would be 10 to 15 minutes.

Estimated cost based on using existing roadway width of 26'9":

Unbalanced swing span	403,000	
Approach spans	193,000	
Grade and pave	75,000	
Right of way	10,000	
Construct detour and structure	150,000	
Road-user cost (out-of-direction travel) in lieu of detour		($292,000)
Relocate water main	3,000	
Total Cost (with detour)	$834,000	
Construction time	12 months	



ELEVATION

Scale: 1" = 20'

ALT. 6

OREGON STATE HIGHWAY DIVISION
BRIDGE SECTION

SKIPANON RIVER
UNBALANCED SWING SPAN

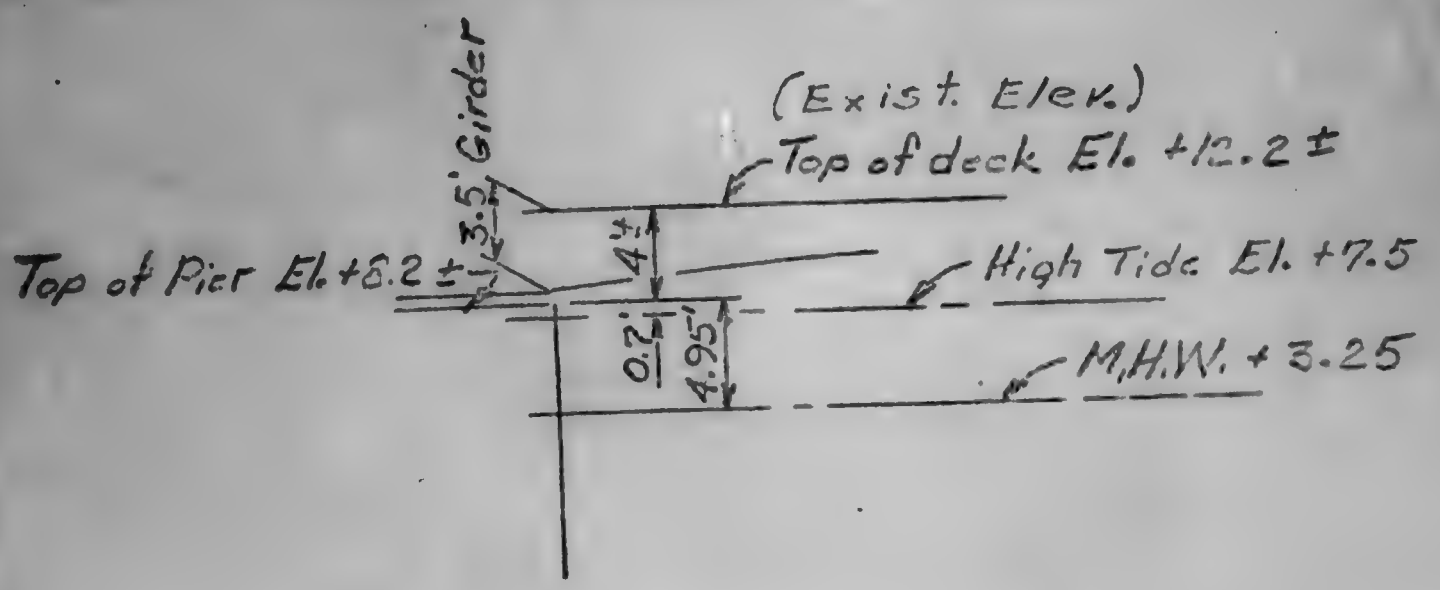
APPROVED:

BRIDGE ENGINEER

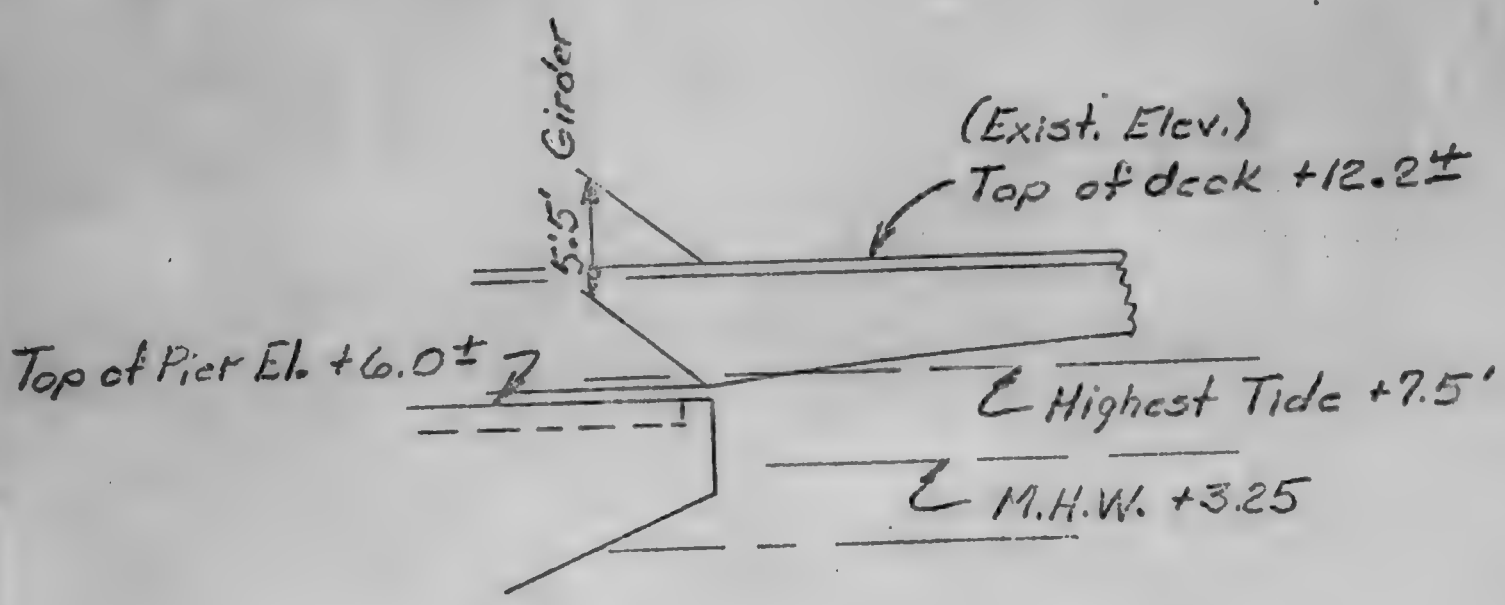
BRIDGE NO. 1256A

DATE 6-11-73 DRAWING NO. 2

DRAWN



CLEARANCES FOR DOUBLE BASCULE SPAN
No Scale



CLEARANCES UNBALANCED SWING SPAN

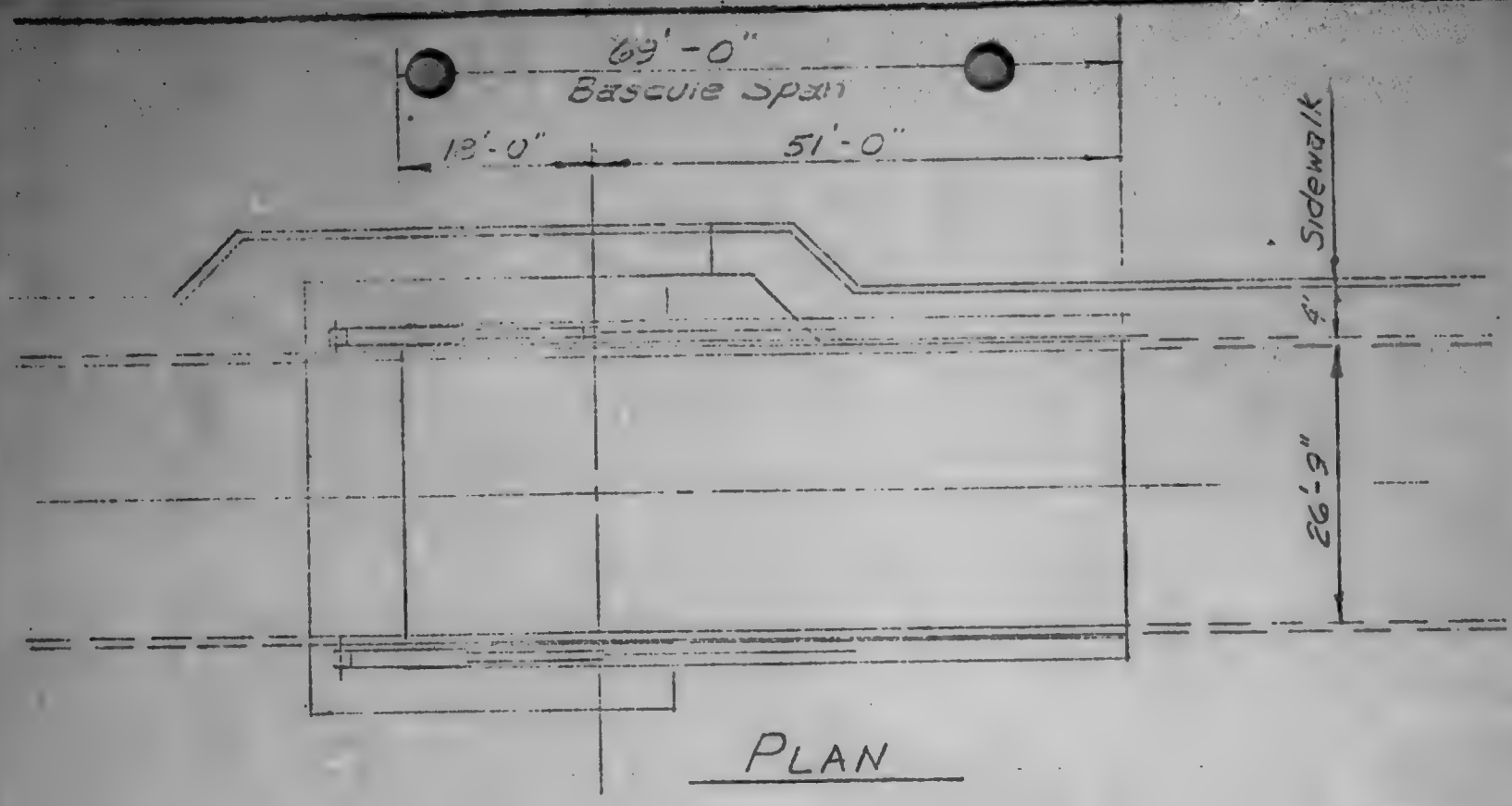
OREGON STATE HIGHWAY DIVISION BRIDGE SECTION	APPROVED: BRIDGE ENGINEER
SKIPANON RIVER CLEARANCES	BRIDGE NO. 11666 DATE 6-11-73 DRAWING NO. 3 DRAWN.

ALTERNATE #7

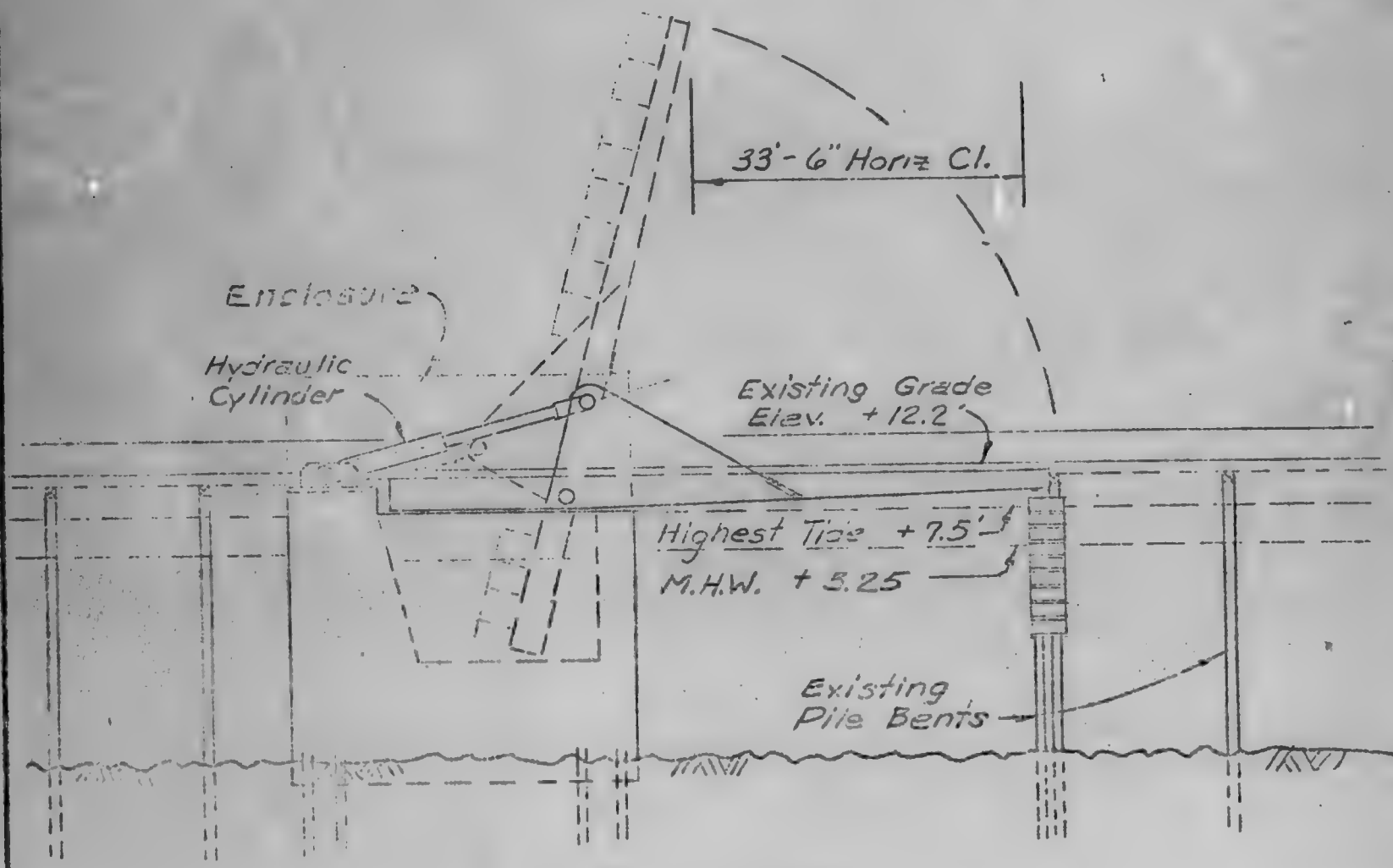
This proposed alternate is a single-leaf bascule type movable span. (See Drawing 4.) The structure is opened by a hydraulic-powered system. The present grade line is maintained. This would result in part of the anchor span with counterweight in water when opening. Approximately 100 feet of the existing structure would be removed and rebuilt. Average delay to vehicles each time bridge is opened would be 10 to 15 minutes.

Estimated cost, based on using existing roadway width of 26'9", is $410,000.

No paving, grading or right of way required		
Structure	410,000	
Relocate water main	3,000	
Construct detour and structure	150,000	
Road-user cost (out-of-direction travel) in lieu of detour		($216,000)
Total Cost (with detour)	$563,000	
Construction time	9 months	



PLAN



ELEVATION

Scale: 1" = 20'

OREGON STATE HIGHWAY DIVISION
BRIDGE SECTION

APPROVED:

BRIDGE ENGINEER

SKIPANON RIVER BRIDGE

BASCULE SPAN WITH HYDRAULIC LIFT

BRIDGE NO. 11224-A

DATE

DRAWING NO. 4.

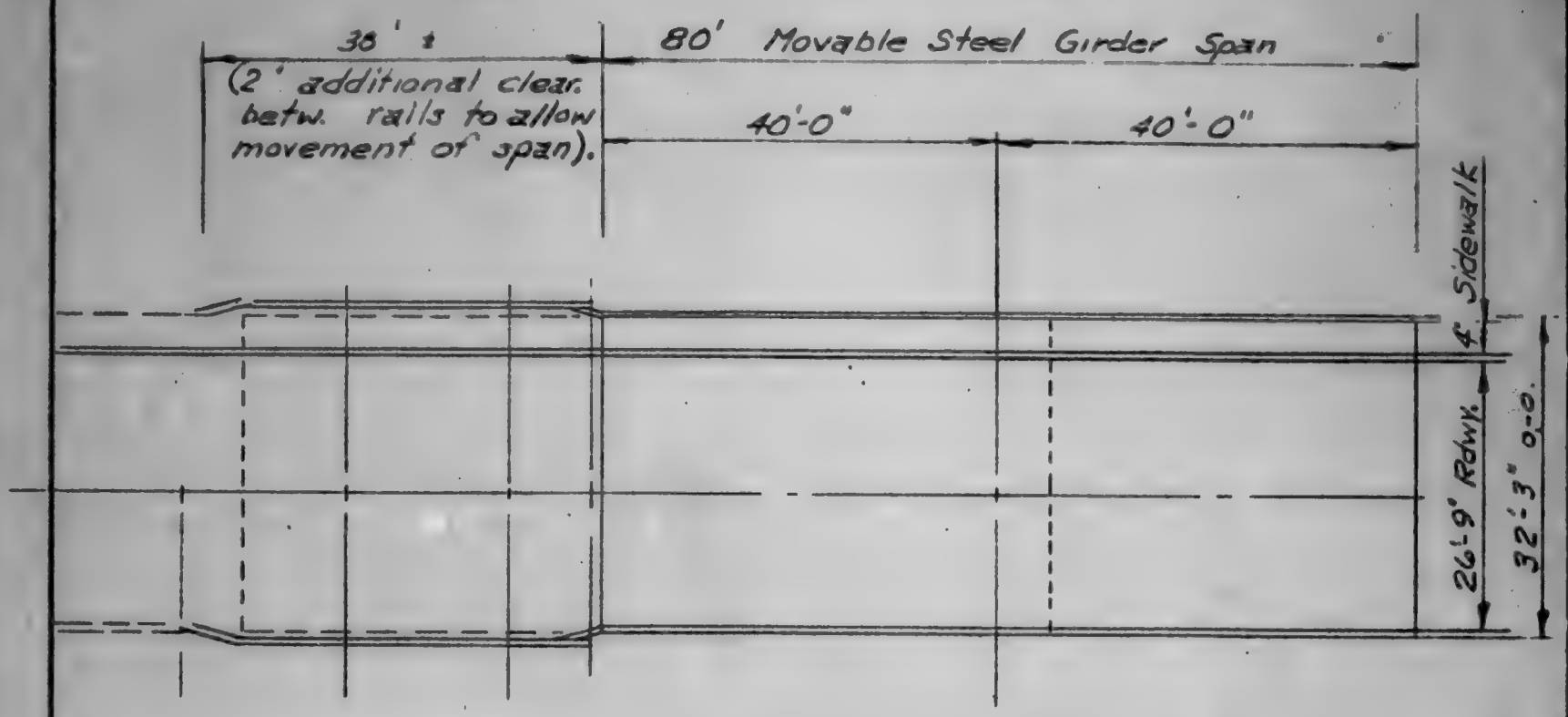
DRAWN

ALTERNATE #8

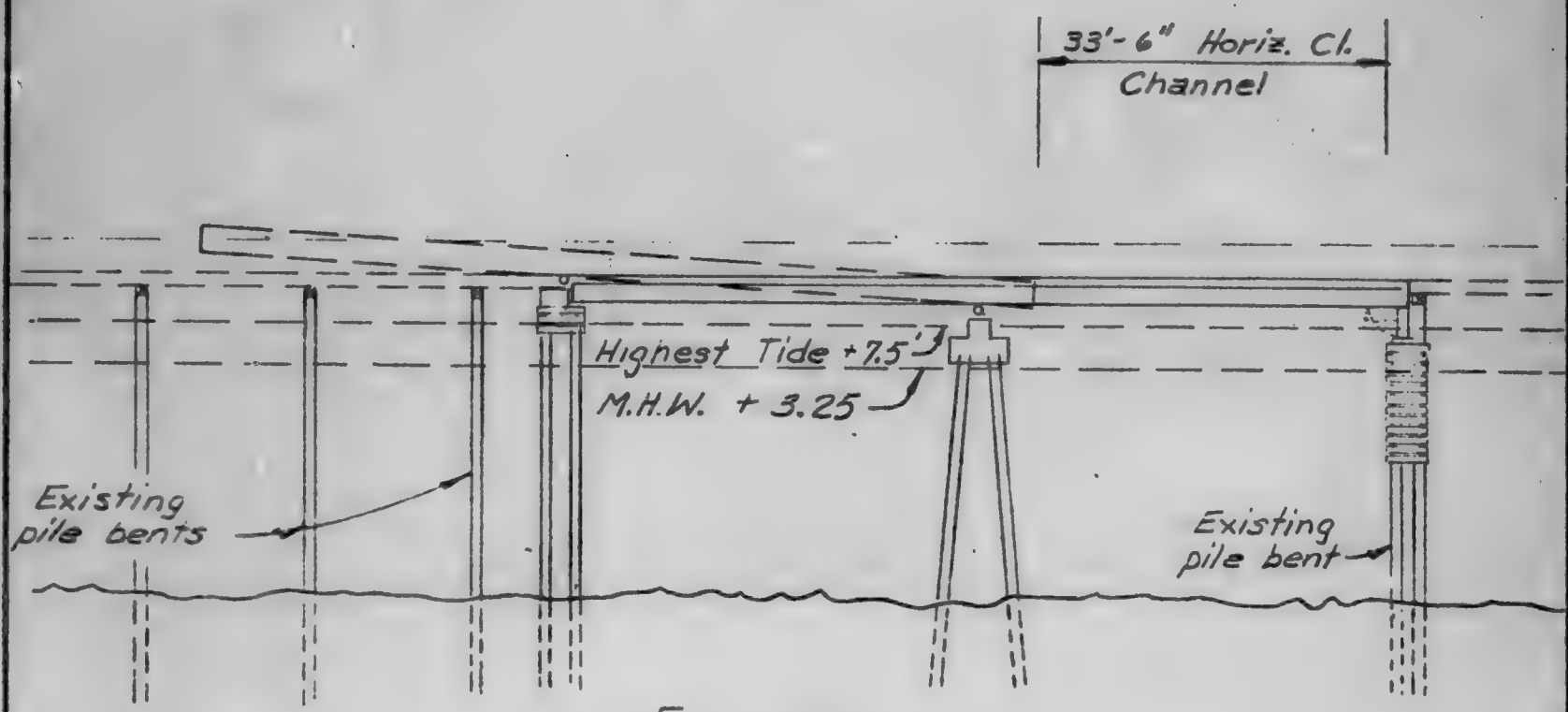
This proposed alternate has two spans of movable steel girders similar to the Smith River Bridge in Douglas County. (See Drawing 5.) This bridge requires a truck at each end of the span and a four-man crew. One truck, with hoist, lifts the end of the bridge for removing the bearing supports. The remaining truck pulls the girder spans to the open position. This bridge can be opened and closed in approximately one-half hour. The present grade line is maintained. Approximately 120 feet of the existing structure would be removed and rebuilt.

Estimated cost based on using existing roadway width of 26'9" is $205,000.

No grading, paving or right of way required		
Structure	205,000	
Relocate water main	3,000	
Construct detour and structure	150,000	
Road-user (out-of-direction travel) in lieu of detour		($144,000)
Total Cost (with detour)	$358,000	
Construction time	6 months	



PLAN



ELEVATION

Scale: 1" = 20'

OREGON STATE HIGHWAY DIVISION
BRIDGE SECTION

SKIPANON RIVER

ROLLING LIFT SPAN

APPROVED:

BRIDGE ENGINEER

BRIDGE NO. 11226 A

DATE 6-29-73 DRAWING NO. 5

DRAWN

TRAFFIC VOLUMES

The following maps show the average daily traffic volumes for each alternate. A detailed analysis of the flow at the intersection of each alternate route with the Fort Stevens Highway follows.

4-10-72

ROUTES 1, 2, 5, 6, 7 & 8

— 1972

— (1992)

WARRENTON

SKIPANON WATERWAY

S.P. & S. RY.

MOORING BASIN

SEATTLE

HARBOR

SKIPANON

RIVER

Slough

HWY 101 26

OREGON

HWY 9 M.P. 127 HWY. 105

HWY 451 M.P. 3.35 HWY. 104 M.P. 0.00 HWY. 105

UNDER CONSTRUCTION

TEMP

N.E. 6TH ST.
N.E. 5TH PL.
N.E. 5TH ST.
N.E. 4TH PL.
N.E. 4TH ST.
N.E. 3RD PL.
N.E. 3RD ST.
N.E. 2ND PL.
N.E. 2ND ST.
N.E. 1ST CT.
N.E. 1ST ST.
HARBOR PL.
S.E. HARBOR PL.
S.E. 1ST ST.
S.E. 2ND 3RD AVE.
S.E. 4TH ST.
S.E. 5TH ST.
S.E. 6TH ST.
S.E. 7TH ST.
S.E. 8TH ST.
S.E. 9TH ST.
S.E. 9TH PL.
S.E. 10TH ST.
S.E. 10TH PL.
S.E. 11TH ST.
S.E. 12TH ST.
S.E. 13TH ST.
S.E. 13TH PL.
S.E. 14TH ST.

N.E. BAY AVE.
ENSIGN AVE.
HERON AVE.
IREDALE AVE.
JETTY AVE.
KING AVE.
LAKE AVE.
MARLIN AVE.
NEPTUNE AVE.
S.E. ANCHORS CT.
S.E. BAY AVE.
S.E. DOLPHIN CT.
S.E. DOLPHIN AVE.
S.E. FLEET AVE.
S.E. GALENA ST.
S.E. HERON AVE.
S.E. IREDALE AVE.
S.E. JETTY AVE.
S.E. KING AVE.
S.E. LAKE AVE.
S.E. MARLIN AVE.
S.E. NEPTUNE AVE.
S.E. ANCHOR AVE.
S.E. ENSIGN AVE.
S.E. FLEET AVE.
S.E. GALENA ST.
S.E. HERON AVE.
S.E. IREDALE AVE.
S.E. JETTY AVE.
S.E. KING AVE.
S.E. LAKE AVE.
S.E. MARLIN AVE.
S.E. NEPTUNE AVE.
S.E. ANCHOR AVE.
S.E. ENSIGN AVE.
S.E. FLEET AVE.
S.E. GALENA ST.
S.E. HERON AVE.
S.E. IREDALE AVE.
S.E. JETTY AVE.
S.E. KING AVE.
S.E. LAKE AVE.
S.E. MARLIN AVE.
S.E. NEPTUNE AVE.

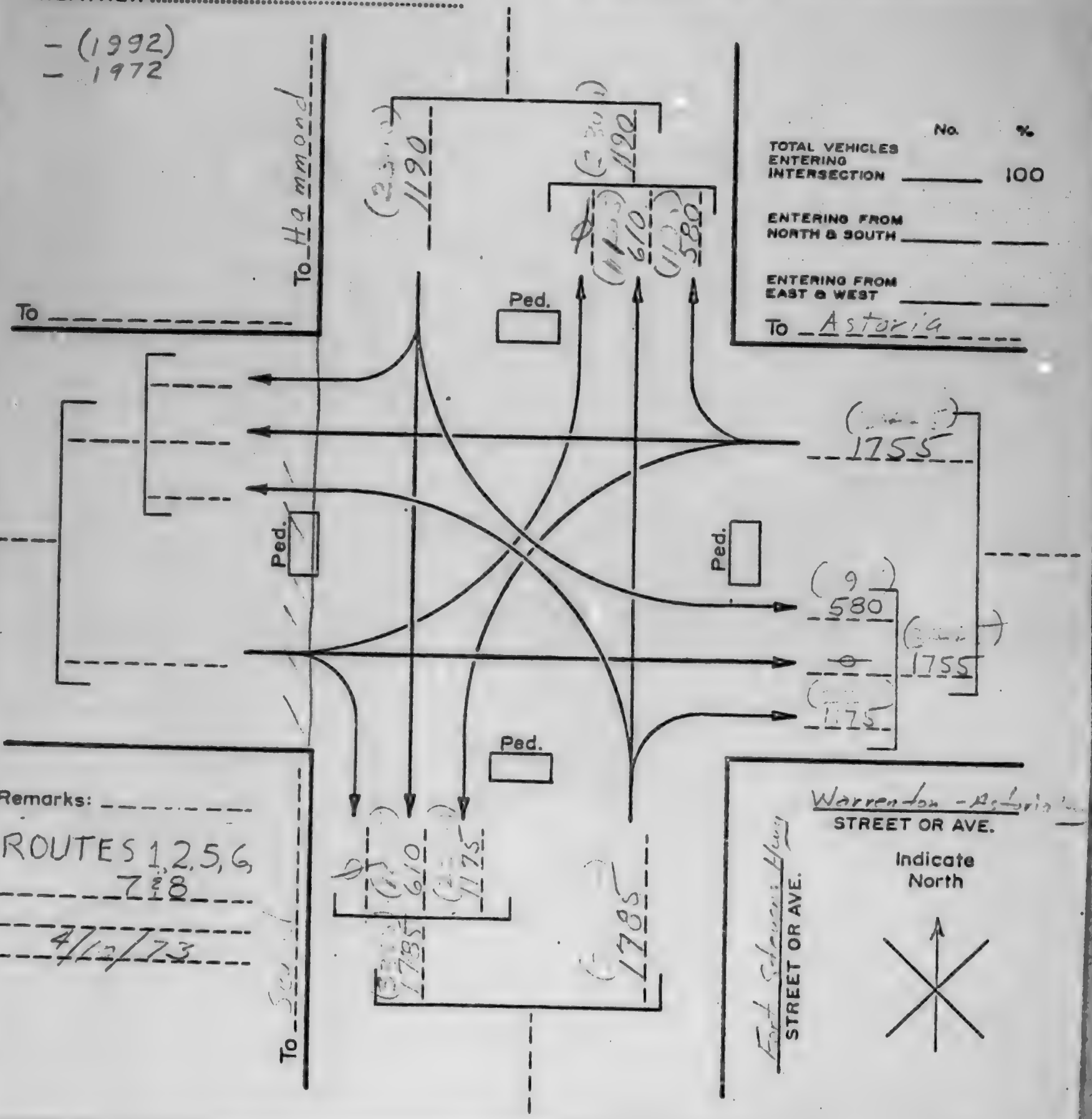
OREGON STATE HIGHWAY DIVISION
TRAFFIC ENGINEERING SECTION

TWENTY-FOUR HOUR VEHICULAR VOLUME

DATE .....
DAY OF WEEK .....
ACTUAL COUNT (VEH.) ..... HRS.
HOURS COUNTED .....
PEDESTRIAN COUNT ..... HRS.
HOURS COUNTED .....
WEATHER .....

CITY OR COUNTY .....
INTERSECTION OF .....
.....
.....
MILE POST .....
CLASSIFICATION .....

– (1992)
– 1972



	No.	%
TOTAL VEHICLES ENTERING INTERSECTION	_____	100
ENTERING FROM NORTH & SOUTH	_____	____
ENTERING FROM EAST & WEST	_____	____

To Astoria

Remarks:

ROUTES 1, 2, 5, 6
7 & 8
4/12/73

Rev. 3-73

ROUTE 3

— 1972

—(1992)

MOORING BASIN

SKIPANON WATERWAY

SKIPANON

SEATTLE

WARRENTON

RIVER

Skipanon

Slough

UNDER CONSTRUCTION

MP 3.35 HWY 104

MP 0.00 HWY 105

MP 4.51 HWY 9

MP 1.27 HWY 105

HWY 101 26

TEMP.

OREGON

N.E. 6TH ST.

N.E. 5TH PL.

N.E. 5TH ST.

N.E. 4TH PL.

N.E. 4TH ST.

N.E. 3RD PL.

N.E. 3RD ST.

N.E. 2ND PL.

N.E. 2ND ST.

N.E. 1ST CT.

N.E. 1ST ST.

HARBOR PL.

HARBOR PL.

HARBOR PL.

S.E. 1ST PL.

S.E. 1ST ST.

S.E. 2ND ST.

S.E. 3RD ST.

S.E. 4TH ST.

S.E. 5TH ST.

S.E. 6TH ST.

S.E. 7TH ST.

S.E. 8TH ST.

S.E. 9TH PL.

S.E. 9TH ST.

S.E. 10TH PL.

S.E. 10TH ST.

S.E. 11TH ST.

S.E. 12TH ST.

S.E. 13TH PL.

S.E. 13TH ST.

S.E. 14TH ST.

N.E. BAY AVE.

N.E. ENSIGN AVE.

N.E. HERON AVE.

N.E. IREDALE AVE.

N.E. JETTY AVE.

N.E. KING AVE.

N.E. LAKE AVE.

N.E. MARLIN AVE.

N.E. NEPTUNE AVE.

S.E. BAY AVE.

S.E. ANCHOR AVE.

S.E. DOLPHIN CT.

S.E. DOLPHIN AVE.

S.E. FLEET AVE.

S.E. GALENA ST.

S.E. HERON AVE.

S.E. IREDALE AVE.

S.E. JETTY AVE.

S.E. KING AVE.

S.E. LAKE AVE.

S.E. MARLIN AVE.

S.E. NEPTUNE AVE.

S.E. ENSIGN AVE.

S.E. ANCHORS CT.

S.E. CHINOOK AVE.

S.E. BAY AVE.

S.E. ANCHOR AVE.

S.E. 1ST AVE.

S.E. 2ND AVE.

S.E. 3RD AVE.

S.E. 4TH AVE.

S.E. 5TH AVE.

S.E. 6TH AVE.

S.E. 7TH AVE.

S.E. 8TH AVE.

S.E. 9TH AVE.

S.E. 10TH AVE.

S.E. 11TH AVE.

S.E. 12TH AVE.

S.E. 13TH AVE.

S.E. 14TH AVE.

S.E. 13TH CT.

S.E. 13TH PL.

S.E. 13TH ST.

S.E. 14TH ST.

S.E. 1ST PL.

S.E. 1ST ST.

S.E. 2ND ST.

S.E. 3RD ST.

S.E. 4TH ST.

S.E. 5TH ST.

S.E. 6TH ST.

S.E. 7TH ST.

S.E. 8TH ST.

S.E. 9TH PL.

S.E. 9TH ST.

S.E. 10TH PL.

S.E. 10TH ST.

S.E. 11TH ST.

S.E. 12TH ST.

S.E. 13TH PL.

S.E. 13TH ST.

S.E. 14TH ST.

N.W. 7TH ST.

N.W. 6TH ST.

N.W. 5TH ST.

N.W. 4TH ST.

N.W. 3RD ST.

N.W. 2ND ST.

N.W. 1ST ST.

N.W. ALDER CT.

N.W. BIRCH ST.

N.W. CEDAR ST.

N.W. MAIN AVE.

N.W. WARRENTON DR.

N.W. 1ST AVE.

N.W. 2ND AVE.

N.W. 3RD AVE.

N.W. 4TH AVE.

N.W. 5TH AVE.

N.W. 6TH AVE.

N.W. 7TH AVE.

N.W. 8TH AVE.

N.W. 9TH AVE.

N.W. 10TH AVE.

N.W. 11TH AVE.

N.W. 12TH AVE.

N.W. 13TH AVE.

N.W. 14TH AVE.

N.W. 15TH AVE.

N.W. 16TH AVE.

N.W. 17TH AVE.

N.W. 18TH AVE.

N.W. 19TH AVE.

N.W. 20TH AVE.

N.W. 21ST AVE.

N.W. 22ND AVE.

N.W. 23RD AVE.

N.W. 24TH AVE.

N.W. 25TH AVE.

N.W. 26TH AVE.

N.W. 27TH AVE.

N.W. 28TH AVE.

N.W. 29TH AVE.

N.W. 30TH AVE.

N.W. 31ST AVE.

N.W. 32ND AVE.

N.W. 33RD AVE.

N.W. 34TH AVE.

N.W. 35TH AVE.

N.W. 36TH AVE.

N.W. 37TH AVE.

N.W. 38TH AVE.

N.W. 39TH AVE.

N.W. 40TH AVE.

N.W. 41ST AVE.

N.W. 42ND AVE.

N.W. 43RD AVE.

N.W. 44TH AVE.

N.W. 45TH AVE.

N.W. 46TH AVE.

N.W. 47TH AVE.

N.W. 48TH AVE.

N.W. 49TH AVE.

N.W. 50TH AVE.

N.W. 51ST AVE.

N.W. 52ND AVE.

N.W. 53RD AVE.

N.W. 54TH AVE.

N.W. 55TH AVE.

N.W. 56TH AVE.

N.W. 57TH AVE.

N.W. 58TH AVE.

N.W. 59TH AVE.

N.W. 60TH AVE.

N.W. 61ST AVE.

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OREGON STATE HIGHWAY DIVISION
TRAFFIC ENGINEERING SECTION

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DAY OF WEEK .....
ACTUAL COUNT (VEH.) ..... HRS.
HOURS COUNTED .....
PEDESTRIAN COUNT ..... HRS.
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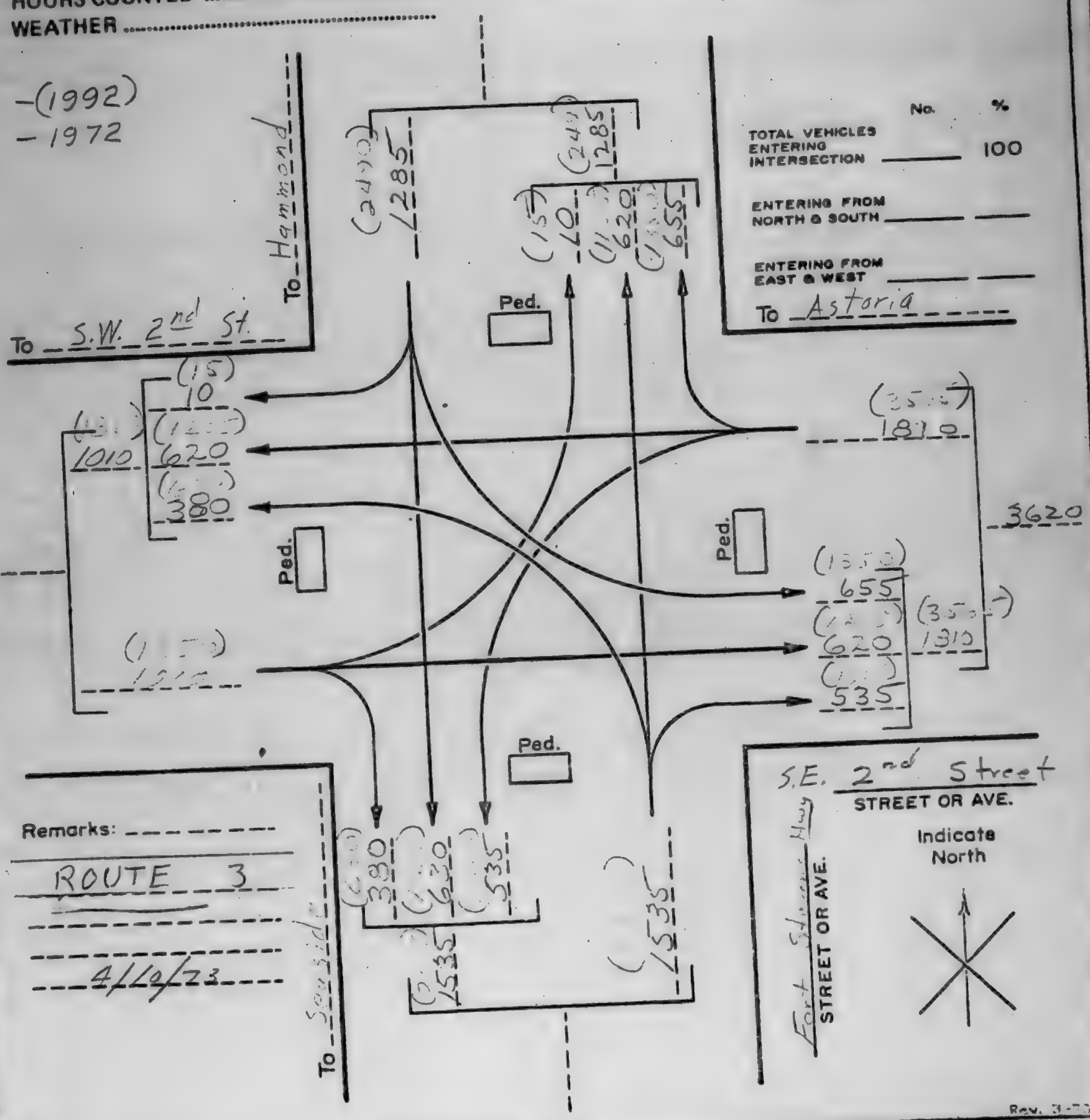

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To Astoria

Remarks:
ROUTE 3
4/10/73

To Seaside

S.E. 2nd Street
STREET OR AVE.

Fort Stevens Hwy
STREET OR AVE.

Indicate North

Rev. 3-72

ROUTE 4

— 1972

— (1992)

OREGON STATE HIGHWAY DIVISION
TRAFFIC ENGINEERING SECTION

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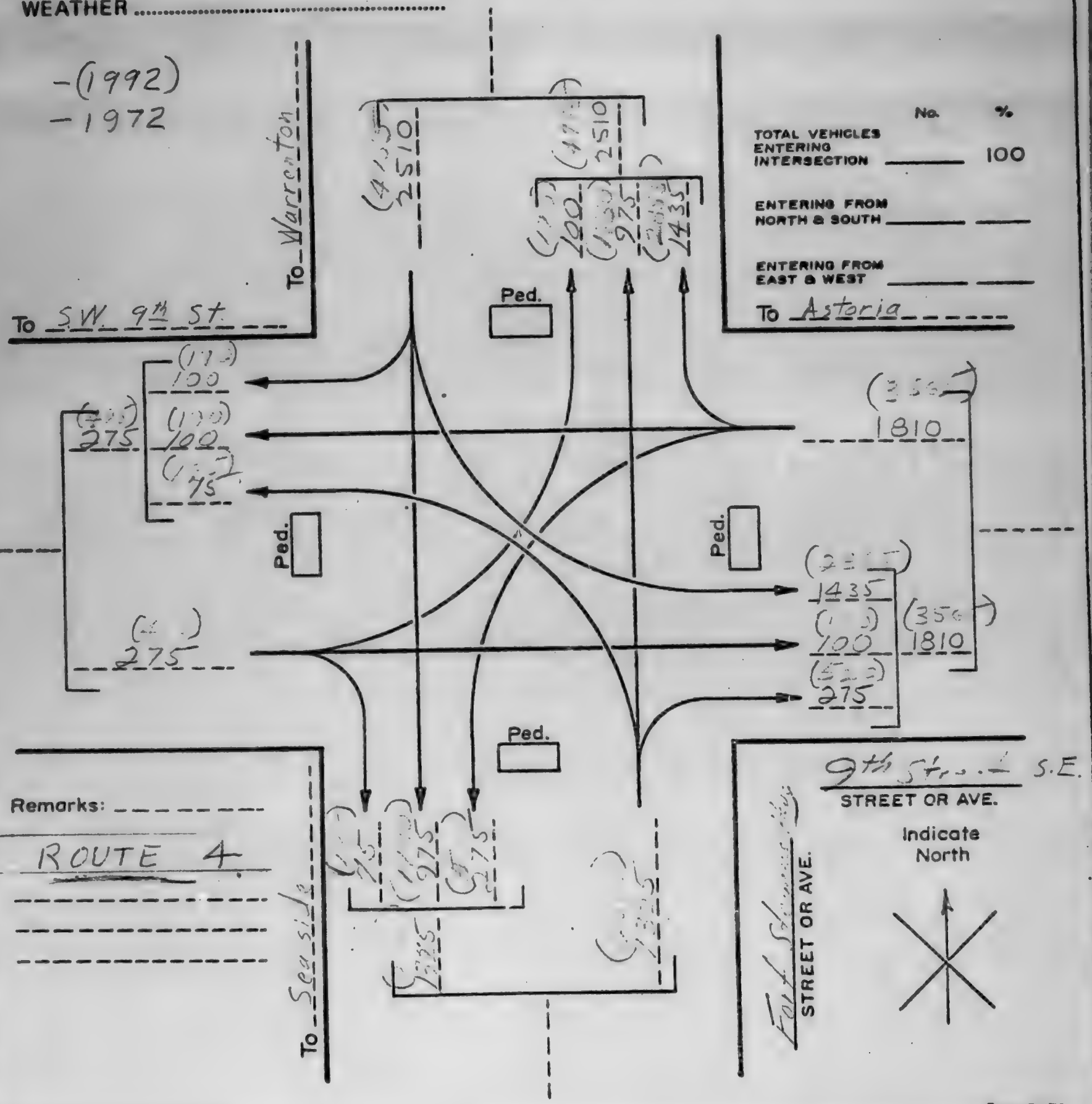

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Remarks:

ROUTE 4

Rev. 3-72

SUMMARY

Alt.	Length Miles	Grade & Pave	Structure	R/W	Detour	Adjust Utilities	Structure Removal	Total Cost
1.	0.40	210,000	940,000	50,000	150,000	3,000	30,000	1,383,000
2.	0.02	----	155,000	----	150,000	3,000	----	308,000
3.	0.50	(480,000 (Includes cul de sac	750,000	160,000	----	3,000	30,000	1,423,000
4.	1.00	(1,020,000 (Includes cul de sac	170,000	120,000	----	3,000	30,000	1,343,000
5.	0.10	75,000	635,000	10,000	150,000	3,000	----	873,000
6.	0.10	75,000	596,000	10,000	150,000	3,000	----	834,000
7.	0.02	----	410,000	----	150,000	3,000	----	563,000
8.	0.02	----	205,000	----	150,000	3,000	----	358,000

CONCLUSIONS

Alternates #1 and #2 would both satisfy the requirements of the Coast Guard to restore the bridge to comply with the terms of the original permit. At present waterborne traffic under the bridge is negligible; on the average, the bridge has been opened once a year in the past twenty years to allow dredges and other floating equipment to work upstream of the crossing. However, if it were easy to open the bridge at short notice, waterborne traffic might be greatly increased, resulting in frequent disruption of motor vehicle traffic over the bridge. In time it might be necessary to hire a full-time bridge tender with a consequent increase in operational costs.

Alternate #3, with its fixed bridge structure, would not disrupt vehicle traffic, but the vertical clearance would prevent passage of watercraft having a waterline-masthead height of more than 30 feet. This would allow most charter fishing boats and pleasure craft to pass, but might prevent some dredges, pile drivers and other work boats from passing under the structure to work in the pool upstream.

Alternate #4 would not interfere with either vehicle or boat traffic, since the river crossing is above the head of navigation. However, it appears to be inconvenient for the natural flow of traffic, diverging as far to the south as it does.

The costs of Alternates #1 through #4 are nearly the same except for Alternate #2 (remodeling the existing bridge) which is by far the least costly.

Alternates #5 through #8 are variations of Alternate #2 (remodeling present bridge) but each is more expensive than Alternate #2.

RECOMMENDATIONS

It is recommended that Alternate #2 be selected for reconstructing the existing Skipanon Bridge to comply with the U. S. Coast Guard permit dated 1916. A copy of this document is appended. Alternate #2 would be the least costly of any of the alternates studied. Costs include a detour structure for use while the existing bridge is being reconstructed and the relocation of a six-inch water line under the Skipanon River streambed.

It is also recommended that this entire project (total estimated cost, $308,000) be financed with State funds. Acquisition of additional right of way will not be required and it is anticipated that no public hearing or environmental statement will be necessary.

A time schedule based on the selection of Alternate #2 is attached.

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Address reply to:
COMMANDER (oan)
Thirteenth Coast Guard District
618 Second Ave.
Seattle, Wash. 98104

3271
Serial 854
27 Oct 1971

Oregon State Highway Department
State of Oregon
Attn: Mr. Ivan Merchant, Bridge Engineer
Salem, Oregon 97314

Gentlemen:

Enclosed is a copy of approved drawings and permit for bridge across Skipanon River at Warrenton, Oregon.

This is in accordance with your telephone request of 27 October 1971.

Sincerely,

F. A. GOETTEL
Captain, U. S. Coast Guard
Chief, Operations Division
By direction of the District Commander

Encl.:Copy bridge permit
dtd 15 Sept 1916

NOTED
R. W. ANDERSON

RECEIVED
OCT 29 1971
BRIDGE DIVISION

NOTED
R. W. ELLISON

BRIDGE APPROV. L.

(Authoriz[illegible]y State.)

Whereas, *By Section 9 of an act of Congress, approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," it is provided that bridges, dams, dikes, or causeways may be built under authority of the legislature of a State across rivers and other waterways the navigable portions of which lie wholly within the limits of a single State, provided the location and plans thereof are submitted to and approved by the Chief of Engineers and by the Secretary of War before construction is commenced:*

And whereas, CLACKOR COUNTY, OREGON,

having authority of the legislature of the State of Oregon

to reconstruct a bridge across Skipanon River, at Warrenton,

in said State, has submitted a map of the location and plans of the same, which have been approved by the Chief of Engineers;

Now therefore, *This is to certify that the map of location and plans of said bridge, which are hereto attached, are hereby approved by the Secretary of War, subject to the following conditions:*

1.–*That the engineer officer of the United States Army, in charge of the district within which the bridge is to be* ~~re~~ *built, may supervise its* ~~re~~ *construction, in order that said plans shall be complied with.*

2.–*That all work shall be conducted in such manner as not to interfere with the free navigation of the waterway or impair the present navigable depths.*

3.–*That the approval hereby given shall cease and be null and void unless the actual construction of the bridge be commenced within one (1) year and completed within three (3) years from the date of this instrument.*

COPY

Witness my hand this fifteenth *day of* SEPTEMBER, 191[illegible].

Acting Secretary of War.

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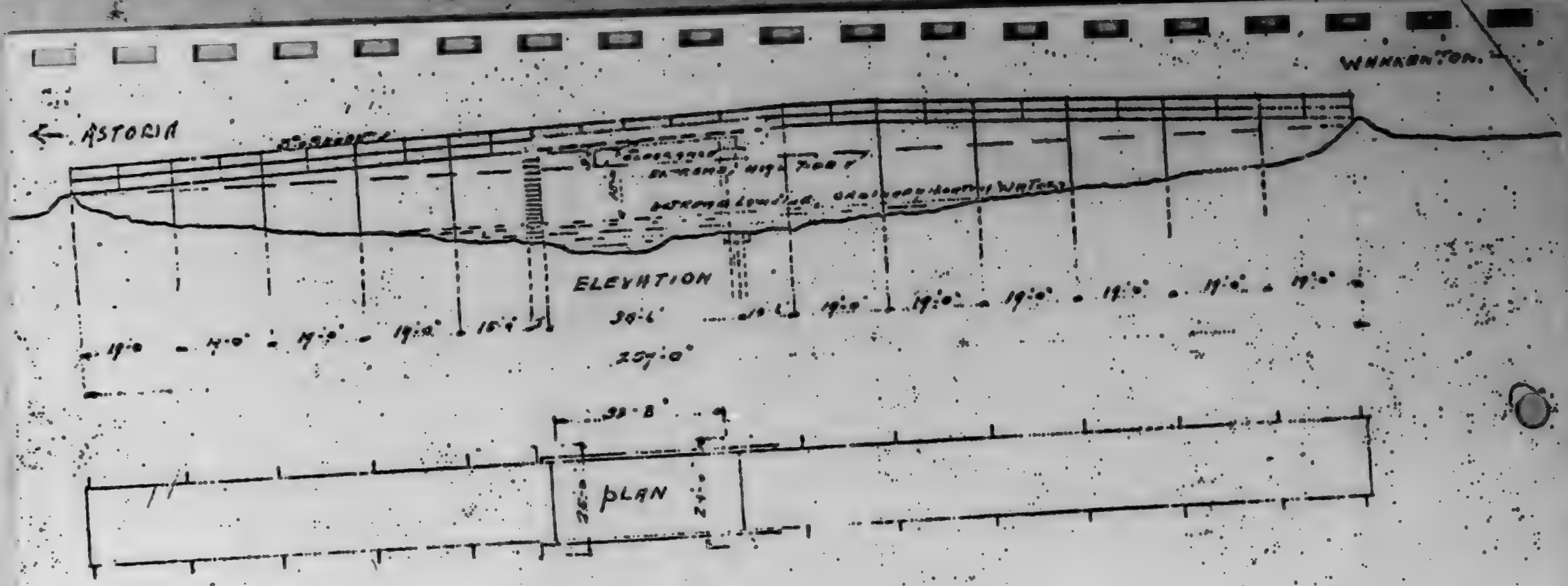
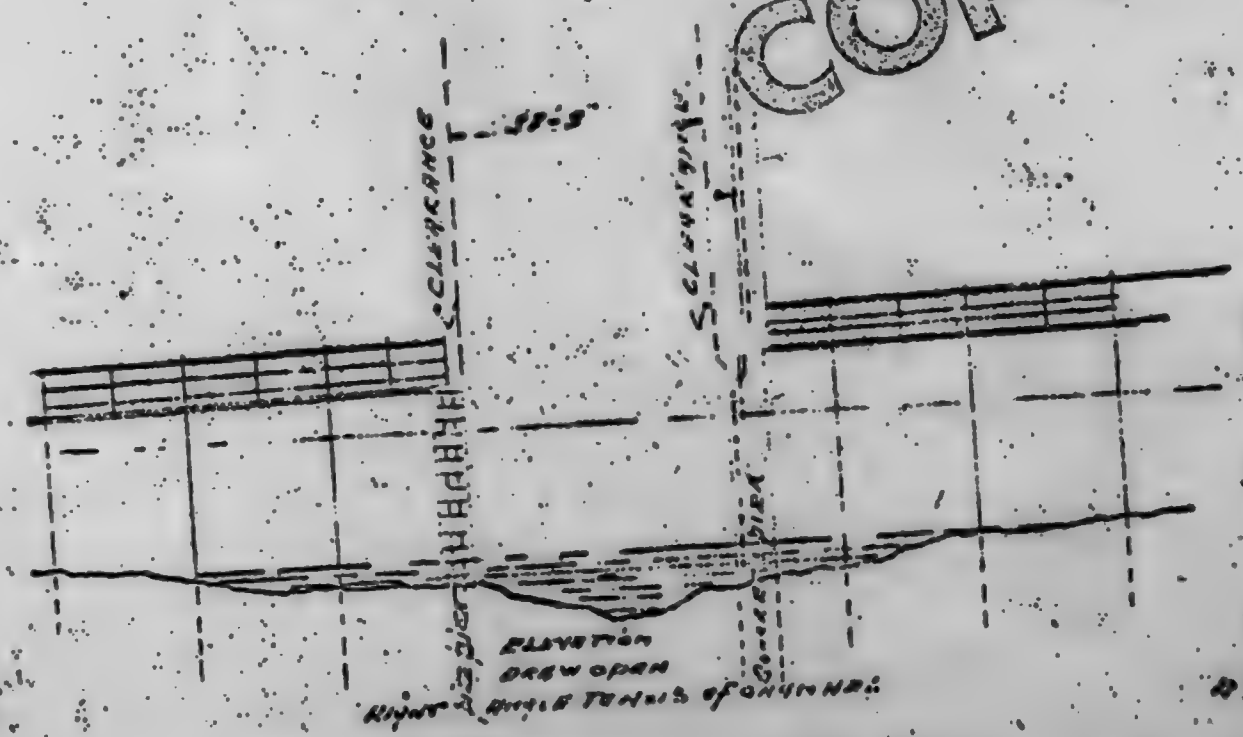
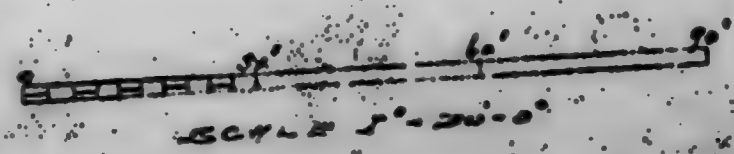
OCT 29 1971
BRIDGE DIVISION

Copy of 102551/8

SEP 22 1916







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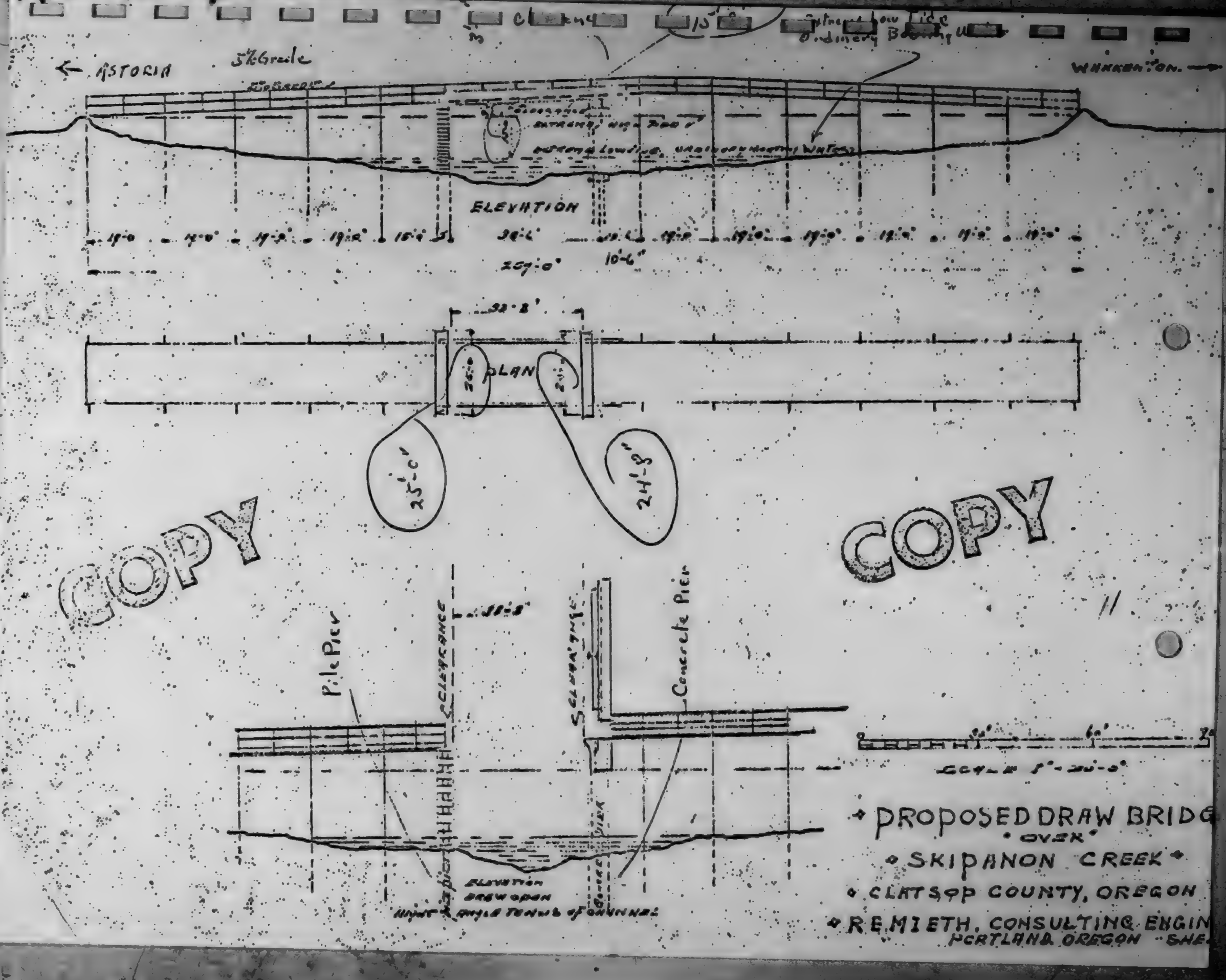
PROPOSED DRAW BRIDGE
OVER
SKIPANON CREEK
CLATSOP COUNTY, OREGON
REMIETH, CONSULTING ENGINEER
PORTLAND, OREGON SHEET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24'-8"
Pile Pier
Concrete Pier
ELEVATION
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SCALE 1"-20'-0"
PROPOSED DRAW BRIDG
OVER
SKIPANON CREEK
CLATSOP COUNTY, OREGON
R.E. MIETH, CONSULTING ENGIN
PORTLAND OREGON

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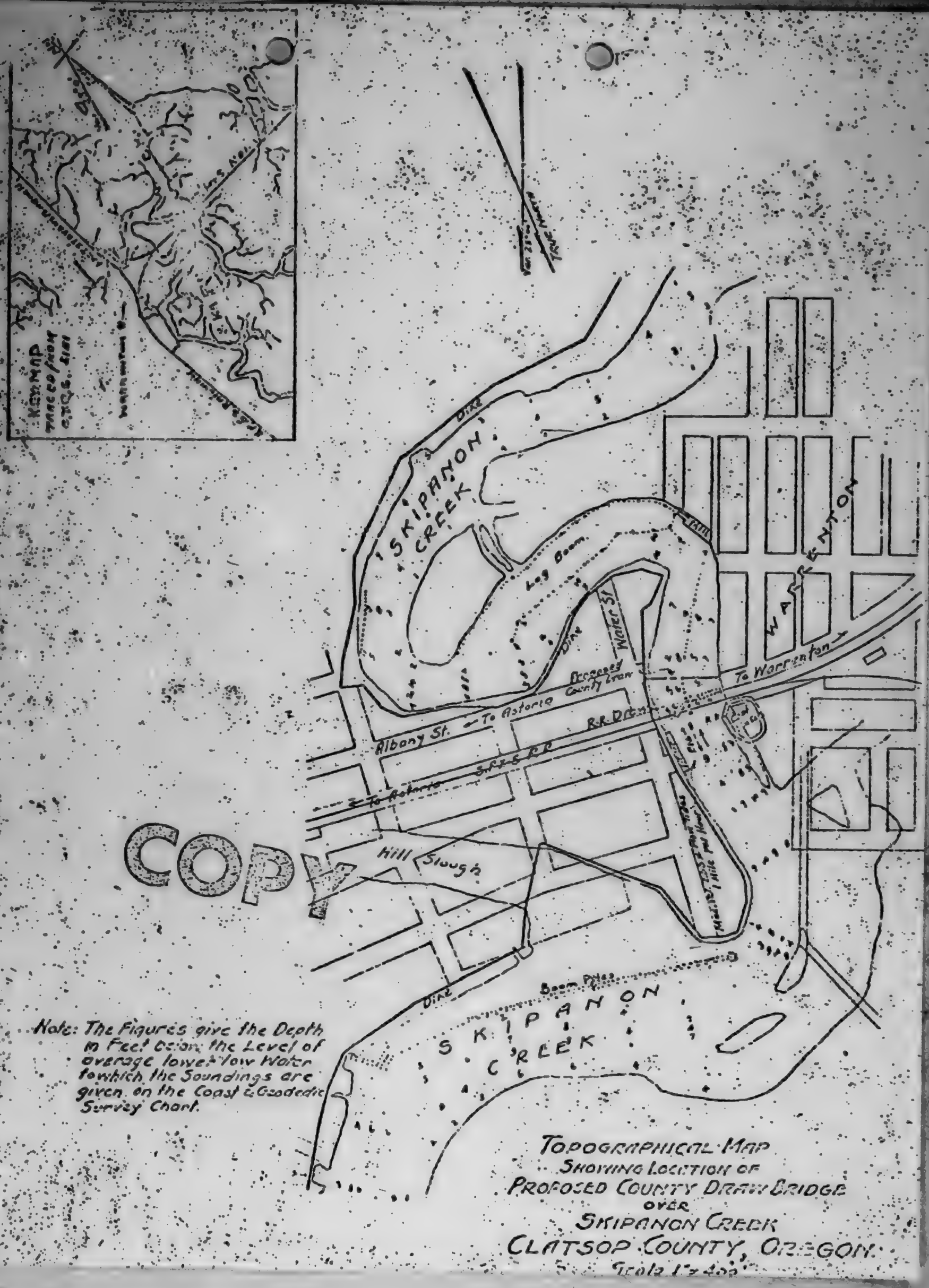

COPY

TOPOGRAPHICAL MAP
SHOWING LOCATION OF
PROPOSED COUNTY DRAW BRIDGE
OVER
SKIPANON CREEK
CLATSOP COUNTY, OREGON.
Scale 1" = 400'

TIME SCHEDULE

Complete negotiations with City of Warrenton	October 1973
Location survey complete	November 1973
Begin final design	November 1973
Water line application to Corps of Engineers	December 1973
Apply for Coast Guard approval	December 1973
Complete design and specifications	June 1974
Receive Corps and Coast Guard approval	June 1974
Award contract	August 1974
Complete construction	July 1975

This time schedule is based on using Alternate #2. No right of way is required. This will be 100% State financing. Public hearings and environmental statements will not be required.

8151

C.G. folder 8

112264

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

TOM McCALL
GOVERNOR

GEORGE M. BALDWIN
Administrator of Highways

May 25, 1973.

Captain J. D. McCann
Accounting Chief
Office of Marine Environment and Systems
United States Coast Guard
400 Seventh Street, SW
Washington, D. C. 20590

Dear Sir:

Skipanon River Bridge
Warrenton, Oregon

This letter is written as a progress report on the Skipanon River Bridge replacement project.

Studies to date indicate that the most economical method of bringing this structure into permit compliance is by revision of the center spans to incorporate some sort of movable section. Total bridge replacement or realignment would increase the cost manifold, and at the present time is not economically justifiable nor are funds available.

A problem encountered with the ordinary design for a bascule or swing span is that high water will submerge some of the lifting or swing machinery and a portion of the counterweight span. This dictates a special design of thin profile or the use of lifting towers.

We have investigated the lifting towers and find them to be less than desirable from an aesthetic viewpoint.

We are currently working on a thin profile span which will keep the machinery and span out of the water. Upon completion of a preliminary design, we will confer with the local officials of the City of Warrenton relative to the most practical solution to the problem at this site and methods of handling traffic.

NOTED
D. O. Christens...

NOTED
L... ...OF

NOTED
W. J. HART

NOTED
R. W. ELLISON

RECEIVED
MAY 25 1973
BRIDGE DIVISION

We will not be ready to hold a corridor design hearing in June as indicated in my letter of December 5. However, by revising the existing structure instead of constructing a replacement, some of the early steps shown in our December schedule may be shortened in order that a completion date of May, 1977 may still be achieved. Work is progressing, and it is hoped that a mutually satisfactory solution to the problem will be reached in a timely manner.

We appreciate your cooperation and understanding of our problems with this project and will keep you informed of our progress.

The attached report will illustrate the alternates considered to date, none of which have been discussed with local officials.

Very truly yours,

ORIGINAL SIGNED
E. S. HUNTER

E. S. Hunter
Assistant State Highway Engineer

Attachment

bc F. B. Klaboe
A. E. Johnson
~~H.~~ J. Hart
R. N. Bothman
V. D. Wolfe
J. B. Boyd
C. T. Keasey
C. O. Fredrickson

RWE:ag: ajw

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MAY 25 1973
BRIDGE DIVISION

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2

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (GWBR/73)
400 SEVENTH STREET S.W.
WASHINGTON, D.C. 20590
PHONE:

MAY 21 1973

RECEIVED
STATE HWY ENGR
MAY 23 '73
REFER TO
Hunter - enclosed
FOR
Info | Issue | W/D | D/R | Sign | Act | File

Mr. A. E. Johnson
Deputy State Highway Engineer
Highway Building
Salem, Oregon 97310

Dear Mr. Johnson:

This is in reply to your letter of 1 May 1973 concerning the Skipanon River bridge at Warrenton, Oregon.

In your letter you solicite our comments regarding a plan under consideration to replace the main span with a single leaf lift span with a tower. This plan would appear to be restoration of the span similar to what was originally provided. If so, you would be effecting the restoration as ordered by the Commandant on 26 June 1972. No public procedure by the Coast Guard would be required and we doubt then any would be necessary for any other purpose as the matter is wholly within our jurisdiction.

The restoration as you apparently contemplate would meet our requirements and would be the most expedient way to comply with the Order. If you elect the contemplated restoration plan your early advice is requested to assist in coordinating our mutual interests. Because the original permit is sketchy as to the configuration of the lift tower that was first constructed up to date as-built drawings should be furnished the Commander, Thirteenth Coast Guard District (oan) for record purposes when the work is completed.

Under the provisions of the Order the restoration work, unless an alternate proposal is elected, shall be commenced within one year of the date of 26 June 1972. We are not sure that work under the contemplated restoration plan will commence on time. Please advise if work will commence by 26 June 1973. If work will not so commence we will consider a reasonable extension of time if firm date is proposed.

NOTED
E. S. HUNTER
cc Ward
Fredrickson

RECEIVED
MAY 24 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

NOTED
A. E. JOHNSON

With respect to future development of the river above the bridge, it is pertinent to point out that the Order was issued after investigation of complaints by navigation interests desiring to avail themselves of the public right of navigation through and upstream of your bridge. Items 9 through 12 of the facts recited in the Order succinctly discuss the navigation project, and present and prospective navigation use. It is quite apparent from the record on the case that there is a shortage of navigation facilities below the bridge. There is a demand for additional facilities and that the only room for expansion is upstream of your bridge.

You may be assured of our desire to resolve the matter as expeditiously as possible and advice of your intentions will be appreciated.

Sincerely,

K. G. WIMAN
Commander, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

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MAY 25 1973
BRIDGE DIVISION

8651

CG-[illegible]
1121LA 8

May 1, 1973

Department of Transportation
U. S. Coast Guard
400 Seventh Street S. W.
Washington, D. C. 20590

Attention Mr. A. T. Meschter
Assistant Chief, Bridge Division

Gentlemen:

Skipanon River Bridge
Warrenton, Oregon
Your File GHCB/73

This will acknowledge your April 25 letter to Mr. Tom Edwards, State Highway Engineer, relative to a notice for our proposed corridor design hearing for the Skipanon River Bridge.

For your information, Mr. Edwards has retired from the Oregon Highway Division and has been replaced by Mr. Fred Klaboe as State Highway Engineer.

On December 5, 1972 we presented a tentative schedule which did include provision for a corridor design hearing in June of 1973. We are approximately on our schedule and have been considering several alternates, both in design and location. We are considering installing a replacement main span consisting of a single leaf, lift span with tower and it is our thought that if we pursue this course of action we would not be required to hold a hearing. We would solicit your comments in this regard.

We would also solicit your comments regarding your assessment of the possibility of development of

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BRIDGE DIVISION

the river area immediately upstream from the bridge to provide boat moorage, et cetera, by dredging. Your input in this regard would be of help to us in determining our course of action.

As soon as we have determined if we are required to hold a hearing and have determined a definite date, you will be furnished copies of the notice.

Very truly yours,

A. E. Johnson
Deputy State Highway Engineer

AEJ:ja

bc F. B. Klaboe
E. S. Hunter (enc.)
R. L. Schroeder "
H. S. Coulter "

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MAY 25 1973
BRIDGE DIVISION

8651

8

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS: (GNBR/73)
U.S. COAST GUARD
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE

APR 25 1973

Mr. Tom Edwards
State Highway Engineer
Highway Building
Salem, Oregon 97310

Dear Mr. Edwards:

In our letter of 24 January 1973, we advised of our acceptance of your tentative schedule for replacement of the Skipanon River bridge in compliance with the Commandant's order of 26 June 1972. We note that your Corridor Design Hearing is scheduled for June 1973. Accordingly, we would appreciate receiving a copy of your notice of the hearing when issued which we presume will be about the time this letter is received. A copy of your notice should be also furnished the Commander, Thirteenth Coast Guard District who advises that he has not yet been contacted regarding the navigation clearances which your proposed bridge will provide. We suggest that you do so at your earliest convenience.

Sincerely,

A. T. MESCHTER
Assistant Chief, Bridge Division
By direction of the Commandant

orig to Johnson
4-30-73

NOTED
E. B. KLABOE

February 22, 1973

K. G. Wiman
Commander, U.S. Coast Guard
Chief, Bridge Division
400 Seventh Street S.W.
Washingotn, D.C. 20590

Dear Sir:

Skipanon River Bridge
Warrenton, Oregon
Bridge No. 11226A

I have your letter of January 24, 1973, regarding the Skipanon River Bridge at Warrenton, Oregon and am pleased that you concur that the time schedule of events necessary prior to any major construction work is reasonable.

As you suggest, we will submit an application for a bridge permit as early as possible. It is understood that you will accept a permit application prior to approval of the Final Environmental Impact Statement assuming the statement will be submitted after approval.

Very truly yours,

F. B. Klaboe
State Highway Engineer

cc: A. E. Johnson
E. S. Hunter
W. J. Hart
D. H. Moehring
C. O. Fredrickson

RWE:dh dpy

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (GWBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE:

RECEIVED
STATE HWY ENGR
JAN 29 73
REFER TO
Tom Hart
FOR
Info | Invest | R/D ✓ | DIR | Sign | Act | File

24 January 1973

Mr. Tom Edwards
State Highway Engineer
Highway Building
Salem, Oregon 97310

cy Bachman
J. B. Boyd

Dear Mr. Edwards:

This is in reply to your letter of 5 December 1972 advising of your actions to date and the anticipated schedule of events necessary to comply with the Commandant's order of 26 June 1972.

Your tentative time schedule has been reviewed and after consultation with representatives of the Federal Highway Administration, we believe that it is reasonable. However, we wish to note that there are opportunities to reduce this time schedule.

It is suggested that the Commander, Thirteenth Coast Guard District be contacted at your earliest convenience, if you have not already done so, to obtain his guidance and views on the navigation clearances which would receive the most favorable response from navigation interests. This would be of value in possibly accelerating the public procedure phases by minimizing potential controversy on navigation issues.

Your application for a Coast Guard bridge permit may be submitted at the earliest time that the proposed location and outline plans are reasonably established prior to the approval of the Final Environmental Impact Statement. The processing of the permit could proceed on the navigation aspects. The permit could be promptly issued when the final statement is approved and filed with CEQ by the Federal Highway Administration.

Sincerely,

K. G. WIMAN
Commander, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

RECEIVED
JAN 30 1973
BRIDGE DIVISION

RECEIVED
DEC 8 - 1972
FOR FILING
Maint
Br
Draw
Skipanon

December 5, 1972

J. D. McCann
Captain, U. S. Coast Guard
Acting Chief, Office of Marine
Environment and Systems
400 Seventh Street SW.
Washington, D. C. 20590

690

Dear Sir:

Your November 16 letter requested a time schedule of events necessary to allow replacement of the Skipanon River Bridge at Warrenton, Oregon.

The attached schedule is tentative and reflects our past experience as far as elapsed time required between events is concerned. It represents an orderly progression of events and any complicating factors affecting any event will result in an overall extension of the time required.

We have begun the preliminary survey and are developing necessary information for the corridor hearing and environmental impact statement.

It appears that the only feasible plan to facilitate opening of the span is to replace the structure. As you can see from the schedule, this does take some time to accomplish.

Your letter mentions the possiblity of separating the water line from the structure. Under Oregon law, utilities are granted the right to use highway facilities and this will have to be a matter of separate negotiation. In the meantime, I can only advise that the presence of the water line causes no significant delay in removal of the float-out span for water traffic.

Very truly yours,

Tom Edwards
State Highway Engineer

Att.
cc George M. Baldwin
F. B. Klaboe
A. E. Johnson
Walter J. Hart
R. N. Bothman
RWE:dh/TE:ms

J. B. Boyd

SKIPANON RIVER BRIDGE

Warrenton, Oregon

TENTATIVE TIME SCHEDULE

Corridor Design Hearing	June, 1973
Draft Environmental Statement	June, 1973
Location Survey Complete	December, 1973
Final Environmental Statement Approval	January, 1974
Design Approval by Federal Hwy. Adm.	March, 1974
Begin Final Design	March, 1974
Begin R/W Acquisition	April, 1974
Apply for Coast Guard Permit	May, 1974
Complete Design and Specifications	September, 1974
Receive Coast Guard Permit	November, 1974
Complete R/W Acquisition	April, 1975
Award Contract	May, 1975
Complete Construction	May, 1977

RECEIVED
DEC 8 - 1972
FOR FILING

Maint
Bridges
Draw I
Skipanon
Sp.

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (GWBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE:

RECEIVED
STATE HWY ENGR
NOV 24 '72
REFER TO
FOR
Info | Inves | R/D | C/R | Cln | Act | File

16 NOV 1972

F. R. BLAGOS
NOTED

Mr. Tom Edwards
State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Edwards:

In your letter of 5 October 1972 concerning the highway bridge at Warrenton, Oregon you advised of your intention to elect the option made available to you in paragraph three of page four of the Order of 26 June 1972, to replace the existing bridge with a new structure. However, the election has not been affirmatively made by submission of an application nor does your letter indicate when we may expect to receive one.

In order to determine whether a greater time allowance for commencement and completion of a replacement bridge should be granted under the Order a specific time schedule for the corridor hearing, the submission of a permit application and the commencement and the completion of construction is requested. Further, in view of the fact that your plans will not provide a new structure for several years, advice of any plans you may have to provide temporary relief to navigation in the interim will be of assistance to your request. Relocation of the pipeline as a submerged line at least through the drawspan would certainly facilitate span float out and eliminate disruption of water service in the community when the drawspan is open. Advice of other plans which would facilitate the opening of the span and otherwise assist navigation would be helpful.

Sincerely,

J. D. McCANN
Captain, U. S. Coast Guard
Acting Chief, Office of Marine
Environment and Systems

11-24
J Johnson
for R/D

Reply ✓

RECEIVED
OCT 6 - 1972
FOR FILING

Mgmt
Bridge
Road

Skipanon River

Airmail

October 5, 1972

Mr. Stanley Kemp
Administrative Assistant to
Hon. Wendell Wyatt
United States Representative
414 Cannon House Office Building
Washington, D. C. 20515

L90

Dear Stan:

In line with our phone discussion today, attached are copies of correspondence concerning the Coast Guard orders relative to the Skipanon River Bridge which carries the Warrenton Secondary Highway across the river at the easterly edge of Warrenton.

I would appreciate any help Congressman Wyatt can give us in our request for the necessary time in which we may follow the normal planning processes with respect to this structure.

Very truly yours,

Tom Edwards
State Highway Engineer

TE:ms
Att.

cc George M. Baldwin
F. B. Klaboe
A. E. Johnson
W. J. Hart
J. B. Boyd

Att- cys of Coast Guard June 26 letter; Highway reply, July 25; Coast Guard August 25 letter; Highway reply, Sept. 8; memo to Klaboe, Sept. 8; Coast Guard Sept. 29 letter; Highway reply, Oct. 5.

cy Jackson
105

July 7, 1972

Mr. Glenn L. Jackson, Chairman
Oregon State Highway Commission
c/o Pacific Power & Light Company
916 SW Sixth
Portland, OR 97204

Dear Mr. Jackson:

Attached is a copy of a letter from W. M. Benkert, Rear Admiral, U. S. Coast Guard, concerning the Skipanon channel bridge.

The facts are that the Secretary of War granted Clatsop County a permit on September 15, 1916 to rebuild an existing bridge, incorporating a bascule span. It is presumed they did this. They removed the span in 1933, and placed a float-out span. The section of road was taken into the State Highway System in 1946. The float-out span has been repaired and widened from time to time as traffic conditions have dictated and it has been opened by float-out methods upon request.

Attached is a photo showing the location of the bridge and indicating some alternatives. Our engineering personnel are contacting the City of Warrenton to determine their attitude toward the future of this channel. Also attached is a copy of my letter dated November 12, 1971 to the Coast Guard and a copy of my February 11, 1972 letter to Congressman Wendell Wyatt asking him to intercede.

This route is the basic service road to the Fort Stevens State Park and peninsula as well as the towns of Hammond and Warrenton. The average daily traffic count is in excess of 3,000. The installation of a mechanically operable span will invite development necessitating many openings and much delay to traffic.

I would recommend that you discuss this matter with Congressman Wyatt to determine if it is possible for him to

intercede with the Coast Guard in this matter. Our initial estimate of the cost of construction is $650,000, which probably is low in the face of rising prices. The delay cost to traffic is as indicated on the last sheet of this attachment. The figure is for one opening; it is impossible to expand it without further knowledge of the proposed development.

Very truly yours,

George M. Baldwin
Administrator of Highways

By

Tom Edwards
State Highway Engineer

TE:ms
Attachments
cc George M. Baldwin
F. B. Klaboe
A. E. Johnson
J. B. Boyd
R. L. Schrader

Rear Admiral W. M. Benkert
United States Coast Guard
400 Seventh Street SW
Washington, D. C. 20591

Dear Admiral Benkert:

As stated in our previous correspondence on the subject, the Highway Division is not in the early foreseeable future in a position to eliminate noncompliance with the crossing permit of the Skipanon River in Clatsop County issued to Clatsop County in 1916 and violated by them in 1933.

The Highway Division has maintained the structure in the same status in which the County turned it over to the Division under agreement in 1946, the necessity for the road re-arrangement having come about by federal construction of the Astoria Airport during World War II. The Division is in position to proceed with future planning of the elimination of the noncomplying structure.

Reconstruction will have to be done under either partial or full federal-aid grant through regular Federal Highway Administration funding or through the Special Bridge Replacement program. The processes involved include the preparation of preliminary data, the preparation of environmental impact statements, the holding of corridor hearings, preparation of detailed design plans and final impact statement, and the holding of final design hearings. These actions are all prerequisite to receiving federal funding.

Current analyses indicate a minimum time lapse of 54 months in noncontroversial cases to 108 months where controversies arise to complete planning and construction. It is probable that the current case will be controversial inasmuch as introduction of a bascule design will increase and aggravate present unsafe traffic conditions involving access to the boat basin owned by the City of Warrenton immediately adjacent to the crossing. In any event, I must point out that your established timetable cannot be met with respect to the planning necessary to secure federal funding nor is funding actually foreseeable.

TE:ms

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem

DATE July 5, 1972

TO F. B. Klaboe
Deputy State Highway Engineer

FROM Tom Edwards
State Highway Engineer

SUBJECT Skipanon Bridge

I have asked Jay Boyd to contact (in company with Si Cox) the City officials of Warrenton concerning replacement of the Skipanon Bridge. The possibilities of closure of the existing span during construction, building a revised alignment, or building a detour should be investigated, together with a determination, if possible, of the area contemplated by private developers for the boat basin.

I must reply to the Rear Admiral of the Coast Guard prior to July 25. This matter must be expedited.

TE:ms
cc George M. Baldwin
B. B. Boyd

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S COAST GUARD (WBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20591
PHONE:

26 JUN 1972

Mr. George M. Baldwin
Administrator of Highways
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Baldwin:

In our letter to you of 17 January 1972 we advised you of the complaint by Mr. H. G. Palmberg, Palmberg Construction Company, Warrenton, Oregon that the highway bridge, a bascule type drawbridge across the Skipanon River at Warrenton, Oregon is not maintained and operated in accordance with the location and plans approved by the Secretary of War on 15 September 1916 and the drawspan is not operated in accordance with Section 117.740 of Title 33, Code of Federal Regulations.

Our letter also gave you opportunity to advise within thirty days of your intentions with respect to restoration of the bridge to the originally approved plans and operation of the drawspan in accordance with Section 117.740 of Title 33, Code of Federal Regulations or to possible alternatives which would otherwise achieve the same results to the benefit of navigation including removal or reconstruction to a higher clearance. Our request for advice of your intentions was to provide you reasonable opportunity to initiate appropriate action for correction of these violations.

The facts of the matter as indicated by our records and your letter of reply dated 11 February 1972 appear to be as follows:

1. The Secretary of War on 15 September 1916 approved the location and plans for the reconstruction of the Albany Street bridge across the Skipanon Creek at Warrenton, Oregon that were submitted by Clatsop County Oregon.

2. The approval was conditioned upon the bridge being reconstructed in accordance with the plans submitted and that reconstruction commence within one year and be completed within three years from the date of approval.

3. The plans approved by the Secretary of War made provision for a manually operated single leaf bascule drawbridge providing a horizontal clearance of 33'-3" in the open position.

4. In February 1933 the County of Clatsop widened the roadway, removed the drawspan and replaced it with a timber "A" frame float-out span. There is no record of approval by the Secretary of War for this deviation from the plans approved in 1916.

5. Subsequent to the deviation of plans performed in 1933 a water line previously laid on the bottom of the river was relocated and attached to the superstructure of the bridge. There is no record of the approval by the Secretary of War for this deviation from the plans approved in 1916.

6. The reconstruction of the bridge in 1933 and the subsequent attachment of the waterline on the superstructure for practical purposes converted the approved bascule type drawbridge to a fixed bridge with a float out span. The waterline must be uncoupled when the drawspan is floated out.

7. In December 1946 the bridge was transferred by Clatsop County to the State of Oregon and made part of the State Highway System.

8. In 1965 the timber "A" frame span installed by Clatsop County in 1933 was replaced by a steel beam float out span. There is no record of approval by the Secretary of the Army for this deviation from the plans approved in 1916.

9. During the period between 1963 and 1965 the Oregon State Highway Department made several applications to the Corps of Engineers for approval to maintain the bridge as a fixed bridge or alter it as a fixed bridge and reduce the vertical clearance. Because of substantial and strong opposition from navigation interests these applications were denied.

10. The Skipanon Channel is an authorized federal navigation project constructed by the Corps of Engineers under the project authorization Act dated 3 July 1930 and modified by the Acts of 26 August 1937 and 30 June 1948. The project provides for a channel 30 feet deep and 200 feet wide from the Columbia River to the railroad bridge immediately adjacent and downstream of this highway bridge and included a turning basin 30 feet deep and a mooring basin 12 feet deep at Warrenton. The project further provides for a channel 6 feet deep and 30 feet wide with increased widths at log dumps and terminals for a distance of 4,500 feet above the railroad bridge. The 6 foot channel terminates at a tide box which forms the head of navigation. The project is complete and is routinely maintained by the Corps of Engineers.

11. The project channel above the railroad bridge is extensively used for the water storage and navigation of logs.

12. In 1970 the Oregon Ocean Supply, Astoria, Oregon and the H. G. Palmberg Company separately applied for Department of Army permits to

drive piling, dredge and otherwise construct and maintain structures in the river upstream of the railroad bridge. The purpose of the Oregon Ocean Supply project is to moor a gill net boat, a research vessel and submerged holding containers for live research organisms. The purpose of the H. G. Palmberg Construction Company project is for the moorage and repair of floating dredges, pile drivers, barges, boats, etc. Other applications for Department of Army permits relative to the log storage and navigation activity are known to be pending or have been recently issued by the Department of Army. The Oregon State Highway Department is on record objecting to these applications on the grounds that navigation through the highway bridge will increase which will result in more frequent openings of the float out span and disrupt the free flow of highway traffic.

13. As stated in your letter of 11 February 1972 "The State is well aware that the highway division is operating a bridge across the Skipanon River in violation of Section 117.740 of Title 33 Code of Federal Regulations."

14. Your letter of 11 February 1972 also stated that "the State is not in financial conditon at this time to commit itself to replacement of this span at a cost of some $650,000. We believe the public interest would be best served by retaining the status quo at the present time."

Our conclusions based on these facts and relevant material available in support thereon are:

1. Clatsop County and the Oregon State Highway Department reconstructed this bridge on several successive occasions thereby deviating from the approved plans in violation of the provisions of Section 401 of Title 33, United States Code. Violations of this section are subject to the penalties provided by Section 406 of Title 33, United States Code.

2. Clatsop County and the Oregon State Highway Department in deviating from the approved plans failed to maintain and operate the bridge pursuant to Section 499 of Title 33 United States Code and Section 117.740 of Title 33, Code of Federal Regulations. These regulations were authorized and promulgated pursuant to Section 499 of Title 33, United States Code. Violations of these regulations are subject to the penalties provided by Section 499 of Title 33, United States Code.

3. The Oregon State Highway Department is cognizant of its violations of Sections 401 and 499 of Title 33 United States Code but at this time it fails or refuses to initiate reasonable efforts and undertake appropriate action to comply with the statutes and regulations governing the maintenance and operation of the drawbridge.

The functions, powers and duties of the Secretary of the Army and Chief of Engineers under Sections 401 and 499 of Title 33 of the United States Code have been transferred to and vested in the Secretary of

Transportation by subsections 6(g)(2) and 6(g)(6)(A) of the Department of Transportation Act, 80 Stat. 931 (49 U.S.C. 1655(g)(2) and 1655(g)(6)(A)). The authority of the Secretary of Transportation is delegated to the Commandant in subsections 1.46(C)(5) and (8) of Title 49 of the Code of Federal Regulations.

In consideration of the foregoing, I hereby order the Oregon State Highway Department to repair, reconstruct or otherwise take such actions as necessary to restore the highway bridge across the Skipanon River at Warrenton, Oregon to a single leaf bascule type drawbridge as originally approved by the Secretary of War on 15 September 1916 and thereafter maintain and operate it in accordance with the approved plans and the regulations contained in Section 117.740 of Part 117 of Title 33 of the Code of Federal Regulations. The restoration work shall commence within one year and complete within two years of the date of this letter. Substitution of steel for wood or other substitutions of materials consistent with good engineering practices may be made so long as the general configuration is unchanged and the approved navigation clearances are not impaired.

The Coast Guard will consider alternate proposals (deviation of plans) for relocation or redesign of the bridge which will provide for navigation no less than the original approved location and plans and existing regulations provide. Proposed deviations from the original approved location and plans will require application to and approval by the Coast Guard. The existing unapproved increased width of roadway may remain without further consideration as this deviation is not considered as having any material adverse effect on navigation. The time limits herein prescribed for commencement and completion of the restoration work may be reconsidered upon request should planning, design and construction procedures for the alternate proposal require a greater time allowance for commencement and completion.

Should the Oregon State Highway Department elect not to restore the bridge to the originally approved location and plans or elect not to propose an acceptable alternate to restoration to the original plans the bridge shall be removed in its entirety down to the natural bottom of the waterway to the satisfaction of the Commander, Thirteenth Coast Guard District. The removal work shall commence within one year and complete within two years of the date of this letter.

Your application for approval of any proposed deviation of plans, relocation, redesign or removal should be submitted to the Commander, Thirteenth Coast Guard District, 618 Second Avenue, Seattle, Washington 98104

in accordance with parts 114 and 115 of Title 33, Code of Federal Regulations and such local instructions as he may issue from time to time.

Should you wish to show cause why you should not comply with this order you may do so within 30 days of the date of this order.

Sincerely,

W. M. BENKERT
Rear Admiral, U. S. Coast Guard
Chief, Office of Marine Environment
and Systems

RECEIVED
JUN 29 1972
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
FEB 14 1972
FOR FILING

Maint
Bridges
Draw

4p.

February 11, 1972

Rear Adm. W. M. Benkert
U. S. Coast Guard (WBR)
400 Seventh Street S. W.
Washington, D. C. 20591

484

Dear Sir:

The State is well aware that the Highway Division is operating a bridge across the Skipanon River in violation of Section 117.740 of Title 33 Code of Federal Regulations. The history of this bridge is as follows:

(1) The structure was originally constructed by Clatsop County as a part of the county road system under a permit issued by the Secretary of War on September 15, 1916. Our best information is that this was a lift span, single leaf, hand crank operated bascule.

(2) In February 1933, while still under County jurisdiction, the structure was widened and reconstructed. The bascule was removed and a timber "A" frame "float out" main span was installed.

(3) The bridge continued to be maintained by Clatsop County as a part of the county road system until December 1946 when by agreement the road and bridge were taken over by the State of Oregon and made a part of the State Highway System.

(4) In 1965, repair to the bridge became necessary, and the timber "A" frame "float out" truss was replaced by a steel beam float out span.

(5) Application has been made to the Corps of Engineers to (a) close the span, and (b) lower the clearance. Both have been denied.

(6) Currently, when requests for opening are received, a barge is hired and placed under the movable span

which is lifted on the rising tide, cleared for water traffic, and refitted into the original position on the outgoing tide.

(7) The average daily traffic in 1970 was 3,250. An alternate route exists which requires 1.3 miles of additional travel.

(8) The record of openings is as follows:

1971	1
1970	0
1969	1
1968	1

Our records indicate no openings between 1954 and 1967.

(9) We have never had an objection to this style of operation except from Mr.H. G. Palmberg. We have had requests from the City of Warrenton, which is most vitally affected, to close the structure to river traffic. The Skipanon channel is permanently closed less than one-half mile upstream from the crossing.

The State is not in financial condition at this time to commit itself to replacement of this span at a cost of some $650,000. We believe the public interest would be best served by retaining the status quo at the present time.

Very truly yours,

George M. Baldwin
Administrator of Highways

By

Tom Edwards
State Highway Engineer

bc Hon. Wendell Wyatt

bbc George M. Baldwin
F. B. Klaboe
A. E. Johnson
Walter J. Hart

RWE:ag/TE:ms

Est cost for rebuilding channel flap bascule at Ship. Bridge

Past history. Co. bridge engineer R/O to Wyatt

Erection:

County bridge engr. insp.

Mr Baldwin City judge & city engr. C Warrenton

Bern W. Schuly 373 S.E. Galena St. Warrenton

Ph 861-1218 — operated Shipanon Br. Portland '23

was single bascule span - hand cranks

years of operation on detail cost.

Steel beams & wooden deck.

Replaced by county & widened wooden A frame

float cost about 1933 or so.

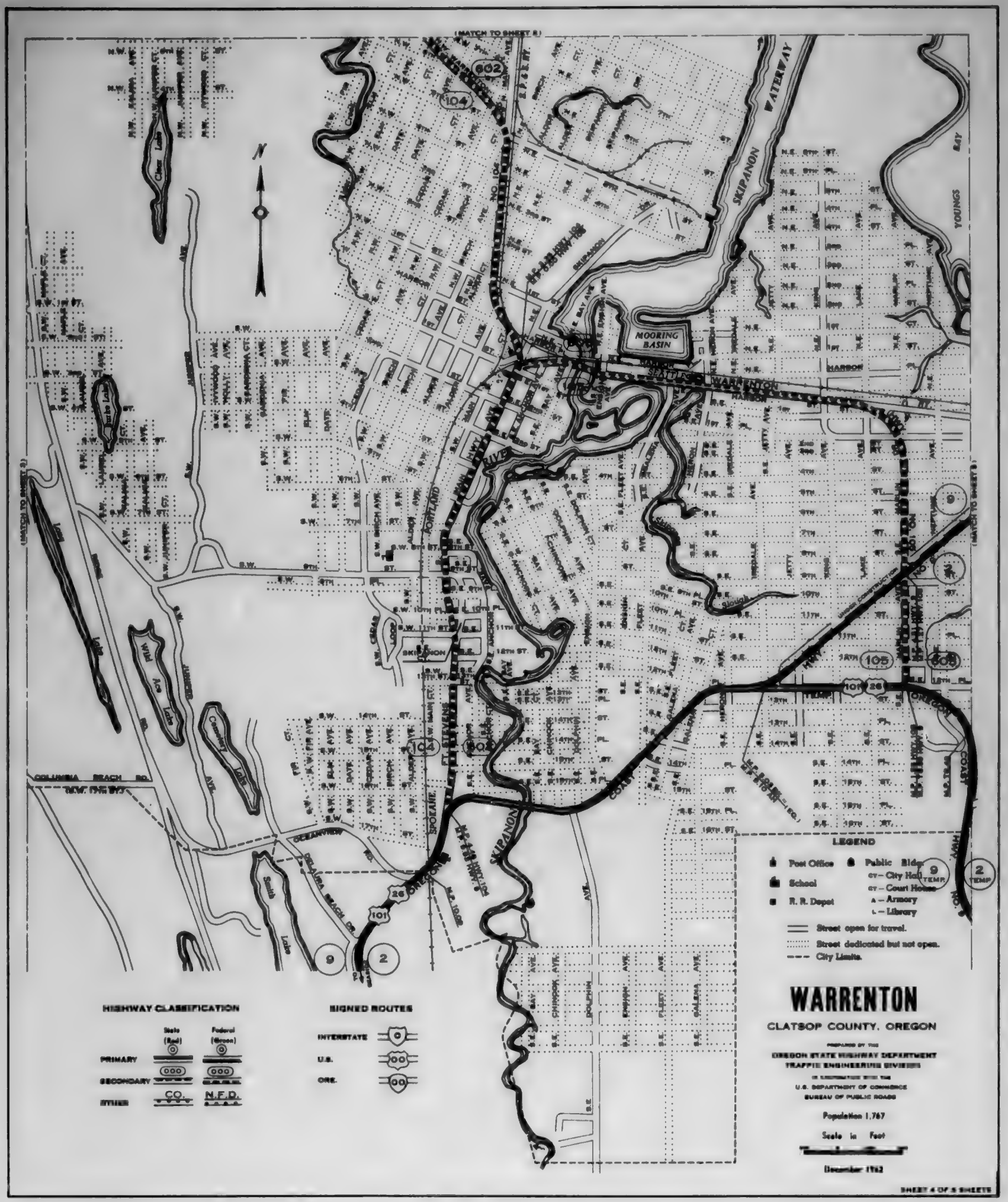
no pictures yet. to Jan 1

Price-Ore. Br. - Ask one Tracings — for as Const Drawings.

full & reduced -

Sample of Hydraulic Report -

RECEIVED
JAN 27 1972
BRIDGE DIVISION


(MATCH TO SHEET 5)
(MATCH TO SHEET 3)
(MATCH TO SHEET 5)
N
SKIPANON WATERWAY
YOUNGS BAY
MOORING BASIN
SKIPANON
PORTLAND
SPOKANE
ST. STEVENS
COLUMBIA BEACH RD.
OCEANVIEW
COLUMBIA BEACH CO.
OREGON
COAST
Clear Lake
Wild Ace Lake
Cemetery Lake
Smith Lake
Lake
Slough
LEGEND
Post Office
School
R. R. Depot
Public Bldg.
cv – City Hall
cv – Court House
A – Armory
L – Library
Street open for travel.
Street dedicated but not open.
City Limits.
HIGHWAY CLASSIFICATION
State (Red)
Federal (Green)
PRIMARY
SECONDARY
OTHER
CO.
N.F.D.
SIGNED ROUTES
INTERSTATE
U.S.
ORE.
WARRENTON
CLATSOP COUNTY, OREGON
PREPARED BY THE
OREGON STATE HIGHWAY DEPARTMENT
TRAFFIC ENGINEERING DIVISION
IN COOPERATION WITH THE
U.S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS
Population 1,767
Scale in Feet
December 1962
SHEET 4 OF 5 SHEETS

Another problem that will be created by an opening span is the congested intersection situation that would result. We estimate that it would take 20 minutes to open the bridge, allow a watercraft to pass through, and shut the drawspan to resume vehicular traffic. However, it would take an hour to clear backed-up vehicles from the roadway and resume normal traffic flow. Even at the 1973 ADT of 3450, this would imply that at least 140 vehicles would be delayed on each side of the bridge for each opening, to back-up traffic for nearly a mile. For the estimated peak-hour traffic volume of 440 vehicles per hour, the number of vehicles delayed on each side of the bridge would exceed 200, backing up traffic for about 1½ miles. We believe such delays would be intolerable to the city of Staunton if the bridge is required to be opened on demand.

8651

FORM S-30 (REV. 10-69)

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
April 5, 1973

SUBJECT: Skipanon River Bridge
Warrenton-Astoria Highway

To:

Mr. E.S. Hunter
Assistant State Highway Engineer

As you requested, we have investigated the northerly projection as a possible alternate for this location.

The reconnaissance estimate shows that construction costs would be more than $6,000,000 for 1.2 miles of highway. Therefore we will not consider the proposal further because of this unacceptable cost.

The attached drawing shows the general details of this project.

Victor D. Wolfe
Location Engineer

RDH:jp
Attach
cc: Gary Potter

4-11-73
original to Vic Wolfe

4-11-73
Agreed
EW

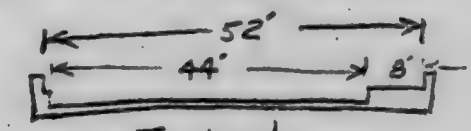
RECEIVED
APR 11 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER

Map scale 1" = 2000'

Profile scale Horiz 1" = 400'
Vert 1" = 40'

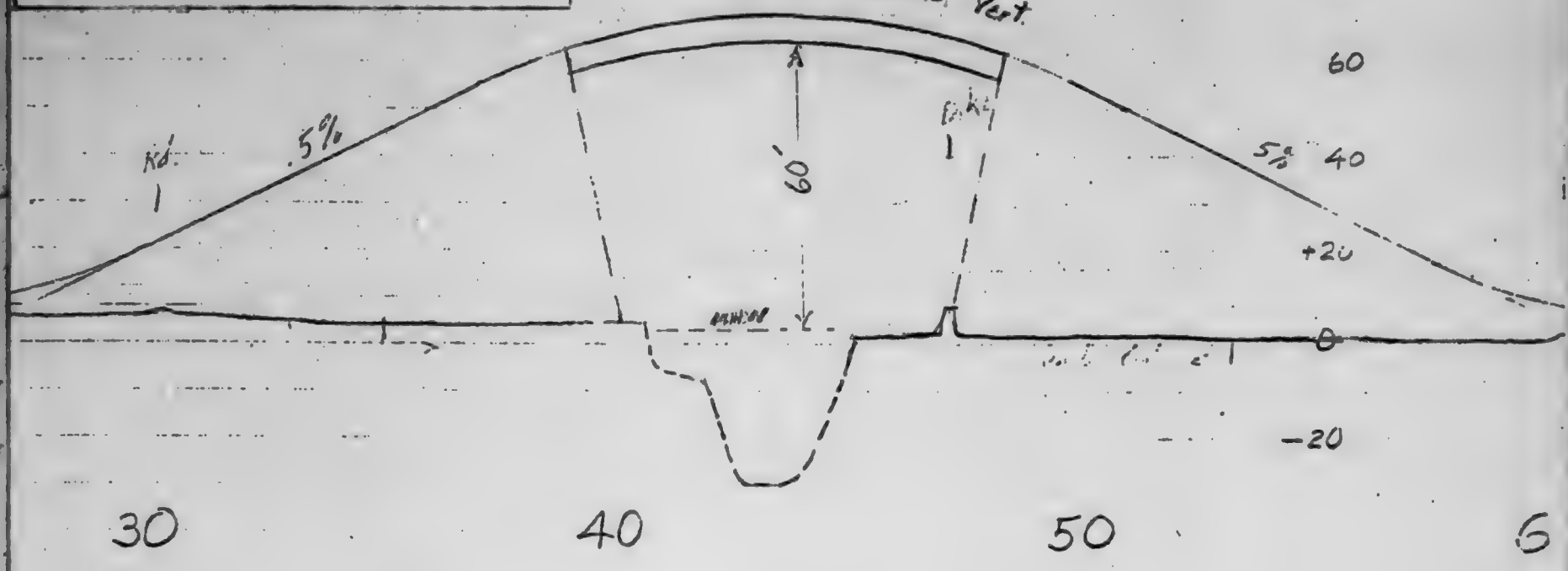
4/4/73

Prefix 104 – 1405



Typical

Length	1.2 miles
Grade & Pave	$ 4,000,000
Structure	2,200,000
R/W	
Total Const. Cost	$ 6,200,000



3451

Salem, Oregon
March 27, 1973

Skipanon River Bridge
Warrenton

Mr. V. D. Wolfe
Location Engineer

BUILDING

I am returning your reconnaissance data on the Skipanon River Bridge revision at Warrenton.

Please investigate the northerly line we discussed this morning and include it in a complete reconnaissance report of all the alternates available. A traffic analysis at the intersections of the alternates with the Fort Stevens Highway will be necessary in the review.

Some months back a letter was written to the Coast Guard giving them a timetable for hearings, contracting, et cetera on this project. A discussion of the problems involved in meeting that schedule should also be included in your report.

E. S. Hunter
Assistant State Highway Engineer

ESH:jf
Attachment

cc: F. B. Klaboe
A. E. Johnson
Walt Hart
C. O. Fredrickson

NOTED
E. R. HUNTER

104-67

FORM E-99 (REV. 10-68)

REGION 2 ENGINEER
RECEIVED
JUL 27 1973
RE | RCE | RPE | RTE | ROE
ULE | GEO | TA | FILE

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Astoria, Oregon
26 July 1973

SUBJECT: Skipanon River Bridge Opening
19 July 1973

To: C. O. Fredrickson
Regional Engineer
Region II

On the 12th of June, the Skipanon River Drawbridge was opened at the request of Mr. Herb Palmberg. This opening was discussed with you on the phone due to the high cost of the barge. It had also been documented by memos to the file, copies of which were sent to your office.

At approximately noon, 16 July 1973, Mr. Palmberg again notified this office that he wanted the subject structure opened on Wednesday, 18 July. Again contact was made with the only possible bidders in this area. As expected, they indicated that they would be unable to open it on Wednesday due to the short notice and that Thursday would be the absolute earliest that they could open the stucture.

Mr. Palmberg was contacted and agreed to the one-day postponement. Both firms that could do the work were notified of the 19 July opening date and were requested to submit sealed bids to this office on 17 July 1973.

On 17 July, the two sealed bids were opened in this office and it was found that only one company, Coast Marine Construction, had quoted a price. The price quoted was $4100, which I feel is extremely high, but is the same price as they quoted for the June opening. Coast Marine was notified at 2 p.m. on 17 July, that they were the succesful bidder for this opening.

The opening was accomplished on 19 July 1973 without any particular problems. The traffic was stopped at 2:30 p.m. and restored at 7:10 p.m. on the subject day.

In addition to the work done by Coast Marine to open the structure, state personnel are also required to sign and maintain the detour. I estimate that each opening including state time, is costing somewhere between $4500 and $5000.

Mr. Palmberg now has his dredge upstream from the structure. This time he left his LCM, which he moves the dredge with, also upstream from the structure. I have nothing official yet, but have received rumors that Mr. Palmberg will be requesting another opening very shortly. I realize that there is nothing we can do but to open this structure upon request, but this is getting to be quite an expensive operation for the desires of one individual.

Eldon L. Everton
DISTRICT ENGINEER

RECEIVED
AUG 1 1973
BRIDGE DIVISION

RECEIVED
AUG 2 1973
OFFICE OF
ASSISTANT STATE HIGHWAY ENGINEER
NOTED
W. J. HART

ELE:bh
cc: G. D. Anderson
cc W J Hart

8651

8

(GWBR/73)

24 January 1973

Mr. Tom Edwards
State Highway Engineer
Highway Building
Salem, Oregon 97310

Dear Mr. Edwards:

This is in reply to your letter of 5 December 1972 advising of your actions to date and the anticipated schedule of events necessary to comply with the Commandant's order of 26 June 1972.

Your tentative time schedule has been reviewed and after consultation with representatives of the Federal Highway Administration, we believe that it is reasonable. However, we wish to note that there are opportunities to reduce this time schedule.

It is suggested that the Commander, Thirteenth Coast Guard District be contacted at your earliest convenience, if you have not already done so, to obtain his guidance and views on the navigation clearances which would receive the most favorable response from navigation interests. This would be of value in possibly accelerating the public procedure phases by minimizing potential controversy on navigation issues.

Your application for a Coast Guard bridge permit may be submitted at the earliest time that the proposed location and outline plans are reasonably established prior to the approval of the Final Environmental Impact Statement. The processing of the permit could proceed on the navigation aspects. The permit could be promptly issued when the final statement is approved and filed with CEQ by the Federal Highway Administration.

Sincerely,

K. G. WIMAN
Commander, U. S. Coast Guard
Chief, Bridge Division
By direction of the Commandant

RECEIVED
JAN 30 1973
BRIDGE DIVISION

9651

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (GWBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE:

16 NOV 1972

RECEIVED
STATE HWY ENGR
NOV 24 '72
REFER TO
G. E. Johnson
FOR
Info | Invest | R/D ✓ | DIR | Sign | Act | File

Mr. Tom Edwards
State Highway Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Edwards:

In your letter of 5 October 1972 concerning the highway bridge at Warrenton, Oregon you advised of your intention to elect the option made available to you in paragraph three of page four of the Order of 26 June 1972, to replace the existing bridge with a new structure. However, the election has not been affirmatively made by submission of an application nor does your letter indicate when we may expect to receive one.

In order to determine whether a greater time allowance for commencement and completion of a replacement bridge should be granted under the Order a specific time schedule for the corridor hearing, the submission of a permit application and the commencement and the completion of construction is requested. Further, in view of the fact that your plans will not provide a new structure for several years, advice of any plans you may have to provide temporary relief to navigation in the interim will be of assistance to your request. Relocation of the pipeline as a submerged line at least through the drawspan would certainly facilitate span float out and eliminate disruption of water service in the community when the drawspan is open. Advice of other plans which would facilitate the opening of the span and otherwise assist navigation would be helpful.

Sincerely,

J. D. McCANN
Captain, U. S. Coast Guard
Acting Chief, Office of Marine
Environment and Systems

11-24-72
cy to Keller

RECEIVED
NOV 27 1972
BRIDGE DIVISION

8651

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

October 5, 1972

J. D. McCann
Captain, U. S. Coast Guard
Acting Chief, Office of Marine
Environment and Systems
400 Seventh Street SW
Washington, D. C. 20590

Dear Captain McCann:

In reply to your letter of September 29, I am sorry that you do not feel my August 25 letter was sufficiently explicit with respect to the correction of the Skipanon Bridge brought about by a violation of the permit issued in 1916 to Clatsop County.

It is our intent to follow the outline offered in the third paragraph of page 4 of your June 26 letter. Attached is a copy of my directions to our staff dated September 8, which initiated this procedure. I think it is self-explanatory, and we again must emphasize that regardless of the seriousness of the violation which occurred, to the best of our knowledge, 40 years ago, we must follow an orderly planning process which (according to my best estimate) will bring us to a corridor hearing stage within one year from this date.

We would appreciate your consideration in this process inasmuch as it is impossible under the National Environmental Policy Act requirements to produce a set of plans, hold hearings, and secure City of Warrenton acquiescence within the one-year time frame originally established.

Very truly yours,

ORIGINAL SIGNED
TOM EDWARDS

Tom Edwards
State Highway Engineer

TE:ms
Att.
bc Hon. Wendell Wyatt
bbc George M. Baldwin
F. B. Klaboe
A. E. Johnson
W. J. Hart
J. B. Boyd

RECEIVED
OCT 6 1972
BRIDGE DIVISION

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (GWBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE

8 SEP 1972
GOV 5 '72
DEPT. TO

Mr. Tom Edwards
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Edwards:

In our letter of 25 August 1972 we requested advice of your intentions with respect to the option selected for compliance with the Order of 26 June 1972. Your letter of 8 September 1972 further discusses the proposal of your 25 July 1972 letter concerning the option of a new replacement structure. However, a commitment to elect that option need be affirmatively made by submission of an application for approval of the proposed location and plans in accordance with the terms of the Order of 26 June 1972. In the absence of such commitment the provisions of the Order concerning restoration or removal will be invoked and the legal remedies provided by law will be sought. You may be assured of the Coast Guard's desire to cooperate as necessary to facilitate your compliance with the Order if some affirmative substantial action is immediately taken.

Sincerely,

J. D. McCANN
Captain, U. S. Coast Guard
Acting Chief, Office of Marine
Environment and Systems

RECEIVED
STATE HWY ENG
5 '72
TO

RECEIVED
OCT 6 1972
BRIDGE DIVISION

8651.

9

OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem

DATE September 8, 1972

TO F. S. Klaboe
Deputy State Highway Engineer

FROM Tom Edwards
State Highway Engineer

SUBJECT Skipanon River Bridge

Please note the attached concerning the Skipanon River Bridge on the Warrenton Secondary.

It will be necessary to enter this into the planning process inasmuch as it has become increasingly apparent the Coast Guard is going to enforce the permit, requiring the opening of this span on demand in accordance with the permit issued in 1916.

It will be necessary to prepare preliminay details with sufficient depth to go to corridor hearing at an early date. The Coast Guard, as you will note, established a date of one year in which planning shall be completed, which obviously cannot be met. However, I believe it apropos that the corridor hearing be held within one year.

TE:ms
Att.
cc E. S. Hunter
A. E. Johnson
L. H. Young
W. J. Hart

8651

OREGON STATE HIGHWAY DIVISION
INTER-DEPARTMENT CORRESPONDENCE

Salem

RECEIVED
SEP 8 1972
LEGAL

DATE September 8, 1972

TO L. I. Lindas
Chief Counsel

FROM Tom Edwards
State Highway Engineer

SUBJECT Skipanon River Bridge

The Coast Guard has established a schedule which is entirely impossible to meet in removing the noncompliance with the original Corps of Engineers permit issued for the Skipanon River crossing to Clatsop County in 1916.

What are the penalties for noncompliance?

TE:ms
cc F. B. Klaboe

9-11 Klaboe
cy Johnson
to file

§ 401 - Not lawful to construct w/o consent etc
33 USCA § 402 - obstruction navigable waters forbidden.
§ 406 - Penalty clause

Every person & every corp. who shall violate above sections or any rule or regulation made by Secty of Army ~~xxxx~~ shall be deemed guilty of misdemeanor and on conviction thereof
Fine not more than $2500 & not less than $500
Imprisonment not exceeding one year or both.

RECEIVED
SEP 11 1972
BRIDGE DIVISION

33 USCA § 491 - Not lawful to deviate from approved plans
§ 494 - Not unreasonably obstruct navigation
§ 499 - Unreasonably delay opening draws
Misdemeanor
Not more than $2000 nor less than $1000
§ 502 - Failure to alter Bridge obst. navigation
Misdemeanor - not exceeding $5000 each month

NOTED
W. J. HART

3651

8

September 8, 1972

J. D. McCann
Captain, U. S. Coast Guard
Acting Chief, Office of Marine
  Environment and Systems
400 Seventh Street SW
Washington, D. C. 20590

Dear Captain McCann:

Reply is made to your August 25 letter concerning the option selected to eliminate the noncompliance with the crossing permit of the Skipanon River that has been brought about by an action of Clatsop County in 1933.

There appears to be a conflict of law not being recognized or possibly not being clearly stated in my letter to you. The laws, both State and Federal, require that re-establishment of this structure follow the procedures set forth; namely, that hearings be held, that the rights and desires of the people involved be protected, that environmental impact studies be made and published, etc.

In addition to Federal statutes, there are certain state statutes which the Highway Commission must observe having to do with construction of highway facilities within the bounds of incorporated areas.

We cannot agree with your statement "The time lapse proposed is excessive to the engineering planning time requirements inherent to a project of this small size." I can only advise you that it is our intent to pursue this matter as diligently as the work load now imposed upon us will permit.

Very truly yours,

George M. Baldwin
Administrator of Highways

By

Tom Edwards
State Highway Engineer

cc George M. Baldwin
F. B. Klaboe
A. E. Johnson
W. J. Hart
J. B. Boyd

TE:ms

bc Glenn L. Jackson

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (GMBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20590
PHONE:

25 AUG 1972

Mr. George M. Baldwin
Administrator of Highways
Highway Building
Salem, Oregon 97310

Dear Mr. Baldwin:

This is in reply to your letter of 25 July 1972 concerning the bridge across the Skipanon River at Warrenton, Oregon. It is implied therein that compliance with the order of 26 June 1972 cannot be accomplished excepting under either partial or full federal-aid grant through the Federal Highway Administration or the Special Bridge Replacement program. It is further implied that your compliance would be conditional upon receiving the approvals flowing from the procedures inherent to obtaining these funds.

In our consultation with the FHWA, we understand that the eligibility of this bridge under the Special Bridge Replacement program is very unlikely and that the availability of funds under the program, should it qualify, is severely limited or virtually non-existent. The utilization of federal funds available for the state secondary road program is a matter of state discretion and such utilization is not constrained in the procedural processes to the extent you outline. In any event while we appreciate your desire to avail yourself of federal-aid funds, compliance with the order is not conditional upon obtaining federal funding nor can it be subject to any administrative approvals necessary thereto.

In the order of 26 June 1972 several options were made available which would be acceptable for compliance with the order and correction of the violations cited. Your proposal contingent upon availability of federal funding and the time lapse proposed is not acceptable as an elected option under the order. The time lapse proposed is excessive to the engineering planning time requirements inherent to a project of this small size.

Early advice of your intentions with respect to the option selected will be appreciated so that we may be responsive in a timely fashion to expedite your compliance with the order.

Sincerely,

J. D. McCANN
Captain, U. S. Coast Guard
Acting Chief, Office of Marine Environment and Systems

RECEIVED
STATE HWY ENGR
SEP 1 '72
REFER TO
FOR

RECEIVED
SEP 1 1972
OFFICE OF
ADMINISTRATOR OF HIGHWAYS

RECEIVED
SEP 8 1972
BRIDGE DIVISION

8651

August 10, 1972

To Glenn L. Jackson, Chairman
Oregon State Highway Commission

From Tom Edwards
State Highway Engineer

Subject Skipanon Bridge

Captain Pearce, U. S. Coast Guard, Seattle, was requested by his Washington office to contact me in response to Congressman Wyatt's inquiry concerning the Skipanon Bridge. I elicited from Captain Pearce that had Wyatt pursued this matter vigorously the Coast Guard may have backed down. However, a petition had been submitted to Wyatt bearing names of Warrenton people whom he knew personally and did not wish to embarrass and he therefore made no issue of the case.

Attached is a copy of my last letter to Admiral Benkert concerning this matter. I advised Captain Pearce that we would await the Admiral's reply.

Also attached is a copy of a letter from Hal Hoy of Burlington Northern which bears on the subject and my reply to him. I would suggest that should Admiral Benkert's letter not be favorable, we pursue the matter further through Al Ullman. I know this is not Ullman's district but any pressure which he might bring would avoid embarrassment to Wyatt. Of course, Wyatt should be contacted prior to pursuing such a course.

Att.
TE:ms
cc George M. Baldwin
F. B. Klaboe
A. E. Johnson
W. J. Hart
J. B. Boyd

8651

RECEIVED
AUG 7 - 1972

FOR FILING
Mount
Bridges
Brad
Spec

August 3, 1972

Mr. H. F. Moy
Regional Manager Engineering
Burlington Northern
Post Office Box 571
Portland, OR 97207

Dear Hal:

Attached are copies of correspondence with the Coast Guard concerning the Skipanon Bridge at Warrenton. You will note that Admiral Benkert, in his edict, established a one-year date in which to complete planning and a one-year time limit in which to complete reconstruction of the bridge. Neither of these can be met under the current directive which will require a full gamut of hearings, environmental impact statement preparation, etc.

It would, of necessity, be our position at this time that we be prepared to expose any proposed cure at a public hearing within the coming year. It would be my further opinion that the study and the hearing will develop much controversy and reveal a great deal of conflict between the Federal statutes having to do with navigable rivers and the Federal Highway Administration's restrictions having to do with safety, traffic flow requirements, design standards, etc.

Specifically, installation of a bascule would require raising the grade approximately 12 to 14 feet in order that the machinery be above tide level. Application of design standards will require approaches which on the west side would back into Warrenton sufficiently to cause considerable grade change damage. This cannot be done without the consent of the City of Warrenton, which, I am sure, will be averse to this and, specifically, be averse to any increase in hazard and difficulty in flow of traffic into the boat basin. In other words, I am anticipating that a deadlock will occur.

We will keep you completely advised as to our progress in this matter.

Very truly yours,

George H. Baldwin
Administrator of Highways

By

Tom Edwards
State Highway Engineer

TE:ms
Att.
cc George M. Baldwin
F. B. Klaboe
A. E. Johnson
W. J. Hart
J. B. Boyd

(att. - cy of June 26 letter from Coast Guard and of Mr. Edwards' July 25 reply.)

BURLINGTON NORTHERN

ENGINEERING DEPARTMENT
Portland Region

1101 N.W. Hoyt Street
P. O. Box 571
Portland, Oregon 97207
Telephone (503) 228-9111

ZZ1300

July 31, 1972

Mr. Tom Edwards, Highway Engineer
Oregon State Highway Department
Highway Building
Salem, Oregon 97310

Dear Tom:

I understand that the Oregon State Highway Department has a problem at Warrenton, Oregon, as to your bridge over Skipanon River which is immediately adjacent to our railroad swing span at that location.

The Burlington Northern Inc. had contemplated and made an application to the U. S. Coast Guard District to change the pattern and operation of the Skipanon River Bridge. Early last week, this Department was in contact with Mr. Ed Shields of the 13th Coast Guard District at Seattle, Washington and Mr. Shields stated that they could not go along with our request on reviewing the operation of the Skipanon Bridge as his office had advised the Oregon State Highway Department that something would have to be done about the highway bridge and accordingly, U. S. Coast Guard would have to set up regulations for the railway bridge consistent with the operation of the highway bridge over Skipanon River. It seems as if the Coast Guard is going to request the Railway bridge be left open and only closed for train crossings. This of course, would not be feasible without extensive modifications to our structure.

Mr. Roy Brockshink of the Portland District Corps of Engineers, advised this office that Herb Palmberg and his son-in-law who operate Oregon Ocean Supply, both applied for permits to dredge in the Skipanon River but the Corps of Engineers turned them down because of objections from your department.

RECEIVED
AUG 3 1972
OFFICE OF
STATE HIGHWAY ENGINEER

Mr. Brockshink went on to say that he was informed by the Coast Guard this week that the Coast Guard had written you a letter advising that you would have one year to start on placement of a legal span over the Skipanon River and two years to complete the project. Such situation arises out of the fact that the original permit from the Corps of Engineers for the bridge specified a leaf bascule structure.

The County originally built such a bridge but later replaced it with the present floatout span which your department inherited.

City Engineer Baldwin has remarked to a member of my staff that the Oregon State Highway Department as well as the Railroad work together along with the City of Warrenton and possibly the County to get this stream declared a non-navigable waterway.

I am handing you a copy of an editorial that appeared in the Daily Astoria of July 24th which may be of interest to you.

I would be interested in knowing what position the Oregon State Highway Department will take on this matter and if there is any chance that you would be agreeable to working toward declaring Skipanon River non-navigable so that all of this bridge work will not have to be accomplished on the part of the Highway Department as well as the Railroad.

I would appreciate hearing from you on this matter so that necessary action can be taken by all concerned.

Very truly yours,

H. F. Moy
Regional Manager Engineering

HFM:pae
Enclosure

cc: Mr. E. R. Baldwin
City Manager
City of Warrenton
Warrenton, Oregon

File: A-33

Sticky Wicket

The question of what to do with the Skipanon River Bridge in Warrenton is a tough one. One of the few things that is clear is that the bridge seems to be needed.

The Coast Guard has told the State Highway Division to do something about the old float-out bridge so that navigation on the Skipanon is unobstructed. What the Coast Guard seems to be saying is: "Either put in a lift-span bridge or get rid of the existing bridge con.pletely."

Putting in a lift-span bridge to replace the illegal, awkward float-out bridge would cost around $1 million, says the Highway Division. That's a whale of a lot of money for the small amount of traffic that has plied the river.

Taking out the present bridge appears to be impractical. It would open up the river for boats all right, but it would also sever Harbor Drive, which carries traffic coming into Warrenton from the east, past the Warrenton Mooring Basin and into the business district.

Highway officials have posed the possibility of a highway route coming into the heart of Warrenton above the Eighth Street Dam, upstream from where navigation ends, and taking out the present bridge. That would isolate the mooring basin, which is west of the river, from the business section, which is east of the river. It would foul up traffic patterns in the town, and it would necessitate construction of a major road to link the proposed alternate route to Harbor Drive.

The 40-year-old float-out bridge is a headache when it comes to letting boats through. When Herb Palmberg's construction firm asked for passage through in the fall of 1971, the bridge had to be floated out by barge and was opened for some five hours at a cost to the State of $1,100.

The Coast Guard is right in saying that something must be done.

A basic issue that should be decided first is whether there is apt to be enough use of the river to justify it being open for navigation. In the past, the number of boats, dredges and other craft going through the bridge has been quite small. Years have gone by at times with no requests for the span to be opened.

Although the river was declared navigable years ago, the Federal government has no inflexible policy that says a stream once declared navigable shall always be kept clear for navigation. The tendency is to keep such streams [illegible]

each craft going through the bridge caused two openings — one going upstream and one coming back down. Most of the openings were for dredges. The 14-year period from 1954 to 1968 saw one opening of the bridge.

That record hardly justifies putting in a $1 million lift bridge for river traffic. The key, though, is whether the future will bring a boat moorage upstream from the bridge or other development that would increase traffic on the river.

That is a tough question, but until it's answered it's impossible to say whether the Skipanon should be kept open for navigation.

The question of what to do with the Skipanon River Bridge in Warrenton is a tough one. One of the few things that is clear is that the bridge seems to be needed.

The Coast Guard has told the State Highway Division to do something about the old float-out bridge so that navigation on the Skipanon is unobstructed. What the Coast Guard seems to be saying is: "Either put in a lift-span bridge or get rid of the existing bridge con.pletely."

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The Coast Guard is right in saying that something must be done.

A basic issue that should be decided first is whether there is apt to be enough use of the river to justify it being open for navigation. In the past, the number of boats, dredges and other craft going through the bridge has been quite small. Years have gone by at times with no requests for the span to be opened.

Although the river was declared navigable years ago, the Federal government has no inflexible policy that says a stream once declared navigable shall always be kept clear for navigation. The tendency is to keep such streams free for water draft to pass, but circumstances may dictate otherwise in a particular case.

State records starting in 1947 show that the Skipanon Bridge has been opened 21 times in 25 years. There weren't 21 boats or dredges going through, however, because openings were for dredges. The 14-year period from 1954 to 1968 saw one opening of the bridge.

That record hardly justifies putting in a $1 million lift bridge for river traffic. The key, though, is whether the future will bring a boat moorage upstream from the bridge or other development that would increase traffic on the river.

That is a tough question, but until it's answered it's impossible to say whether the Skipanon should be kept open for navigation.

RECEIVED
JUL 27 1972
FOR FILING

AIRMAIL

July 25, 1972

Rear Admiral W. M. Benkert
United States Coast Guard
400 Seventh Street SW
Washington, D. C. 20591

Dear Admiral Benkert:

As stated in our previous correspondence on the subject, the Highway Division is not in the early foreseeable future in a position to eliminate noncompliance with the crossing permit of the Skipanon River in Clatsop County issued to Clatsop County in 1916 and violated by them in 1933.

The Highway Division has maintained the structure in the same status in which the County turned it over to the Division under agreement in 1946, the necessity for the road re-arrangement having come about by federal construction of the Astoria Airport during World War II. The Division is in position to proceed with future planning of the elimination of the noncomplying structure.

Reconstruction will have to be done under either partial or full federal-aid grant through regular Federal Highway Administration funding or through the Special Bridge Replacement program. The processes involved include the preparation of preliminary data, the preparation of environmental impact statements, the holding of corridor hearings, preparation of detailed design plans and final impact statement, and the holding of final design hearings. These actions are all prerequisite to receiving federal funding.

Current analyses indicate a minimum time lapse of 54 months in noncontroversial cases to 103 months where controversies arise to complete planning and construction. It is probable that the current case will be controversial inasmuch as introduction of a bascule design will increase and aggravate present unsafe traffic conditions involving access to

the boat basin owned by the City of Warrenton immediately adjacent to the crossing. In any event, I must point out that your established timetable cannot be met with respect to the planning necessary to secure federal funding nor is funding actually foreseeable.

Very truly yours,

George M. Baldwin
Administrator of Highways

By

Tom Edwards
State Highway Engineer

TE:ms

cc George M. Baldwin
F. B. Klaboe
A. E. Johnson
J. B. Boyd

W. J. Hart

8451

LEE JOHNSON
ATTORNEY GENERAL

JAMES W. DURHAM, JR.
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
100 STATE OFFICE BUILDING
SALEM, OREGON 97310
TELEPHONE: (503) 378-6348

July 20, 1972

TRIAL DIVISION

JOHN E. MOORE
CHIEF TRIAL COUNSEL

WALLACE CARPENTER
ASSISTANT CHIEF TRIAL COUNSEL

LEONARD I. LINDAS
KEITH R. MALONEY
ASSISTANT ATTORNEYS GENERAL AND COUNSEL

JAMES A. BLEVINS
JAMES P. CRONAN, JR.
QUINTIN B. ESTELL
LAWRENCE J. HALL
LESLIE B. HAMPTON
ROBERT A. HOLLAND
DONALD J. HOWE
JOHN R. MCCULLOCH
FRANK G. MCKINNEY
EARL M. PRESTON
R. KEN ROBERTS
JIM G. RUSSELL
JAMES A. SANDERSON
JACK L. SOLLIS
CARLOTTA H. [illegible]
ASSISTANT ATTORNEYS GENERAL

Mr. Tom Edwards
State Highway Engineer
Highway Division
Highway Building
Salem, Oregon 97310

Re: SKIPANON BRIDGE

Dear Tom:

In connection with the above matter I find that Chapter 11, Title 33 USCA, has two sections that are applicable to the situation involving the Skipanon Bridge.

Section 491 provides that when authority is granted to construct and maintain a bridge across navigable waters of the U.S., such bridge shall not be built or commenced until the plans and specifications have been approved by the Secretary of the Army (now Secretary of Transportation) and the Chief Engineer, and it shall not be lawful to deviate from such plans either before or after the completion of the structure, unless approved. (emphasis supplied)

Section 494 provides, among other things, that no bridge erected or maintained shall unreasonably obstruct the free navigation of the waters over which it is constructed.

It is not denied that the bridge transferred to the Highway Department by Clatsop County in 1946 is not the same bridge originally approved by the Secretary of the Army. Clatsop County in 1933 rebuilt the previous approved bascule type bridge, installing an A fram float out span. This was apparently done without compliance with the provisions of Section 491, supra.

This Division, in 1965, made a further change by replacing the A frame span with a steel beam float out span. This action was also without compliance with Section 491.

My review of the case law applicable to this situation convinces me we shall have to comply with the directive of the United States Coast Guard as outlined in the undated letter of Rear Admiral W. M. Benkert to George M. Baldwin. (copy attached)

As stated in the case of U.S. vs. Ingram, 203 F2d 91 (CCA-8th Cir. Ark. 1953) jurisdiction with respect to obstructions in navigable streams within the United States is, of course, vested solely in the government and public policy dictates there shall be no material deviation from the plans and specifications previously approved by the War Department.

The fact the Government allowed the two deviations from the originally approved plans to exist without taking action in either case to enjoin the changes does not appear to be controlling.

In the case of U.S. vs. Norfolk-Berkley Bridge Corp., 29 F2d 115 (DCED Va. 1928), a bridge built in 1916 deviated from the approved plans. Ten years later an accident involving the deviated area of the bridge was the subject of legal action. The Court said this:

> "It was, of course, impossible for the Secretary or Chief of Engineers, to attend to all of the details. The construction is supervised in practice by the district engineer. No complaint was ever made by the War Department that the bridge did not conform with the permit and no directions were ever received to correct the overhang.
>
> "Nevertheless, all of these matters, taken together, do not suffice to cure the illegality in the construction of the bridge."

And again:

> "The obstruction of the flow of a navigable river, though it is but little used for navigation, is a public nuisance, which may be abated by injunction."
> Bissel Chilled Plow Works vs. South Bend Mfg. Co., 111 NE 932, 64 Ind. App. 1.

Should you desire to discuss this matter with me in more detail, please let me know.

Very truly yours,

LEE JOHNSON
Attorney General

Leonard I. Lindas
Assistant Attorney General
and Counsel to
Highway Division

LIL:ks
Enclosure

cc: Mr. George Baldwin
Mr. John Moore
Mr. Wally Carpenter

RECEIVED
JUL 20 1972
OFFICE OF
STATE HIGHWAY ENGINEER

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OREGON STATE HIGHWAY DEPARTMENT

INTER-DEPARTMENT CORRESPONDENCE

Astoria, Oregon
19 July 1972

To: J. B. Boyd
Regional Engineer
Region II

SUBJECT: Skipanon Bridge

Attached please find two recent articles that were taken from the Daily Astorian regarding the Skipanon River Drawbridge.

It appears that Mr. Baldwin and the and the officials of the city of Warrenton have called the paper and are trying to stir up a hornets nest.

Mr. Baldwin called this office this AM about another matter but during the conversation brought the subject matter up. He said that he was not trying to throw criticism at the State or make the State look bad but rather was trying to stir up the public to demand a closure of the Skipanon to navigation. Whatever he was trying to do, the two attached articles have appeared in the local paper and I am forwarding them on to you for your information.

NOTED
E. R. KLABOE

Eldon L. Everton
DISTRICT ENGINEER

ELE:jv
Enc.

CC Tom Edwards ✓
Vic Wolfe

NOTED
A. E. JOHNSON

NOTED
TOM EDWARDS

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JUL 21 1972
OFFICE OF
STATE HIGHWAY ENGINEER

Tuesday 18 July '72 - Daily Astorian

Warrenton Official Blasts State's Bridge Solutions

WARRENTON — "Asinine" was the word used by City of Warrenton Commissioner Jim Corkill to describe two suggestions made by the State Highway Division for solving the problem of the Skipanon River float-out bridge.

That type of bridge is considered illegal by the U. S. Coast Guard, according to Highway officials. The Highway Division recently was directed by the Coast Guard to find a solution to the problem within two years.

Corkill's remarks came Monday at a regular meeting of the City Commission.

He said one of the State's suggestions — construction of an alternate route that would connect with Ninth Street and eliminate the bridge altogether — would provide the State with a more direct route to Fort Stevens State Park.

"It suits their purposes," he said, "and is quite a prejudiced alternative."

Corkill questioned the State expense involved in the second alternative — replacement of the bridge with a quick-opening lift span that will permit navigation of the river.

State estimates have reached $1 million and more for that solution, he said. Corkill said State estimates for construction of the Ninth Street route approach $1½ million, apparently because it would be constructed above the Eighth Street dam where river navigability ends.

A lift span would not be needed at that point thus reducing expenses.

One resident asked why the Eighth Street dam is the point at which navigability ends. She said there are other dams and bridges upriver from the Skipanon Bridge. The Commission did not answer to her question.

In a meeting with City officials recently the State Highway Division announced it has been directed by the U. S. Coast Guard to find a solution to the bridge issue within two years.

The controversy began last winter when the Plamberg Construction Co. was granted a request to move a dredge upriver. The bridge was floated out by barge, a process which took approximately five hours.

Another matter which received Commission attention Monday was notification from Cox Cablevision Corp. that it is applying for an increase in rates that would cover cable service in Astoria, Hammond and Warrenton. An increase would allow the firm to begin a five-year rebuilding program for conversion to a solid-state, transistorized cable system.

Because several complaints were voiced by commissioners and visitors, City Manager E. R. Baldwin will ask a representative of the firm to meet with City Commissioners

In other business:

— City Attorney Hal Snow reported a preliminary draft of a new zoning ordinance will be available to commissioners soon. Snow said it is hoped the ordinance can be enacted Oct.

— The Palmberg Paving Co. was awarded a contract for asphaltic concrete for street paving work planned by the City. The firm's bid was $19.75.

— The City received a permit from the State Land Board allowing cleanup operations at its dam on the Lewis and Clark River.

— The City promised to investigate complaints by two separate parties, both involving fences near their property.

—Vern Berg

Monday 17 July '72 - Daily Astorian

Coast Guard Orders Two-Year Limit

State Must Find Answer to Skipanon Bridg

WARRENTON — The Skipanon River Bridge issue is alive again.

The State Highway Division has received word from the U. S. Coast Guard that it must, within two years, come up with a solution to the problem of the controversial span, on Harbor Drive in Warrenton.

That solution must permit navigation of the Skipanon River

One of the alternatives the State might consider is to construct an alternate route eliminating the existing bridge altogether, Highway officials say.

The suggestion has left E. R. Baldwin, City manager for Warrenton, alternately amused and dismayed. "I would like to think they were only kidding. The boat basin would be basically inoperative. They must have been fishing for comments."

Access roads to the City-operated boat basin are positioned at the east end of the bridge.

Another alternative is to replace the existing bridge with a lift span.

Eldon Everton of the Highway Division office at Astoria said the alternate route Baldwin is concerned about is only one of several possibilities that might come under consideration. The route in question, he said, would cross the river above the Eighth Street dam at a point where the navigable part of the waterway ends, and would connect to Ninth Street, he said. A lift span, which would be more expensive, would not be needed at that point.

But Everton emphasized the State at this point "is interested in informing local people of the situation, getting their ideas and exploring options. We are looking for anything that will improve the overall situation."

Everton said the State met informally with City of Warrenton officials and Clatsop County commissioners only to open up communications.

Referring to the alternate route Baldwin objects to, Everton said the Ninth Street route would probably provide convenient access to other parts of the city but he added, "We haven't even made a survey of that route."

He agreed with Baldwin that replacement of the existing bridge, a float-out span, with a lift span might cost about $1 million.

Everton said, however, that finances were not the only problem. Citing what he said were several problem intersections south of the railroad tracks on the west side of the bridge in Warrenton, Everton said those conditions might be alleviated if an alternate main route were chosen.

Everton said many people seem to feel that the expense of replacing the existing bridge with a lift span is not sensible "for the small amount of navigable waters involved."

Commenting on the illegality issue, Everton said the bridge is a float-out span which "is illegal now and was illegal when the County built it in 1933."

If the County built the bridge, why is the Coast Guard asking the Highway Division to solve the dilemma? According to Baldwin, in the 1950s the State, at the City of Warrenton's request, took over ownership of Harbor Drive and several other roads in the area. Baldwin sa had asked for such action because, " was not doing the best job in th maintaining" those roads.

The Skipanon Bridge became ar winter when Herb Palmberg's company was granted its request span and allow a dredge to be mo The bridge had to be floated out b was opened for approximately five contractor for the State Highway D cost was approximately $1,100.

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Guard Orders Two-Year Limit

Monday 17 July '72 - Daily Astorian

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The Skipanon Bridge became an issue last winter when Herb Palmberg's construction company was granted its request to open the span and allow a dredge to be moved upriver. The bridge had to be floated out by barge and was opened for approximately five hours by a contractor for the State Highway Division. The cost was approximately $1,100.

The City had, at that time, considered the possibility of seeking closure of the river to navigation south of the bridge. An Act of Congress is needed in order to do that. Baldwin said today, the City has not rejected action to seek closure of the river.

Meanwhile, the State must open the bridge each time it receives a "reasonable request."

— Vernice Berg

8651

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OREGON STATE HIGHWAY DIVISION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon

DATE July 17, 1972

TO Mr. Tom Edwards
State Highway Engineer

FROM Walter J. Hart
Bridge Engineer Walter J. Hart

SUBJECT Preliminary Estimates
Skipanon River Bridge
Highway 105 at Warrenton

As you requested, the following preliminary estimates have been made for the Skipanon River crossing at Warrenton:

1. Fixed span structure 270 feet in length, 44-foot roadway, prestressed slabs on prestressed concrete pile bents - $380,000.

2. Draw-span structure 270 feet in length, 44-foot roadway, 70-foot double leaf bascule - $685,000.

The above estimates include removal of the existing structure and a 40 percent allowance for engineering and contingencies.

In addition to these, an estimate was made of the cost of carrying the existing Warrenton six-inch water main below stream bed. This proposal is estimated to cost $4,000.

WJH:dh

cc A. E. Johnson

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TOM EDWARDS

JUL 18 1972

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NOTED
F. B. KLABOE

MEMO TO FILES - July 14, 1972
Skipanon River Bridge Section
Warrenton-Astoria Highway
City of Warrenton

On Wednesday, July 12, Mr. J. B. Boyd, Eldon Everton, and the writer met with City Manager Baldwin, City Commissioner Corkill of Warrenton, and Clatsop County Commissioners Johnson, Stratton, and Condit, regarding subject matter.

Mr. Boyd advised those present that the State was put on notice by the US Coast Guard that the State must repair, replace, or close the existing facility on the Skipanon River in Warrenton.

An alternate to the existing route was outlined which would utilize the approximate dedicated right-of-way of SE 9th Street and existing SW 9th Street, lying between US 101 and Ridge Road.

The City and County were not in favor of this proposal which would delete the existing Skipanon River structure. They did request, however, that alternate plans showing these proposals be prepared for presentation to the City Council. These proposals should show proposed alignments, gradients, profiles, horizontal and vertical clearances, etc. The County indicated they have no concern in this particular matter as it lies entirely within the city of Warrenton; however, they would concur in City's desires.

Both the City and County noted the major concern to the area was that some improvement be started in the immediate future on US 101 between Warrenton and Gearhart.

They warmly commended the Highway Division for the maintenance work recently completed north of Gearhart.

D. N. Harwell
Assistant Engineer
County and City Section

DNH:mm

cc: Tom Edwards
F. B. Klaboe
A. E. Johnson
R. L. Schroeder
J. B. Boyd
Eldon Everton

JUL 14 1972

(MATCH TO SHEET 3)
N
SKIPANON WATERWAY
YOUNGS BAY
MOORING BASIN
Clear Lake
Lake
Wild Ace Lake
Crescent Lake
Smith Lake
COLUMBIA BEACH RD.
DEVIL'S RUN ST.
SKIPANON
HARBOR
PORTLAND
SPOKANE
FT. STEVENS
COAST
OREGON
101
26
(MATCH TO SHEET 5)
(MATCH TO SHEET 6)
SIGNED ROUTES
INTERSTATE
U.S.
ORE.
LEGEND
Post Office
School
R. R. Depot
Public Bldg.
cy – City Hall
ct – Court House
a – Armory
l – Library
Street open for travel.
Street dedicated but not open.
City Limits.
WARRENTON
CLATSOP COUNTY, OREGON
OREGON STATE HIGHWAY DEPARTMENT
TRAFFIC ENGINEERING DIVISION
Population 1,767
Scale in Feet
December 1961
SHEET 4 OF 5 SHEETS

8651 Skipanon River (Warrenton) 1977
Br. Sec. of Warrenton-Astoria Hwy
(Grade, pave, struc, sign & illum) #1

8651

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S COAST GUARD (WBR/73)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20591
PHONE:

26 JUN 1972

Mr. George M. Baldwin
Administrator of Highways
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

Dear Mr. Baldwin:

In our letter to you of 17 January 1972 we advised you of the complaint by Mr. H. G. Palmberg, Palmberg Construction Company, Warrenton, Oregon that the highway bridge, a bascule type drawbridge across the Skipanon River at Warrenton, Oregon is not maintained and operated in accordance with the location and plans approved by the Secretary of War on 15 September 1916 and the drawspan is not operated in accordance with Section 117.740 of Title 33, Code of Federal Regulations.

Our letter also gave you opportunity to advise within thirty days of your intentions with respect to restoration of the bridge to the originally approved plans and operation of the drawspan in accordance with Section 117.740 of Title 33, Code of Federal Regulations or to possible alternatives which would otherwise achieve the same results to the benefit of navigation including removal or reconstruction to a higher clearance. Our request for advice of your intentions was to provide you reasonable opportunity to initiate appropriate action for correction of these violations.

The facts of the matter as indicated by our records and your letter of reply dated 11 February 1972 appear to be as follows:

1. The Secretary of War on 15 September 1916 approved the location and plans for the reconstruction of the Albany Street bridge across the Skipanon Creek at Warrenton, Oregon that were submitted by Clatsop County Oregon.

2. The approval was conditioned upon the bridge being reconstructed in accordance with the plans submitted and that reconstruction commence within one year and be completed within three years from the date of approval.

3. The plans approved by the Secretary of War made provision for a manually operated single leaf bascule drawbridge providing a horizontal clearance of 33'-3" in the open position.

4. In February 1933 the County of Clatsop widened the roadway, removed the drawspan and replaced it with a timber "A" frame float-out span. There is no record of approval by the Secretary of War for this deviation from the plans approved in 1916.

5. Subsequent to the deviation of plans performed in 1933 a water line previously laid on the bottom of the river was relocated and attached to the superstructure of the bridge. There is no record of the approval by the Secretary of War for this deviation from the plans approved in 1916.

6. The reconstruction of the bridge in 1933 and the subsequent attachment of the waterline on the superstructure for practical purposes converted the approved bascule type drawbridge to a fixed bridge with a float out span. The waterline must be uncoupled when the drawspan is floated out.

7. In December 1946 the bridge was transferred by Clatsop County to the State of Oregon and made part of the State Highway System.

8. In 1965 the timber "A" frame span installed by Clatsop County in 1933 was replaced by a steel beam float out span. There is no record of approval by the Secretary of the Army for this deviation from the plans approved in 1916.

9. During the period between 1963 and 1965 the Oregon State Highway Department made several applications to the Corps of Engineers for approval to maintain the bridge as a fixed bridge or alter it as a fixed bridge and reduce the vertical clearance. Because of substantial and strong opposition from navigation interests these applications were denied.

10. The Skipanon Channel is an authorized federal navigation project constructed by the Corps of Engineers under the project authorization Act dated 3 July 1930 and modified by the Acts of 26 August 1937 and 30 June 1948. The project provides for a channel 30 feet deep and 200 feet wide from the Columbia River to the railroad bridge immediately adjacent and downstream of this highway bridge and included a turning basin 30 feet deep and a mooring basin 12 feet deep at Warrenton. The project further provides for a channel 6 feet deep and 30 feet wide with increased widths at log dumps and terminals for a distance of 4,500 feet above the railroad bridge. The 6 foot channel terminates at a tide box which forms the head of navigation. The project is complete and is routinely maintained by the Corps of Engineers.

11. The project channel above the railroad bridge is extensively used for the water storage and navigation of logs.

12. In 1970 the Oregon Ocean Supply, Astoria, Oregon and the H. G. Palmberg Company separately applied for Department of Army permits to

Transportation by subsections 6(g)(2) and 6(g)(6)(A) of the Department of Transportation Act, 80 Stat. 931 (49 U.S.C. 1655(g)(2) and 1655(g)(6)(A)). The authority of the Secretary of Transportation is delegated to the Commandant in subsections 1.46(C)(5) and (8) of Title 49 of the Code of Federal Regulations.

In consideration of the foregoing, I hereby order the Oregon State Highway Department to repair, reconstruct or otherwise take such actions as necessary to restore the highway bridge across the Skipanon River at Warrenton, Oregon to a single leaf bascule type drawbridge as originally approved by the Secretary of War on 15 September 1916 and thereafter maintain and operate it in accordance with the approved plans and the regulations contained in Section 117.740 of Part 117 of Title 33 of the Code of Federal Regulations. The restoration work shall commence within one year and complete within two years of the date of this letter. Substitution of steel for wood or other substitutions of materials consistent with good engineering practices may be made so long as the general configuration is unchanged and the approved navigation clearances are not impaired.

The Coast Guard will consider alternate proposals (deviation of plans) for relocation or redesign of the bridge which will provide for navigation no less than the original approved location and plans and existing regulations provide. Proposed deviations from the original approved location and plans will require application to and approval by the Coast Guard. The existing unapproved increased width of roadway may remain without further consideration as this deviation is not considered as having any material adverse effect on navigation. The time limits herein prescribed for commencement and completion of the restoration work may be reconsidered upon request should planning, design and construction procedures for the alternate proposal require a greater time allowance for commencement and completion.

Should the Oregon State Highway Department elect not to restore the bridge to the originally approved location and plans or elect not to propose an acceptable alternate to restoration to the original plans the bridge shall be removed in its entirety down to the natural bottom of the waterway to the satisfaction of the Commander, Thirteenth Coast Guard District. The removal work shall commence within one year and complete within two years of the date of this letter.

Your application for approval of any proposed deviation of plans, relocation, redesign or removal should be submitted to the Commander, Thirteenth Coast Guard District, 618 Second Avenue, Seattle, Washington 98104

in accordance with parts 114 and 115 of Title 33, Code of Federal Regulations and such local instructions as he may issue from time to time.

Should you wish to show cause why you should not comply with this order you may do so within 30 days of the date of this order.

Sincerely,

W. M. BENKERT
Rear Admiral, U. S. Coast Guard
Chief, Office of Marine Environment
and Systems

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STATE HIGHWAY ENGINEER

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Bridges
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February 11, 1972

The Honorable Vandell Wyatt
United States Representative
414 Cannon House Office Building
Washington, D. C. 20515

Dear Vandell:

Attached is a copy of a letter to the Coast Guard concerning the Rhiannon River Bridge. We have had continual pressure from Herb Palmberg to have this replaced with a lift span. Heretofore, we have plead lack of funds and we do not believe it in the public interest to install a movable span on this highway.

The average daily traffic is about 3,200 and considerable financial burden would be placed on the people of Warrenton should the bridge be converted. The obvious land use upstream should a movable span be installed would be a boat basin, which would require continual span openings, primarily during the long summer fishing season, at great inconvenience to daily users of the highway.

I request your assistance and intervention with the Coast Guard to see if the status quo can be maintained.

Best regards,

George M. Baldwin
Administrator of Highways

By

Tom Edwards
State Highway Engineer

Thms
att.
cc George M. Baldwin
F. B. Klaboe
A. E. Johnson
Walter J. Hart

OREGON STATE
HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

February 11, 1972

Rear Adm. W. M. Benkert
U. S. Coast Guard (WBR)
400 Seventh Street S. W.
Washington, D. C. 20591

Dear Sir:

The State is well aware that the Highway Division is operating a bridge across the Skipanon River in violation of Section 117.740 of Title 33 Code of Federal Regulations. The history of this bridge is as follows:

(1) The structure was originally constructed by Clatsop County as a part of the county road system under a permit issued by the Secretary of War on September 15, 1916. Our best information is that this was a lift span, single leaf, hand crank operated bascule.

(2) In February 1933, while still under County jurisdiction, the structure was widened and reconstructed. The bascule was removed and a timber "A" frame "float out" main span was installed.

(3) The bridge continued to be maintained by Clatsop County as a part of the county road system until December 1946 when by agreement the road and bridge were taken over by the State of Oregon and made a part of the State Highway System.

(4) In 1965, repair to the bridge became necessary, and the timber "A" frame "float out" truss was replaced by a steel beam float out span.

(5) Application has been made to the Corps of Engineers to (a) close the span, and (b) lower the clearance. Both have been denied.

(6) Currently, when requests for opening are received, a barge is hired and placed under the movable span

NOTED
W. J. HART

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FEB 14 1972
BRIDGE DIVISION

which is lifted on the rising tide, cleared for water traffic, and refitted into the original position on the outgoing tide.

(7) The average daily traffic in 1970 was 3,250. An alternate route exists which requires 1.5 miles of additional travel.

(8) The record of openings is as follows:

1971	1
1970	0
1969	1
1968	1

Our records indicate no openings between 1954 and 1967.

(9) We have never had an objection to this style of operation except from Mr. H. G. Palmberg. We have had requests from the City of Warrenton, which is most vitally affected, to close the structure to river traffic. The Skipanon channel is permanently closed less than one-half mile upstream from the crossing.

The State is not in financial condition at this time to commit itself to replacement of this span at a cost of some $650,000. We believe the public interest would be best served by retaining the status quo at the present time.

Very truly yours,

George M. Baldwin
Administrator of Highways

By

[illegible]

Tom Edwards
State Highway Engineer

bc Hon. Wendell Wyatt

bbc George M. Baldwin
F. B. Klaboe
A. E. Johnson
Walter J. Hart

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FEB 14 1972
BRIDGE DIVISION

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November 12, 1971

Commander (oan)
Thirteenth Coast Guard District
618 Second Avenue
Seattle, WN 98104

421

Dear Sir:

Skipanon River Bridge at
Warrenton, Oregon
Your File No. 3271

On October 8, you transmitted a copy of a letter from Palmberg Construction Company regarding the Skipanon River Bridge and requested our comments.

As your letter indicates, a permit for this bridge was issued to Clatsop County in 1916. The bridge was constructed and maintained by the County as a part of a county road until December 1946, when by agreement the road and bridge were taken over by the State and made a part of the State Highway System.

In 1965, repairs to the bridge were necessary and the timber "A" frame truss was replaced by a steel beam span. The repairs were made to retain the "float out" type main span and the horizontal and vertical clearance above low water which existed when the State assumed jurisdiction of the bridge. Application was made to the U.S. Corps of Engineers to permit lowering the clearance but this was denied.

We have been unable to determine whether or not the original bridge was constructed as a bascule type; however, in February 1933, the County reconstructed the structure to incorporate a timber "A" frame type "float out" main span. The state has retained this "float out" feature. When a request for opening is received, a barge is hired, placed under the movable span, and the span is lifted out of place with the rising tide. The span is cleared for water traffic and is then re-fitted into position on the outgoing tide. The delay to traffic during such opening is several hours.

The average daily traffic on this bridge in 1970 was 3,250 cars. There are alternate routes to Astoria involving 1.5 miles of additional travel.

The Skipanon River is permanently closed to travel by a dike directly across its course less than one-half mile upstream from the bridge location.

It is our firm belief that any necessary repair to piling, docks, or wharves upstream from this bridge could be expeditiously made from shore-based equipment. We are aware that the structure causes great concern to the City of Warrenton because of having to disconnect city water mains, and the City has so stated in letters to the Coast Guard. We do not believe, therefore, that it is in the public interest at this time to change this operation.

We previously made application for closure of this structure but the application was withdrawn because of pressure by Mr. Palmberg. We certainly do not believe it in the public interest at this time to replace this bridge with a mechanically operated opening span, nor are we in a financial position to do so.

Very truly yours,

R. L. Porter
State Highway Engineer

By

Tom Edwards
Deputy State Highway Engineer

cc A. E. Johnson
E. S. Hunter
I. D. Merchant
R. H. Bothman
J. B. Boyd

RHH:ag/TE:ms ms

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Address reply to:
COMMANDER (oan)
Thirteenth Coast Guard District
618 Second Ave.
Seattle, Wash. 98104

3271
Serial 810
8 Oct 1971

State of Oregon
Oregon State Highway Department
Attn: Mr. Ivan Merchant, Bridge Engineer
Salem, Oregon 97310

Gentlemen:

The enclosed letter was received from the Palmberg Construction Co. of Warrenton, Oregon, requesting action be taken to replace the present highway bridge over Skipanon River at Warrenton with a bascule span.

This office has all the bridge records formerly held by the U.S.Army Corps of Engineers, and from several of your earlier letters it is understood the structure now belongs to the State of Oregon. The only permit in the file was issued to Clatsop County, Oregon on 15 September 1916, and the drawings show a bascule type bridge.

Your comments are requested concerning this request, together with your future plans for the structure.

Sincerely,

F. A. GOETTEL
Captain, U. S. Coast Guard
Chief, Operations Division
By direction of the District Commander

Encl. (1) Copy Palmberg ltr

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IVAN D. MERCHANT

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OCT 20 1971
BRIDGE DIVISION

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PALMBERG CONSTRUCTION CO.
ENGINEERS AND CONSTRUCTORS
DREDGING • GENERAL • PILEDRIVING
P. O. BOX 448
Warrenton, OREGON. 97146
PHONE 861-1542

Sept. 29, 1971

Commander

13th Coast Guard District

618 Second Ave.

Seattle, Wash. 98104

Dear Sir;

Publicity attending the opening on 9-21-71 of the Skipanon River Highway and Railroad bridges at Warrenton, Oregon, has revealed a need and desire by many navigation interests, in addition to our own, to utilize the waterway above these bridges. Copy of a letter received by the undersigned is enclosed.

Although the waterway has been blocked for years by log rafting and storage operations, it was previously used extensively for vessel navigation when the Highway bridge had a bascule span.

Efforts are now being made to maintain the waterway, a Federally adopted channel project, clear for vessel traffic. To properly accommodate this traffic, the present Highway bridge(rebuilt years ago without permit as a float-out span) should be replaced by a bascule span as was originally permitted and constructed. Your cooperation in accomplishing this is requested.

Very truly yours,

Palmberg Construction Co.

by H. G. Palmberg

H. G. Palmberg

RECEIVED
OCT 20 1971
BRIDGE DIVISION

RECEIVED
OCT 13 1971

3806 N.E. 18th Ave.
Portland, Oregon 97212
September 25,1971

United States Corps of Engineers
Permits section
2050 S.E. 82nd. Ave.
Portland, Oregon

Dear Sirs:

I am the owner of a waterfront lot in Warrenton Oregon on the Skipanon River. This lot is located on the West bank at the foot of Fifth St. about 2000 ft. above the highway bridge.

There are some moorage piling and spiling bulkhead fronting the property which have the tops rotted considerably. Also there are some sunken logs and snags on the bottom. I plan to extend some of the piling upward by splicing them. The snags and sunken logs could be placed behind the bulkhead,thereby removing them from the channel.

Please advise me if there are any permits required for this work. It is unfortunate that a great deal of inconvenience is afforded by the opening of the highway bridge. If I had had advance notice of Mr. Hellberg's recent opening and passage, I would have arranged to [illegible] my mooring of a floating dwelling in with his.

[illegible] by the various agencies concerned with shortly in the future replace the bascule originally provided for [illegible]

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OCT 13 1971
[illegible]

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OCT 20 1971
BRIDGE DIVISION

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FOR FILING

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REGION 2 ENGINEER
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Maint.
Bridges
Draw

Skipanon

OREGON STATE HIGHWAY DEPARTMENT
INTER-DEPARTMENT CORRESPONDENCE

Astoria, Oregon
9 February 1972

To: Bob Ellison
Bridge Administration Engineer
Salem

SUBJECT: Skipanon River Drawbridge
Warrenton-Astoria Hwy.-MP 0.17
Highway 105
City of Warrenton

After you contacted me last week requesting that I try to gather some information on the subject structure, I have done some searching and phoning and have come up with the following:

A check was made with the Clatsop County Engineer and all that they had were plans for the timber, A-frame, "float out" span that was constructed in 1933. They have no files or any information on the structure that it was to replace. In reading through the specs for the 1933 project, I found a short statement regarding the old bridge that indicates it had at least one concrete pier and one steel span. A copy of this page of the 1933 specs is attached. Questioning of oldtime county employees failed to come up with any additional information.

Mr. Baldwin, the judge of Warrenton, was contacted and he stated that it was 1935 that he came to the area but he would give me some names of oldtime Warrenton citizens that he felt might have information.

The first of these that I contacted was Bern Shultz, 373 S. E. Galena; phone, 861-1218. Mr. Shultz informed me that he was familiar with the old structure and that it was a hand operated, single leaf bascule span. He indicated that it was a steel span with a concrete counterweight, hand operated with a large wheel on the upstream side of the Astoria end of the structure. He indicated that he had helped operate the structure when he was a youngster working just upstream from the area. He indicated that a Mr. Neal was responsible for the opening but he was never around so it was generally done by some of the kids in the area. It appeared from what he said that it was operated on call. It appeared that everything was quite fresh in Mr. Shultz's mind but my later checking revealed that Mr. Palmberg had also contacted him prior so what we discussed was not brought upon him without some prior thought.

Next contacted a Mr. J. Coffey, 216 S. E. Anchor; phone, 861-2757. Mr. Coffey, another oldtimer, also remembers the old structure and stated that it was a hand operated lift span. He could only remember the hand operated wheel as being on one end but he felt that the structure was a double leaf bascule. From discussing with him how

it operated, I feel that it was a single leaf bascule and not a double leaf as he thinks he remembers it to be. Mr. Coffey is a brother of former OSHD employee Vic Coffey and has been a resident of the Warrenton area for many years.

Contacted Mr. W. Wickline, another oldtime resident, but he could not remember the drawbridge as being anything other than a float out timber span.

Contact was made with a Mrs. Ralph Frazier, 140 S. W. Alder Court; phone, 861-1229. Mrs. Frazier had been married to Mr. Neal prior to his death approximately 10 years ago. It was Mr. Neal and his mother that had the contract to open the structure according to Mrs. Frazier. She says that she can remember the structure and she remembers it as being a single lift span operated by a large wheel on the Astoria end of the bridge.

A check was made with the local paper and with Mr. Andrus who used to be with the paper but is now retired. This check failed to reveal any information. They indicated that they do have papers from that era and we would be welcome to go through them, but unless you had a close date it would be a long and time consuming task. Mr. Andrus stated that there might be an article but he doubted if there would be any pictures as he stated it was the early 1930's before the local paper obtained their first camera.

Checks have been made with the local historical society and others trying to locate a picture but again it has been with no success. Judge Baldwin of Warrenton and a couple of others are still looking and questions to see if more information and a picture can be obtained but as of now the results have been negative.

Taking everything into consideration that has been told to me by the oldtimers in the area, it appears that prior to the timber, A-frame, float out span that was constructed in 1933 that there was in existance a hand operated, single leaf bascule span. If this office receives any additional information or any pictures that would help to resolve this matter, they will be forwarded on to you.

Eldon L. Everton
DISTRICT ENGINEER

ELE:jv
Enc.
cc: George Hopkins ✓

SPECIAL PROVISIONS

Location and Work

The work consists of rebuilding what is known as the Skipanon Bridge over the Skipanon River at Warrenton, Oregon.

Traffic

The Contractor will be allowed to close the work to all traffic during the construction of the bridge. The old bridge shall not be closed to traffic nor in any way torn up until the Contractor has his pile driver assembled and all piling and caps on the ground ready for work.

Old Bridge

The old bridge now in place shall become the property of the Contractor and be completely removed from the present site all old piling shall be sawed off or broken off at the ground line. All concrete in the old pier, old steel span, and old approaches must be completely cleaned up and removed to the satisfaction of the Engineer.

Piling

Piling shall be No. 1 first growth cedar piling and shall have a diameter at a point four feet from the butt of not less than 16 inches. They shall be driven to the batter shown on the plans by a swinging [illegible] allowance will be made for cut-offs. All piling shall be inspected before arriving on the job.

Lumber

Lumber shall be No. 1 common and shall meet the specifications of the West Coast Lumbermens Association. All bridge decking shall be sized. Rail posts, hand rail and fellow guard shall be select common S-4-S. All tops of piling, cut-head planks, tops and ends of caps, tops and ends of stringers, splices, ends of decking and outside stringers shall be covered with a brush coat of hot crude oil to which a required amount of carbolic acid has been added. After the bridge is completed the entire deck shall be given a brush coat of hot crude oil. All holes shall be dipped in hot crude oil before inserting them in the holes bored for that purpose. All bolts shall be 3/4 inch machine bolts with square heads and nuts fitted with a malleable washer at both ends, except bolts for fastening hand rail to the rail posts, which shall be 5/8 inch carriage bolts galvanized, fitted with standard cut washers. Holes for drift bolts shall be bored 11/16 inch in diameter. Two coats of white lead and oil shall be applied to the rail and rail posts above the fellow guard. All bolts, nuts, washers, nails and spikes shall be included in the price bid per thousand for lumber in place.

1651

C&B-J-GMB - 8

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S COAST GUARD (WBR)
400 SEVENTH STREET SW.
WASHINGTON, D.C. 20591
PHONE:

17 JAN 1972

Mr. R. L. Porter
State Highway Engineer
Oregon State Highway Division
Salem, Oregon 97310

Dear Mr. Porter:

The Coast Guard is in receipt of a complaint by Mr. H. G. Palmberg, Palmberg Construction Company, Warrenton, Oregon that the highway bridge, a bascule type drawbridge, across the Skipanon River at Warrenton, Oregon is not maintained and operated in accordance with the location and plans approved by the Secretary of War on 15 September 1916 and the drawspan is not operated in accordance with Section 117.740 of Title 33 Code of Federal Regulations.

In our review of this complaint, we find that the bridge in fact is not maintained and operated in accordance with the approved plans and the regulations governing its operation. Further, we find that the bridge was subsequently reconstructed in part and a water main attached thereby deviating from the approved location and plans and making the drawspan incapable of opening on signal in accordance with the regulations.

Prior to making a determination of the manner in which relief may be sought for deviation of plans in violation of 33 U.S.C. 401 and violation of the regulations under 33 U.S.C. 499, you are requested to advise of your intentions within 30 days of the date of this letter with respect to restoration of the bridge to the original approved plans and operation of the drawspan in accordance with the regulations or to possible removal of the bridge in its entirety from the waterway. Any other alternatives such as reconstruction to a higher clearance which you may wish to propose will be considered.

Your early attention to this matter is requested.

Sincerely,

W. M. BENNERT
Rear Admiral, U. S. Coast Guard
Chief, Office of Marine Environment and Systems

RECEIVED
JAN 21 1972
OFFICE OF
STATE HIGHWAY ENGINEER

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JAN 27 1972
BRIDGE DIVISION

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BRIDGE DIVISION

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JAN 20 1972

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Main
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Draw

MEMO TO FILES: Skipanon River @ Warrenton
January 13, 1972

On Monday, January 10, at 11 a.m., I met with Commissioners Johnson, Stratton, and Scarborough; John Dooley; Harold Olsvick; H. G. Palmberg and his son, David; Captain Elsonahn; and Scott Cameron in John Dooley's office in the courthouse at Astoria.

Purpose of this meeting was to ask the County to join with the State in petitioning the Coast Guard to close the Skipanon River to navigation southerly of the Warrenton-Astoria Highway No. 105.

Commissioner Scarborough had taken the liberty of inviting the Palmbergs, Elsonahn, and Cameron as well as the press, so I endeavored to make the best of an unexpected situation by questioning Mr. Palmberg at length on why he and others object to State's proposal.

County Engineer Olsvick produced plans for the bridge presently in place. This structure was built by Clatsop County by contract to Brookfield Company, March 29, 1933, at a contract estimate of $2,921.80. Removal of the old bridge was $250. The "old" bridge was a "bascule bridge," whereas the bridge built in 1933 had a "float-out span."

Commissioners Johnson and Scarborough, Engineer Olsvick, and I then went to Warrenton where we had lunch with Mr. E. R. Baldwin, City Manger of Warrenton. During the course of our conversation I asked Mr. Baldwin if he (the City) would join with the State in its request to the Coast Guard. He said that he could not speak for the City but that he would bring the matter to the attention of the City and advise us.

The City's attitude is apt to hinge on how sincere they feel Mr. Palmberg may be in his development scheme southerly of the bridge in question. To date no plans have been received by the City. Tentatively, the two above mentioned commissioners agree that their official attitude will be the same as the City's because all of the problem lies within the Warrenton city limits.

Tuesday at 9 a.m. I went to the home of H. G. Palmberg where I discussed with him and his son, Dave, his plans for development of his property. This discussion developed nothing new except I am sure Mr. Palmberg feels better that someone took time to talk with him. Should our Highway bridge ever be rebuilt, I am sure that the Palmbergs (and possibly others) will ask for a V.C. of approximately 20' and a lift-out span with an H.C. of approximately 40'. This height of structure will mean approximately 12' of V.C. at high tide which will accommodate most pleasure craft.

According to Mr. Palmberg, his plans will consist of the digging of canals with the spoils being used to raise the elevation of the adjacent lots which would be sold for home sites.

H. S. Cox
County and City Engineer

RECEIVED
JAN 13 1972
OFFICE OF
STATE HIGHWAY ENGINEER

HSC:mm
cc: Tom Edwards
F. B. Klaboe
J. B. Boyd
T. Litchfield.

NOTED
TOM EDWARDS

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MEMO TO FILES: Skipanon River @ Warrenton
January 13, 1972

At 1:30 p.m. this date, Ted Litchfield and I had a conference phone discussion with Mr. Guy La Salle, Division Engineer for Burlington Northern.

Mr. La Salle indicated that the railroad people would be happy to join the Highway Division in petitioning the Coast Guard for navigation elimination southerly of the railroad bridge over the Skipanon River, which bridge is immediately north of the Highway 105 bridge.

Mr. La Salle suggested that these petition matters usually are handled by a Mr. Shields of the Coast Guard and he is located in Seattle.

Mr. Shields is rather precipitant by nature and it is best to approach any problem on a non-official basis first, thus soliciting his aid in working to solve the problem.

Mr. La Salle desires to be kept informed as to developments on this proposal.

S1 Cox
County and City Engineer

HSC:mm

cc: Tom Edwards
F. B. Klaboe
J. B. Boyd

8651

9317

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310

November 12, 1971

Commander (oan)
Thirteenth Coast Guard District
618 Second Avenue
Seattle, WN 98104

Dear Sir:

Skipanon River Bridge at
Warrenton, Oregon
Your File No. 3271

On October 8, you transmitted a copy of a letter from Palmberg Construction Company regarding the Skipanon River Bridge and requested our comments.

As your letter indicates, a permit for this bridge was issued to Clatsop County in 1916. The bridge was constructed and maintained by the County as a part of a county road until December 1946, when by agreement the road and bridge were taken over by the State and made a part of the State Highway System.

In 1965, repairs to the bridge were necessary and the timber "A" frame truss was replaced by a steel beam span. The repairs were made to retain the "float out" type main span and the horizontal and vertical clearance above low water which existed when the State assumed jurisdiction of the bridge. Application was made to the U.S. Corps of Engineers to permit lowering the clearance but this was denied.

We have been unable to determine whether or not the original bridge was constructed as a bascule type; however, in February 1933, the County reconstructed the structure to incorporate a timber "A" frame type "float out" main span. The state has retained this "float out" feature. When a request for opening is received, a barge is hired, placed under the movable span, and the span is lifted out of place with the rising tide. The span is cleared for water traffic and is then re-fitted into position on the outgoing tide. The delay to traffic during such opening is several hours.

NOTED
IVAN D. MERCHANT

RECEIVED
NOV 15 1971
BRIDGE DIVISION

The average daily traffic on this bridge in 1970 was 3,250 cars. There are alternate routes to Astoria involving 1.5 miles of additional travel.

The Skipanon River is permanently closed to travel by a dike directly across its course less than one-half mile upstream from the bridge location.

It is our firm belief that any necessary repair to piling, docks, or wharves upstream from this bridge could be expeditiously made from shore-based equipment. We are aware that the structure causes great concern to the City of Warrenton because of having to disconnect city water mains, and the City has so stated in letters to the Coast Guard. We do not believe, therefore, that it is in the public interest at this time to change this operation.

We previously made application for closure of this structure but the application was withdrawn because of pressure by Mr. Palmberg. We certainly do not believe it in the public interest at this time to replace this bridge with a mechanically operated opening span, nor are we in a financial position to do so.

Very truly yours,

R. L. Porter
State Highway Engineer

By
ORIGINAL SIGNED
TOM EDWARDS

Tom Edwards
Deputy State Highway Engineer

cc A. E. Johnson
E. S. Hunter
I. D. Merchant
R. N. Bothman
J. B. Boyd

RWE:ag/TE:ms ms

RECEIVED
NOV 15 1971
BRIDGE DIVISION

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C. Guard
Skipanon Dr.
11226A

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MEMO TO FILE

FROM: Pat Randolph
TO: File (cc: Ed Hunter, Walt Hart, C. O. Fredrickson)
RE: Discussions with Coast Guard on Bridge Planning

On Tuesday, September 17, Walt Hart, C. O. Fredrickson, Eldon Everton and I went to Astoria to meet with Ed Shields, Coast Guard District Bridge Consultant, Captain Hackney, Coast Guard District Commandant, Captain John Kirkland, Coast Guard Bridge Division Commandant, Hal Snow, Warrenton City Attorney, Judge Baldwin, Warrenton City Administrator, Jiggs Johnson, Mayor of Warrenton, and Ed Palmberg, a citizen of Warrenton with interests in the area around the Skipanon Bridge.

The purpose of the meeting was to discuss the present situation relating to this bridge. The request for the meeting came as somewhat of a surprise to me, since I had earlier reached an oral understanding with Coast Guard representatives in Washington, D. C. with regard to our course of conduct on this problem. However, Captain Kirkland has since succeeded Captain Wiman as Commandant in the Washington, D. C. office and this has apparently occasioned a review of the whole issue.

The night before the meeting, Highway Division representatives and Coast Guard representatives met informally. At this time I explained to Captain Kirkland the understanding I had earlier reached with his office. He obviously did not feel that this understanding was binding upon him and, in fact, indicated that subsequent to my visit to Washington, the entire file had been forwarded to the United States Attorney's office in Portland for action. (We have been contacted by the U. S. Attorney but at present do not expect that he will take any action.)

At the meeting the next day, the Coast Guard indicated that it was concerned that Mr. Palmberg and others be given some freedom of movement in the Skipanon Channel during the period of planning and construction for the new bridge. We indicated that the Highway Division recognizes the interest in navigation in the channel, and that we would "float out" the existing bridge on a limited schedule basis, but that we did not regard it as feasible to construct an "interim" bridge to be replaced by a more elaborate bridge a few years later.

Warrenton indicated that it supported our present bridge plan and that it opposed hasty solutions which resulted in a waste of public monies.

Mr. Palmberg indicated that he desired to develop the area up-

NOTED
L. L. WALLACE

NOTED
W. J. HART

NOTED
R. W. ELLISON

stream from the Skipanon Channel and that he felt that the Highway Department was his principal obstacle in accomplishing this development. He further indicated that when this development was completed there would be a need for frequent passage beneath the Skipanon Bridge. When questioned, however, Mr. Palmberg agreed that it was unlikely that any such major development in the upstream channel would occur within the next three years. During that time, he stated that he felt that the need for passage of construction equipment for his activities and those of the Corps of Engineers would require bridge openings approximately six times per year.

I indicated that it was my understanding that the Highway Division had no interest in opposing Mr. Palmberg's activities in the upstream Skipanon Channel so long as the bridge problems could be resolved.

There were frequent side discussions of engineering problems among Fredrickson, Hart, Shields and Hackney. Walt Hart indicated that still incomplete soil analysis indicated that there was going to be some problem in establishing footings for any bridge at the present site. Walt and Chuck reported afterward that, as a result of the conversations, they felt that the Coast Guard may be willing to accept a less elaborate bridge than we had originally planned, especially if this would result in a shorter time schedule.

After the meeting, Walt, Chuck Fredrickson, and I agreed that Ed would supervise development of alternate bridge plans that might be built somewhat sooner than the original proposal. These plans would include a fixed span bridge with 24' clearance and a center lift span bridge with similar clearance. It was agreed among us that until policy decisions have been made, the various bridge options considered, and a satisfactory timetable worked out, the best interests of all parties would be served by Mr. Kirkland retaining control of the file, rather than the local Coast Guard representatives.

The proposed bridge alternates that Walt is designing may take less time to build because: (1) a negative declaration, rather than a full EIS, may be possible; (2) construction materials will be more accessible and construction time will be less.

After talking with Walt, I discussed with Gary Potter some of the environmental questions relating to the bridge. Gary indicated that he did not feel that even the presently proposed bridge would require an Environmental Impact Statement. However, he agreed that a bridge which required less right of way acquisition and less interference with existing traffic patterns would be more likely to qualify for a negative declaration than the present bridge, and might go through environmental processing somewhat faster.

I have recently spoken with Captain Kirkland by telephone and communicated to him that we would prefer that the Skipanon Bridge file be kept in his office during the planning and policy phases of the project and that we would appreciate a brief delay in any action by the Coast Guard until we are able to propose plans for a somewhat faster resolution to the problem. He agreed to both suggestions. He indicated that he had visited the site of the present Skipanon channel and was quite sympathetic with our engineering and political problems.

svh

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Fill

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DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Address reply to:
COMMANDER (oan) 8317
Thirteenth Coast Guard District
618 Second Ave.
Seattle, Wash. 98104

3271
Serial 854
27 Oct 1971

NOTED
C.A. GRADNER

Oregon State Highway Department
State of Oregon
Attn: Mr. Ivan Merchant, Bridge Engineer
Salem, Oregon 97314

Gentlemen:

Enclosed is a copy of approved drawings and permit for bridge across Skipanon River at Warrenton, Oregon.

This is in accordance with your telephone request of 27 October 1971.

Sincerely,

F. A. GOETTEL
Captain, U. S. Coast Guard
Chief, Operations Division
By direction of the District Commander

Encl.:Copy bridge permit
dtd 15 Sept 1916

RECEIVED
OCT 29 1971
BRIDGE DIVISION

NOTED
R. W. ELLISON

Index 4 & 5 (Copies) attached

BRIDGE APPROVAL

(Authorization by State.)

Whereas, *By Section 9 of an act of Congress, approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," it is provided that bridges, dams, dikes, or causeways may be built under authority of the legislature of a State across rivers and other waterways the navigable portions of which lie wholly within the limits of a single State, provided the location and plans thereof are submitted to and approved by the Chief of Engineers and by the Secretary of War before construction is commenced:*

And whereas, CLATSOP COUNTY, OREGON,

having authority of the legislature of the State of Oregon

to reconstruct a bridge across Skipanon River, at Warrenton,

in said State, has submitted a map of the location and plans of the same, which have been approved by the Chief of Engineers;

Now therefore, *This is to certify that the map of location and plans of said bridge, which are hereto attached, are hereby approved by the Secretary of War, subject to the following conditions:*

1.-*That the engineer officer of the United States Army, in charge of the district within which the bridge is to be rebuilt, may supervise its reconstruction, in order that said plans shall be complied with.*

2.-*That all work shall be conducted in such manner as not to interfere with the free navigation of the waterway or impair the present navigable depths.*

3.-*That the approval hereby given shall cease and be null and void unless the actual reconstruction of the bridge be commenced within one (1) year and completed within three (3) years from the date of this instrument.*

COPY

Witness my hand this fifteenth *day of* SEPTEMBER *, 19*16.

Wm W Ingraham
Acting Secretary of War.

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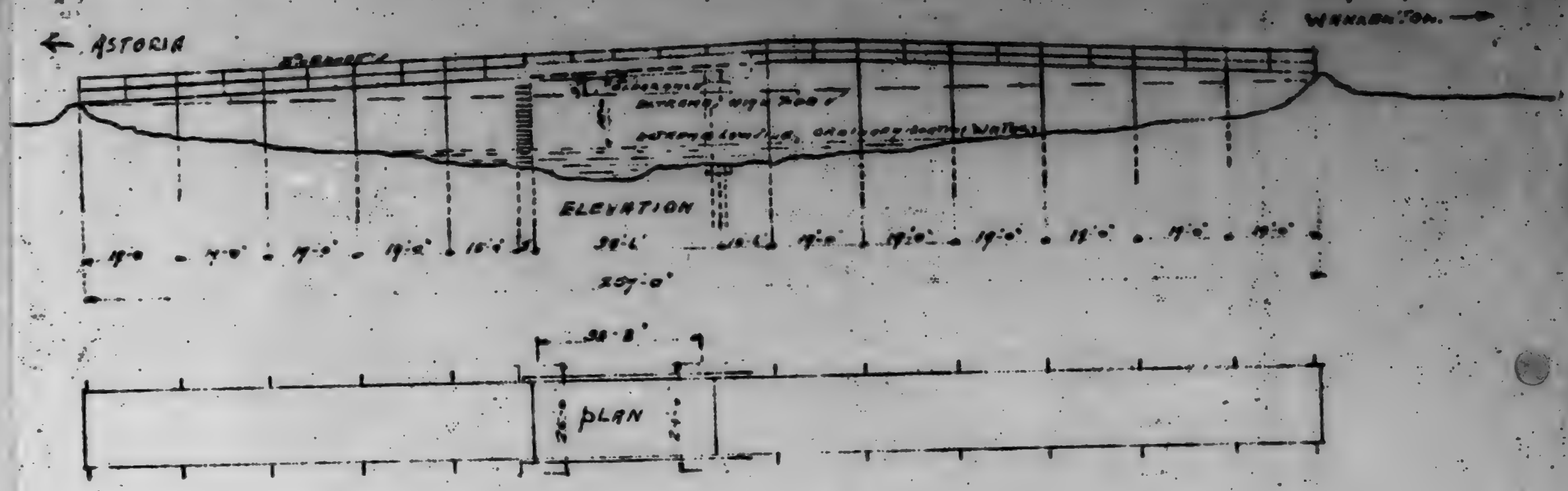
OCT 29 1971
BRIDGE DIVISION

Copy of 102.551/8

SEP 22 1916 PORTLAND ORE.

Form No. 8.



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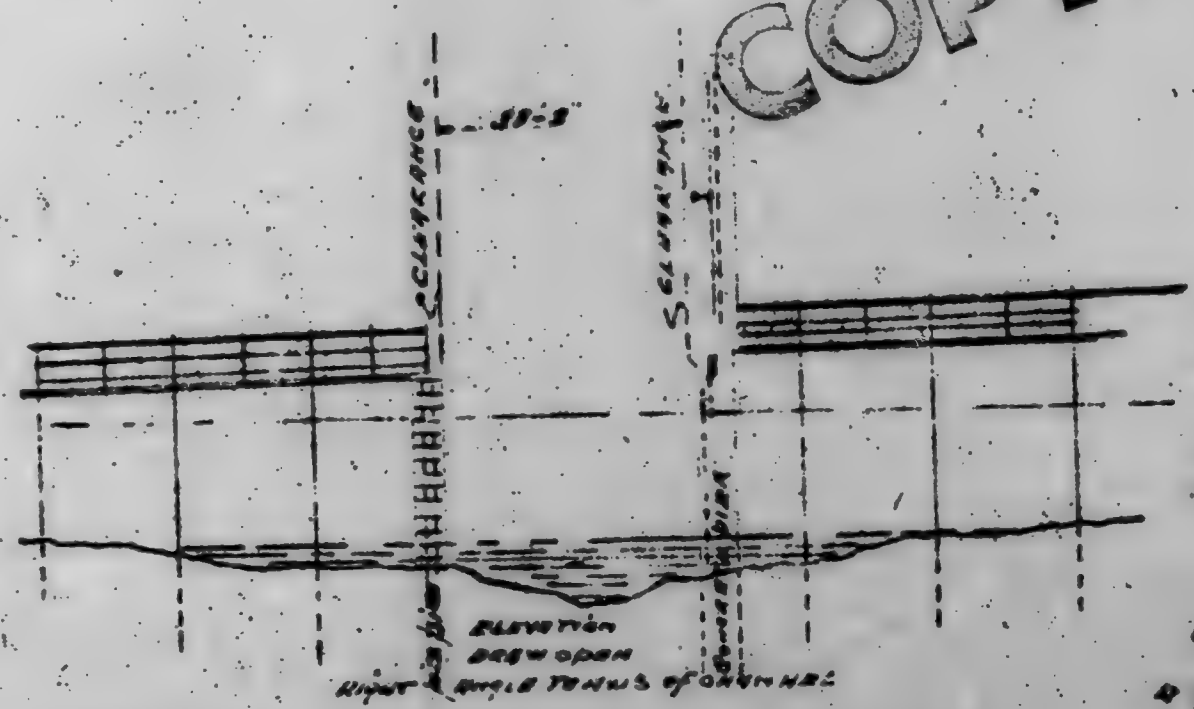

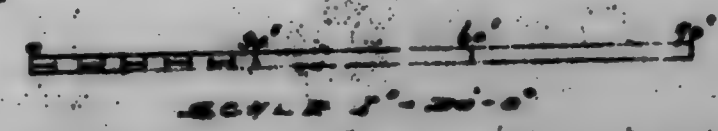

PROPOSED DRAW BRIDGE
OVER
SKIPANON CREEK
CLATSOP COUNTY, OREGON
REMIETH, CONSULTING ENGINEER
PORTLAND OREGON SHEET 1

COPY

Note: The Figures give the Depth in Feet below the Level of average lowest low Water towhich the Soundings are given on the Coast & Geodetic Survey Chart.

TOPOGRAPHICAL MAP
SHOWING LOCATION OF
PROPOSED COUNTY DRAW BRIDGE
OVER
SKIPANON CREEK
CLATSOP COUNTY, OREGON.
Scale 1" = 400'

8651

FILE COPY

8317

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Address reply to:
COMMANDER (oan)
Thirteenth Coast Guard District
618 Second Ave.
Seattle, Wash. 98104

3271
Serial 810
8 Oct 1971

NOTED
C.A. GARDNER

State of Oregon
Oregon State Highway Department
Attn: Mr. Ivan Merchant, Bridge Engineer
Salem, Oregon 97310

Gentlemen:

The enclosed letter was received from the Palmberg Construction Co. of Warrenton, Oregon, requesting action be taken to replace the present highway bridge over Skipanon River at Warrenton with a bascule span.

This office has all the bridge records formerly held by the U.S.Army Corps of Engineers, and from several of your earlier letters it is understood the structure now belongs to the State of Oregon. The only permit in the file was issued to Clatsop County, Oregon on 15 September 1916, and the drawings show a bascule type bridge.

Your comments are requested concerning this request, together with your future plans for the structure.

Sincerely,

F. A. GOETTEL
Captain, U. S. Coast Guard
Chief, Operations Division
By direction of the District Commander

Encl. (1) Copy Palmberg ltr

NOTED
IVAN D. MERCHANT

RECEIVED
OCT 13 1971
BRIDGE DIVISION

Ltr. and 1 copy to Baltimore

1 copy To Baltimore

PALMBERG CONSTRUCTION CO.
ENGINEERS AND CONSTRUCTORS
DREDGING • GENERAL • PILEDRIVING
P. O. BOX 448
Warrenton, OREGON. 97146
PHONE 861-1542

Sept. 29, 1971

Commander
13th Coast Guard District
618 Second Ave.
Seattle, Wash. 98104

Dear Sir;

Publicity attending the opening on 9-21-71 of the Skipanon River Highway and Railroad bridges at Warrenton, Oregon, has revealed a need and desire by many navigation interests, in addition to our own, to utilize the waterway above these bridges. Copy of a letter received by the undersigned is enclosed.

Although the waterway has been blocked for years by log rafting and storage operations, it was previously used extensively for vessel navigation when the Highway bridge had a bascule span.

Efforts are now being made to maintain the waterway, a Federally adopted channel project, clear for vessel traffic. To properly accommodate this traffic, the present Highway bridge(rebuilt years ago without permit as a float-out span) should be replaced by a bascule span as was originally permitted and constructed. Your cooperation in accomplishing this is requested.

Very truly yours,

Palmberg Construction Co.
by H. G. Palmberg
H. G. Palmberg

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OCT 13 1971
BRIDGE DIVISION

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104-17

FORM E-00 REV 8-69 SP*6470-784

REGION 2 ENGINEER
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SEP 27 1971
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OREGON STATE HIGHWAY DEPARTMENT

INTER-DEPARTMENT CORRESPONDENCE

Astoria, Oregon
24 September 1971

To: J. B. Boyd
Regional Engineer
Region II

SUBJECT: Skipanon River Drawbridge
Opening
Assignment 573RNB

I felt that the subject assignment was basically answered by the teletypes I sent to you with a copy to the Maintenance Office on the day of the opening keeping you posted as to the happenings. However, there is additional information that I felt might be of interest to you and should be made a matter of record in regard to this matter.

On 2 September I received a copy of the letter from H. G. Palmberg requesting the opening of the Skipanon Bridge for 1:30 p.m. on 21 September. This letter was sent to me from the Maintenance Office. Shortly after receiving the letter, I contacted Bergerson Enterprises and Coast Marine Construction of Astoria requesting that they submit to me a sealed bid quoting me a price to furnish all necessary equipment and manpower to remove and replace the span from the Skipanon Bridge in Warrenton. They were told that the rerouting of traffic would be handled by state forces.

The two bids were received in this office on 13 and 17 September. Coast Marine quoted $1450 and Bergerson Enterprises quoted $1100. Bergerson Enterprises was immediately contacted and told to make the necessary preparations for the opening.

On 20 September Bergerson moved the barge to just downstream of the railroad crossing so that they would be ready to proceed early on the 21st. It would have been impossible to have placed the barge under the structure on the 20th as the channel was completely blocked with logs from the Nygaard log dump. I have been informed that the Corps of Engineers have written Mr. Nygaard stating that he must always keep a 40 ft. open channel on this river. Only time will tell if this will be followed and enforced.

Geo Hopkins
Note - This documents the problem! well
any thoughts?
JB 9-27-71

Approximately 10:00 a.m. on 21 September Bergerson moved their barge under the structure and started placing the cribbing and timber cap for raising the structure. In addition to the barge, Bergerson had four men and a superintendent on the site all the time.

At 12:57 p.m. the road traffic was detoured as the structure was starting to lift. At 1:20, the span was free and started moving it out. At 1:25 the span was completely moved to the side of the channel. At 1:30 the railroad span was open fully. At 1:40 the dredge was moved through the highway bridge up river. The dredge was moved with a converted LCM and it was necessary to wait for it to return down river before the span could be moved back into place. The LCM returned through the highway span at 2:22 p.m.. At 2:25, started to move the highway span back into place. At 2:40 the highway span was back in place and centered but 12 inches too high due to the tide.. At 4:38 the span was back in place and the structure was re-opened to traffic. Total delay of traffic was 3 hours and 41 minutes.

Mr. H. G. Palmberg was at the bridge site numerous times during the day of opening and informed me that the request for opening of this structure would become more frequent in the coming months. He said that he would be requesting more openings and that he was also aware of other individuals that would be requesting openings.

If openings do become more frequent on this structure, I feel that the time of opening could greatly be reduced by the use of four large jacks with a large throw. By making the proper arrangements, I feel that the structure could be opened and removed in approximately 1½ hours. I believe that our biggest problem would be the availability of a barge if we should happen to receive a frequent number of opening requests.

The cost for the State for this opening was $1100 for Bergerson Enterprises equipment and manpower and approximately $450 for the State's labor and equipment to flag for the traffic detour. This gives a grand total of $1550 for the one opening.

The sign at the structure site now indicates that we will open this structure on 12 hour notice, and I feel that this if very unrealistic. Even if there are no plans to request this to be a fixed span, I still feel that we should go to the Coast Guard and the Corps of Engineers requesting a more realistic advance notice for openings. The availability of a barge is the problem and there could be times when one would not be available for over a week. I also feel that we should specify that the request for opening should be within an hour of flood tide as this will allow us to get the span out and back in without too many problems.

Waiting for Contractors Wage Certification and invoice from Bergerson Enterprises before processing billing.

Eldon L. Everton
DISTRICT ENGINEER

ELE:jv

8651

RECEIVED
SEP 17 1971
FOR FILING

8

Maint
Bridges
Misc

S Rasmussen

REFERRED TO
Admin
BY SECRETARY

31 August 1971

Edwards
Hunter

George E. Hyde, Chief
Navigation Division
Portland District, Corps of Engineers
Department of the Army
Post Office Box 2946
Portland - OREGON - 97208

Dear Sir:

The commissioners of the city of Warrenton have requested that a letter be directed to the Corps, objecting to the opening of the Skipanon Bridge, set for September 21. The city's objections have been set out previously, but are herein reiterated.

The lift span requires too many hours of the highway being out of service, with the accompanying lack of fire protection and ingress or egress from the city. The Skipanon Bridge is on the city's main artery.

At this time, the city petitions for the closure of the Skipanon channel to navigation above the Burlington-Northern bridge. Previously the Skipanon was closed from the south Skipanon Bridge at Highway 101, and more recently by the structure permitted at Eighth Street.

The records will show that the Skipanon, prior to a bond issue in the early 1920's, was an unimportant slough and that at some cost to the city, as previously stated, was straightened and dredged, with the Corps of Engineers setting up a project for dredging to the Burlington-Northern Bridge.

It appears to be to the city's best interest, and in serving the most people, to keep the highway open at all times and close the channel, which is of very doubtful value, from the Burlington-Northern bridge to Eighth Street.

Sincerely,

CITY OF WARRENTON

E. R. Baldwin

E. R. Baldwin
Auditor & Police Judge

ERBsjb
cc: Oregon State Hwy. Divn. ✓
Burlington-Northern RR.
U. S. Coast Guard, 13th Dist.
H. G. Palmberg

RECEIVED
SEP 1 1971
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
SEP 1 1971
OREGON
STATE HIGHWAY COMMISSION

NOTED
TOM EDWARDS
9-14-71

8651

RECEIVED
AUG 17 1971
FOR FILING

Nagrat
Bridge
Draft

Skipanon R.

August 16, 1971

Mr. Kessler R. Cannon
Assistant to Governor
Natural Resources
Program Coordination
208 State Capitol
Salem, Oregon 97310

Dear Mr. Cannon:

Confirming conversations and summarizing data on H. G. Palmberg's applications (Public Notices 70-10 and 70-12) to drive piling and dredge in the Skipanon River, we report as follows:

1. The first record of this bridge indicates that it was constructed by the County in 1916.

2. The pamphlet "Bridges over the Navigable Waters of The United States" Part 4, Pacific Coast, issued in 1961 by the Corps of Engineers, on page 25 indicates that a permit was issued to Clatsop County on September 15, 1916 to construct a bascule bridge. The connotation "bascule" means either a single or double leaf opening vertically in the same style as the Burnside or the Morrison Bridges in Portland.

3. The next item is an entry in the Highway Commission minutes of December 30, 1946 indicating that this route and hence the structure were taken into the State Highway System.

4. In 1965 repairs to the bridge were necessary and an application was made to the Corps of Engineers to permit lowering the clearance. This application was unsuccessful. The bridge has been maintained at the same width of span and elevation of opening above low water which existed when the Commission took this bridge over from Clatsop County.

5. The bridge was constructed to include a "float-out" span. When a request for opening is received a barge is hired, placed under the movable span which lifts it out of place with the rising tide. The span is cleared for water traffic. The span is refitted into position on the out-going tide. The delay to traffic during such opening is several hours.

6. The average daily traffic on this bridge in 1970 was 3,230 cars. There are alternate routes to Astoria involving 1.5 miles additional travel.

7. Skipanon River is permanently closed to travel by a dike directly across its course less than one-half mile upstream from this location.

8. The next to the last paragraph of Colonel Trieu's letter indicates, of course, that the State Highway Division does not have a valid permit for the bridge and that we are subject to redress by the U.S. Coast Guard. As delineated by the data above, this condition was not brought about by the Highway Division but by an act of Clatsop County in the original construction, approximately 55 years ago. A new bridge of the type required by the existing permit would cost several hundred thousand dollars. We had not felt that this would be a prudent expenditure of Highway Division funds.

Very truly yours,

R. L. Porter
State Highway Engineer

TE:ja kw

cc Tom Edwards
A. E. Johnson
Victor D. Wolfe
E. S. Hunter
R. N. Bothman
J. B. Boyd

at the Highway Shops in Coquille at the following unit prices:

Scrap Steel	$ 6.00 per ton
Scrap cast iron	8.00 per ton
Scrap bronze	.05 per pound
Scrap radiators (large)	1.50 each
Scrap radiators (small)	1.00 each
Scrap batteries	.50 each

The Commission by unanimous vote confirmed the authority to sell this material to Mr. Patterson at such unit prices.

The Commission had under discussion a request from the 20-30 Club, Portland, for the installation of service club sign racks at state highway entrances into Portland similar to those that have been erected at some of the smaller cities and towns of the state. The request was denied by the Commission because there is not enough room on a single sign rack to accomodate a panel for each of the many service clubs in Portland, and were more than one sign rack permitted the purpose for which the racks were authorized would be defeated.

The Commission had under discussion a resolution from the City of Warrenton requesting that there be placed on the state secondary highway system for future state maintenance the city streets over which the Columbia River Highway was originally routed --- Chapman Street from 19th Street to Everett Avenue, thence on Everett Avenue to Wheeler Street, thence on Wheeler Street to Albany Avenue, thence on Albany Avenue and Second Street to the intersection of Second Street with Main Street, route of the Ft. Stevens County Road, a distance of 1.60 miles; also, that the Commission designate as a state secondary highway the Ft. Stevens County Road from its junction with the present Oregon Coast Highway near Skipanon, in Warrenton, via Main Street, Massachusetts Avenue, Clatsop Street, East Pacific Street, and Pacific Street to the Ft. Stevens boundary in Hammond, a distance of 4.48 miles. The Commission also considered, in connection with this subject, a resolution from the County Court of Clatsop County requesting that the Ft. Stevens Road, as above described, be designated a state secondary highway. In the discussion of this matter it appeared to the Commission that the requirements of the Commission with respect to such designations have been fulfilled, in view of which the Commission approved the requests and by unanimous vote adopted the following resolutions designating as state secondary highways both the roads and the city streets described in the resolutions of the city and the county:

WHEREAS, under the provisions of Title 100 O.C.L.A. and in particular, Subsection 36 of Section 115 of said Title, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

Edwards
Crate Pickle

NPPSD-MI-P

29 July 1971

Honorable Tom McCall
Governor of Oregon
State Capitol
Salem, Oregon 97310

Re: Public Notices 70-10 and 70-12, Piling and Dredging in Skipanon River

Dear Governor McCall:

I have reviewed the file on Mr. H. C. Palmberg's permit application as covered by the above-referenced public notice 70-10. Our records show there has been no further correspondence with you on this matter since February of this year. As you may recall, the original public notice was issued on 26 February 1970. Subsequent to the public notice, you objected to Mr. Palmberg's proposed work on the grounds his further activities would require an increase in the number of openings of the highway bridge over the Skipanon River. This, in turn, would mean increased Highway Division expense and inconvenience to highway traffic. The City of Warrenton also objected as its water line on the bridge would be inoperative during the bridge openings and a main access to the city would be similarly closed.

In view of your objection, the permit has not yet been issued, but I am endeavoring to resolve this matter in a fair and equitable manner. I realize fully and regret the inconvenience future openings of the existing highway bridge may cause the State of Oregon, but, since the present bridge does not have the cover of a valid Federal permit, and is, therefore, considered illegal, I must ask if you will reconsider your objections. We are concerned with the restricting effect on a portion of a Federal waterway that this illegal structure imposes.

Since work proposed by Oregon Ocean Supply as covered by above-referenced public notice NPP 70-12 brought the same response from you, the same question in that instance is raised for your review. As the processing of the permits has been under way for so long, an early reply on both public notices would be most appreciated.

Should you decide to continue your opposition to both permit applications, I do not feel I should issue either of the permits over your protest. On the other hand, I am without the authority to deny such permits. Lacking

NPPED-ME-P 29 July 1971

Honorable Tom McCall

your approval, the applications would then be forwarded to the Office of the Chief of Engineers for decision.

Despite the outcome of these permit applications, the status of the highway bridge will remain unchanged. The United States Coast Guard has advised us that it considers the present bridge to be illegal, as it is not covered by a valid permit and that the objections by the Oregon State Highway Division are not considered an adequate reason for closing the waterway to marine navigation. Further than that, I am unable to predict any future actions by the United States Coast Guard.

Your prompt response will greatly assist further processing of these applications.

Sincerely yours,

PAUL D. THIEME
Colonel, Corps of Engineers
District Engineer

RECEIVED
AUG 6 1971
OFFICE OF
STATE HIGHWAY ENGINEER

2

8C51

2

RECEIVED
JUL 28 1970
FOR F...

Main
Bridge
Hydro

July 23, 1970

Mr. A. J. Heinzman, Chairman
Bridge Committee
Northwest Rivers and Harbors Congress
Post Office Box 3529
Portland, Oregon 97208

Dear Mr. Heinzman:

Re: Skipanon River Bridge
Warrenton Highway #105
M.P. 0.17

Attached are copies of the drawings which were submitted to the Corps of Engineers with our application for permit to perform maintenance operations necessary to keep the structure safe for vehicular traffic.

The vertical and horizontal clearances as shown on the drawing and the method of opening the "float out" drawspan are the same as existed at the time the bridge was acquired from Clatsop County.

Please feel free to contact us if additional information is required.

Very truly yours,

R. L. Porter
State Highway Engineer

By

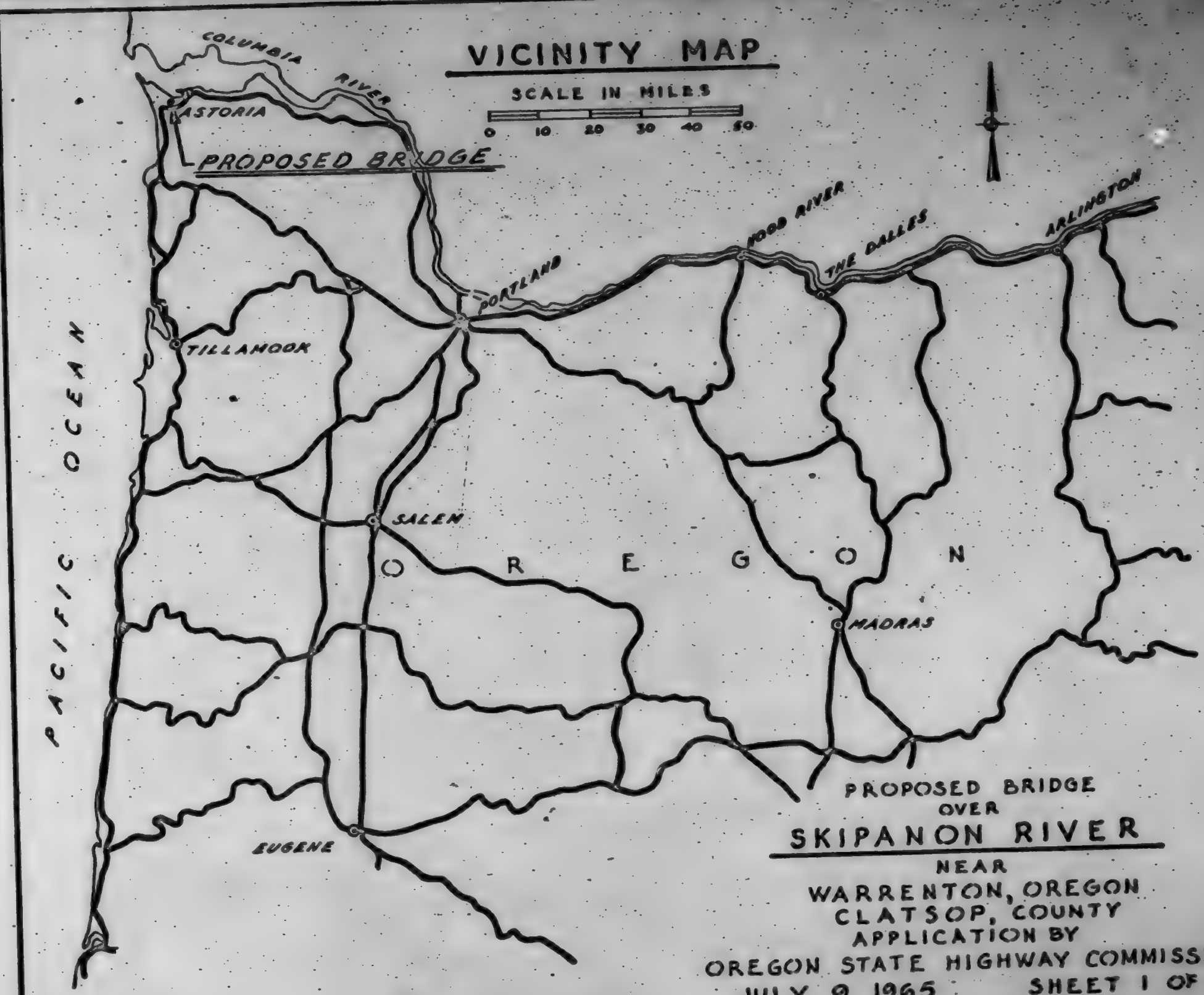
A. E. Johnson
Assistant State Highway Engineer

Att.
cc R. L. Porter
Tom Edwards
R. H. Bothman
R. D. Asburry
GDA:hl ms

VICINITY MAP

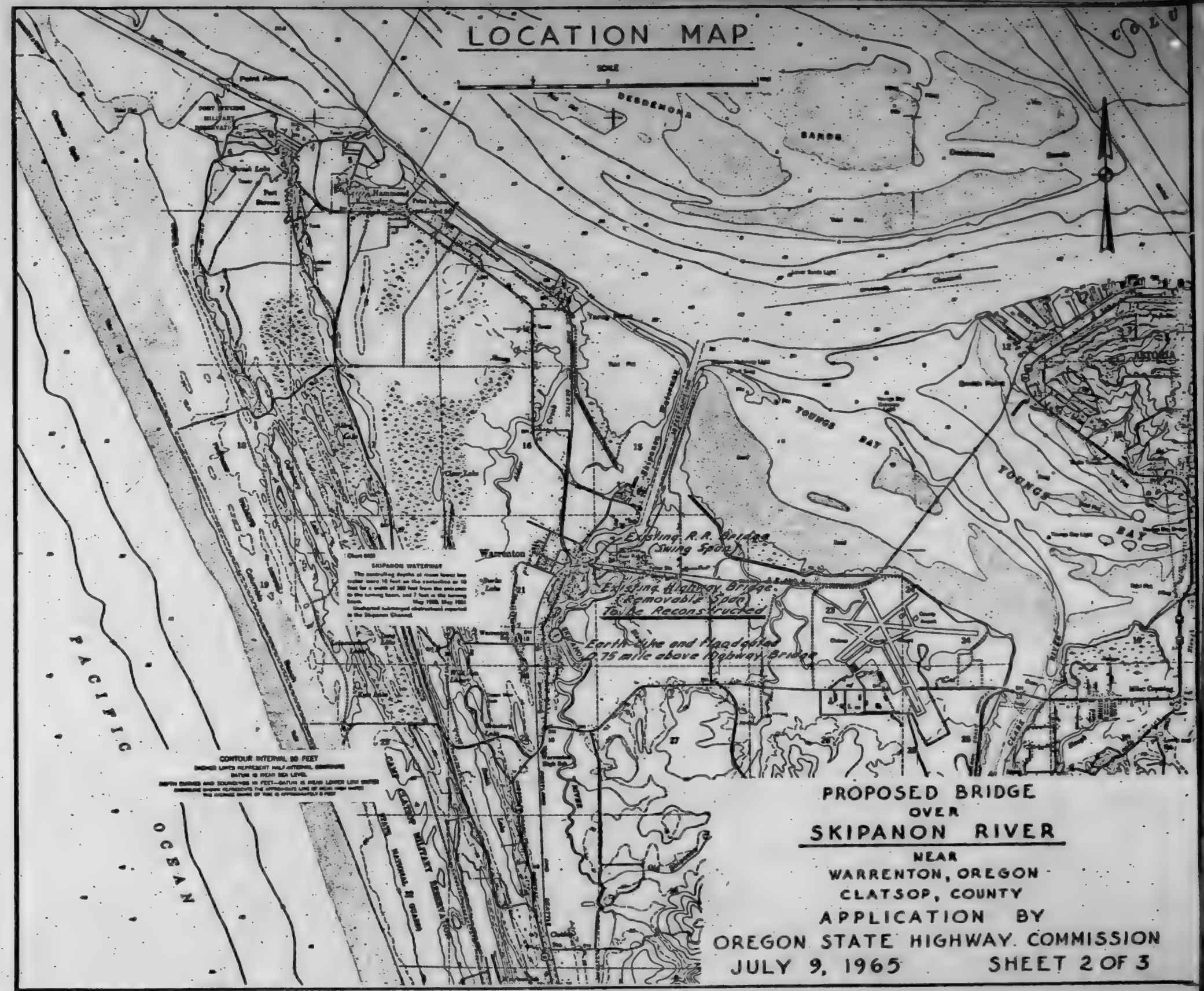
SCALE IN MILES

0 10 20 30 40 50

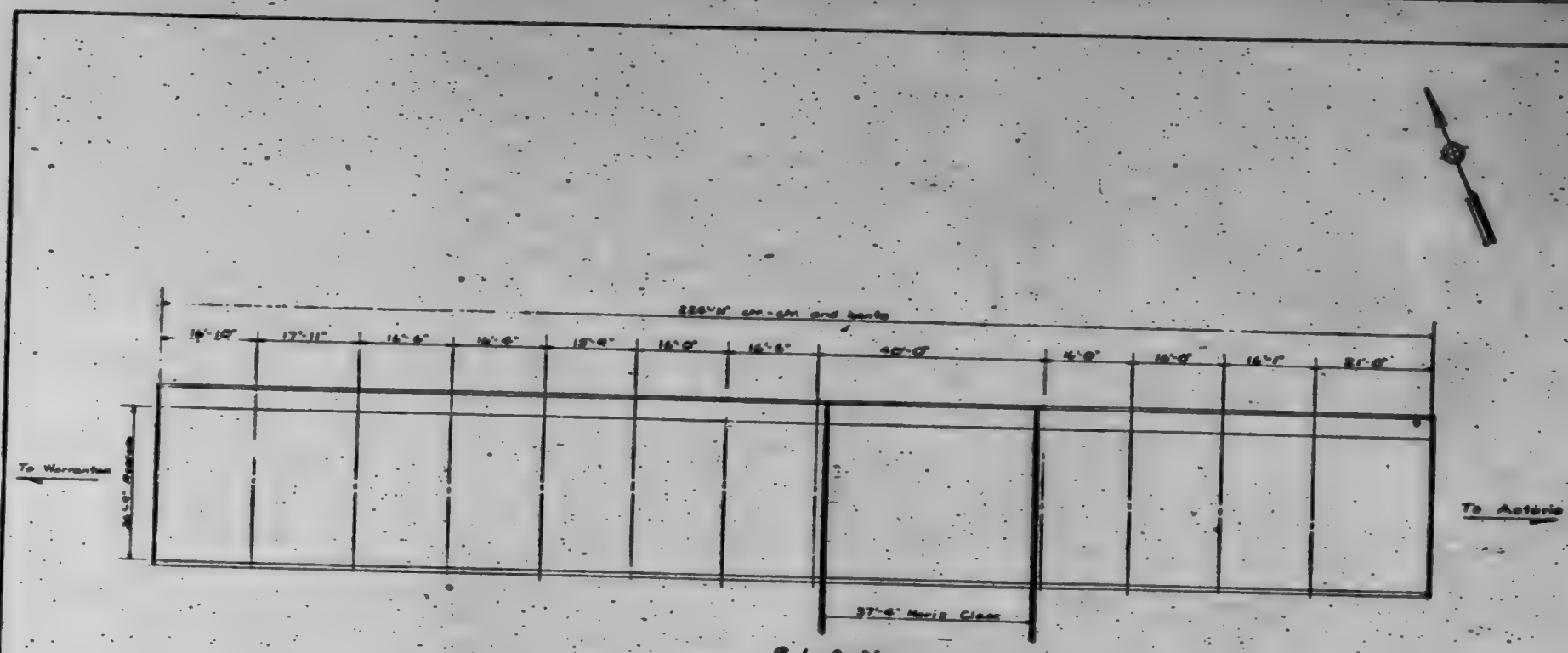


PROPOSED BRIDGE
OVER
SKIPANON RIVER
NEAR
WARRENTON, OREGON
CLATSOP, COUNTY
APPLICATION BY
OREGON STATE HIGHWAY COMMISSION
JULY 9, 1965 SHEET 1 OF 3

LOCATION MAP

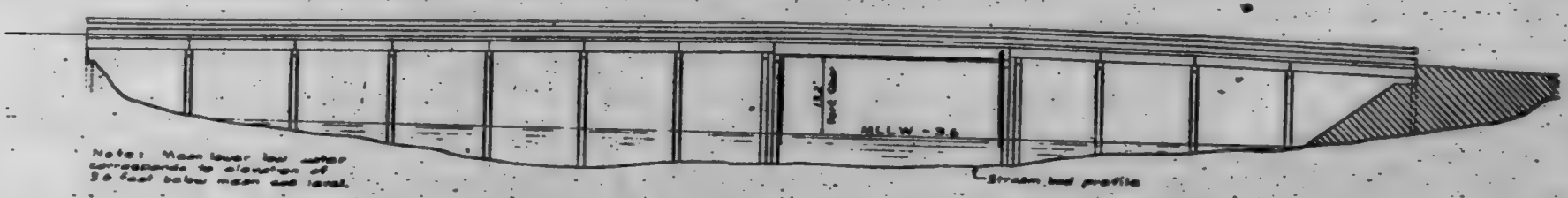


PROPOSED BRIDGE
OVER
SKIPANON RIVER
NEAR
WARRENTON, OREGON
CLATSOP, COUNTY
APPLICATION BY
OREGON STATE HIGHWAY COMMISSION
JULY 9, 1965 SHEET 2 OF 3



PLAN

SCALE IN FEET



Note: Mean lower low water corresponds to elevation of 36 feet below mean sea level.

ELEVATION

PROPOSED BRIDGE
OVER
SKIPANON RIVER
NEAR
WARRENTON, OREGON
CLATSOP, COUNTY
APPLICATION BY
OREGON STATE HIGHWAY COMMISSION
JULY 9, 1965 SHEET 3 OF 3

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Address reply to:
COMMANDER (o-4)
Thirteenth Coast Guard District
618 Second Ave.
Seattle, Wash., 98104

3271
22 July 1968
Serial 694

State of Oregon
State Highway Department
Salem, Oregon 97310

ATTN: Ivan D. Merchant, Bridge Engineer

Dear Sir:

Your permit for the construction of a bridge, known as Skipanon River bridge, over Skipanon River, at Warrenton, Oregon. waterway, is now held by the Commander, 13th Coast Guard District, at the above address. The responsibility for issuance of future permits for bridges or causeways over navigable waterways was transferred from the Corps of Engineers and Secretary of the Army to the United States Coast Guard, acting under the Secretary of Transportation. This transfer was effected by the Congressional Act creating the Department of Transportation, Public Law 89-670.

All future modifications (pertaining to bridge clearances) to this bridge must be approved in advance by this office. Should you require any assistance in the preparation of forms for modification of this bridge, or have any other questions relative to the navigational clearances of the bridge, please feel free to contact this office for advice or help.

This Notice should be filed with the original Permit (approval of plans) issued by the Corps of Engineers. No other action on your part is required at this time.

Sincerely yours,

VICTOR KOLL
Commander, U. S. Coast Guard
Chief, Aids to Navigation Branch
By direction of the District Commander

RECEIVED
OREGON STATE HIGHWAY DEPT.
BRIDGE DIVISION
AM JUL 24 1968 PM
7,8,9,10,11,12,1,2,3,4,5,6

4

8651

8

104-67

Salem, Oregon
March 19, 1970

E. S. Hunter
MAINTENANCE ENGINEER

Proposed Boat Basin
Skipanon River, Upstream
Warrenton Secondary Highway
M.P. 0.17

Attached please find copy of a Public Notice I recently picked up when in Astoria of a proposed boat basin on the Skipanon River, upstream from our draw bridge on the Warrenton Secondary Highway.

Should this boat basin be constructed, I can see where it would be necessary to have frequent openings of our bridge. As you know the only way this bridge can be opened is by floating it out on a barge which means that for every opening the road would be closed for a lengthy period.

I would recommend that an official reply to this notice be made wherein objection is made to this plan due to the above mentioned interference with highway traffic.

R. D. Asburry
DIVISION ENGINEER

RDA/cg

Attach.

CC: Hawkins

Sent 3-20-70 DR

NOTED
GERALD WIMER

NOTED
J. B. BOYD

8651

104-C7

RECEIVED
DIVISION ENGINEER Division No. 2
MAR 24 1970
ROUTING
ASBURRY ✓ WIMER BOYD
CANFIELD

OREGON STATE HIGHWAY DIVISION

HIGHWAY BUILDING • SALEM, OREGON • 97310 • Phone 364-2171

March 17, 1970

Mr. George E. Hyde
Chief, Navigation Division
Corps of Engineers
Post Office Box 2946
Portland, Oregon 97208

NDW. 2098
2099

Dear Mr. Hyde:

Re: NPPND-WM-P
1522-15(Skipanon River-Misc)-2 and 3

We wish to express certain comments and objections in connection with the reference Public Notice 70-10 and 70-12.

The areas covered by these notices are upstream from the Skipanon River Bridge at M.P. 0.17 on the Warrenton-Astoria Highway. The highway and bridge were acquired by agreement from Clatsop County December 30, 1946. The original bridge was constructed by Clatsop County under a permit for a structure containing a bascule span. Clatsop County did not construct the bascule span but substituted a "float out" span instead. The "float out" type span has remained in existence since the date of original construction.

As of this date the "float out" span has not presented any major problems to highway or river traffic because of the infrequent requests for openings. Each bridge opening requires approximately five hours to complete, and an average cost of $1,100 for labor and barge rental.

The projects proposed by the applicants would generate considerable river traffic which would require frequent openings of the drawbridge. The increase in drawbridge openings would create considerable inconvenience to highway traffic over the bridge. This traffic now averages 3,150 vehicles per day.

MAINTENANCE ENGINEER
RECEIVED
MAR 19 1970
ME AME AME OE AG
BS APS AA FILE TP

3/23
cc: R.D. Asbury, w/o attachments
CC Hawkins

We feel that the applicants should locate their projects in some other location where the highway traffic would not be interrupted. On this basis, we ask that the permits not be granted as they are not in the best public interest.

Very truly yours,

Forrest Cooper
State Highway Engineer

By ORIGINAL SIGNED
VICTOR D. WOLFE
Victor D. Wolfe
Administrative Assistant

cc State Water Resources Board

GDA:lb mc

bc Forrest Cooper
R. L. Porter
Tom Edwards
E. S. Hunter

WARRENTON
Population 3,000
FAS 605
OREGON
COAST
NORTHERN
HARBOR
WARRENTON
BURLINGTON
RAILWAY
STEVENS
FORT
MARLIN
FA3 605
16 15
21 22
21 22
28 27
20 21
29 28
Fire Station

Rte Maryland to ni Warrenton — 2

Skipanon River Br. F.A.S. 605 Warrenton Hwy #105

Br #11226
R.C. 26'-10"
H-15 loading.
Length. 207' (1-17, 1-19, 2-16, 1-39, 3-16, 1-21)
Float out draw span. (opened 9-21-71 @ 1:00PM. closed 4:40PM.)
(" 2-12-69 @ 6:00AM. " 12:00 Noon.)
(" 12-19-69 @ 9:25AM " 2:00PM)

1954 — 2 openings Apr 21 & Apr 26
1953 — 2 " Mar 26 & Mar 31
1952 — 4 " Feb 21, (3 openings) dates 3-5 & 3-10
1951 — 2 " Jan 3 & Jan 11
1950 — 2 " May 19 & May 22
1949 — 2 " Mar 25 & Mar 28
1948 — 10 " 1(8-27), 2(8-31), 3(2-8), 4(2-9)
1947 — 3 " 1(3-29), 2(4-3)

Petition to Coast Guard

Constr by Clatsop Co. Taken over by State in 1946
Skipanon River closed to navigation above MP 25
May 17, 1963 (Published in Federal Register 17 Apr 1963)

Present float out Bridge built
Clatsop Co. March 29, 1933
Contractor Brookfield Co. # 29218

8651

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97208

NPPOP-NA-1.4
1507-32(Columbia R.-Harbor Lines)-2

23 February 1966

PUBLIC NOTICE 66-18

The Port of Astoria, Astoria, Oregon and the City Commission of Warrenton, Oregon have applied for a revision of the existing Federal harbor lines in the Skipanon River at Warrenton, Oregon. Bulkhead lines and pierhead lines are combined to form the harbor line in the Skipanon River area.

The change would move the harbor line, below the SP&S R.R. bridge, in an easterly direction leaving a minimum channel width of 200 feet in the area of change.

The revision was requested to permit construction of commercial moorage and launching facilities to support development of the area for sport fishing.

The proposed change is shown on a drawing on the reverse side of this notice.

Interested parties are requested to submit in writing any comments or objections they may have to the proposed work. Replies to this notice should be mailed to reach this office not later than 15 March 1966 to insure consideration.

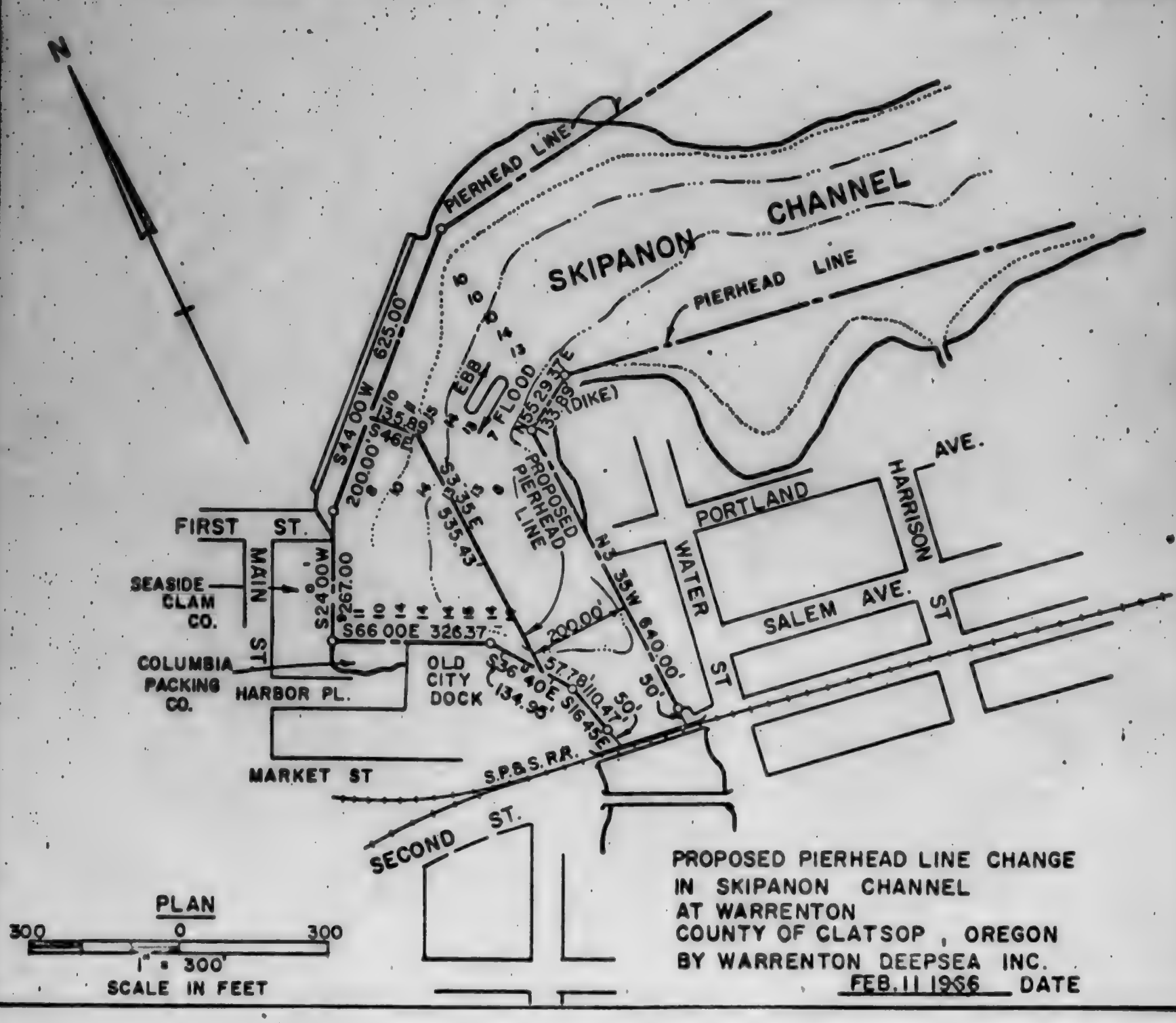
George E. Hyde
GEORGE E. HYDE
Chief, Navigation Branch

RECEIVED
FEB 28 1966
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
MAR 9 1966
OFFICE OF
DIVISION ENGINEER
DIVISION NO. 2

VICINITY MAP

SOUNDINGS ARE SHOWN IN FEET AND INDICATE DEPTHS BELOW MEAN LOWER LOW WATER



PROPOSED PIERHEAD LINE CHANGE
IN SKIPANON CHANNEL
AT WARRENTON
COUNTY OF CLATSOP , OREGON
BY WARRENTON DEEPSEA INC.
FEB. 11 1956 DATE

RECEIVED
JAN 25 1966
FOR FILING

Maint
Bridges
Drabs

January 24, 1966

Colonel William J. Talbott
District Engineer
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Your File NPPCP-NA-1.4

Dear Sir:

Receipt is acknowledged of your letter of January 17 concerning the bridge over the Skipanon River at Warrenton.

In addition to our acknowledgement, we again specifically wish to call your attention to the fact that no physical change in the clearances existing nor in the method of opening of this structure have been made. The alterations to which you refer as having been made without prior approval were maintenance operations necessary to keep this structure safe for vehicular traffic.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

Tom Edwards
Assistant State Highway Engineer

bc Forrest Cooper
R. L. Porter
Victor D. Wolfe
E. S. Hunter (enc.)
Ivan Merchant (enc.)

TE:jwa

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
528 PITTOCK BLOCK
PORTLAND, OREGON 97208

2635
JAN 18 66

NPPOP-NA-1.4

17 January 1966

REFERRED TO
Admin
BY SECRETARY

REFERRED TO
Edwards
BY DEPUTY STATE HIGHWAY ENGINEER

Oregon State Highway Department
Salem, Oregon 97310

Gentlemen:

Reference is made to the following correspondence:

a. Application dated 13 September 1965 by Oregon State Highway Department for Approval of Plans and Location of Skipanon River Bridge at Warrenton, Oregon.

b. Letter dated 19 November 1965 from the District Engineer to the Oregon State Highway Department requesting concurrence or objection to a proposed condition for inclusion in an approval document.

c. Letter dated 26 November 1965 from the Oregon State Highway Department to the District Engineer advising that the Highway Department would not acquiesce to the condition proposed in reference b above.

I have been directed to inform you that after the fact approval of this bridge will not be granted as the possibility exists that greater navigation clearances or more prompt opening of the navigation span may be required in the future. No action will be taken at this time on the removal or alteration of this bridge which was modified without prior approval but removal or alteration may be required in the future to meet the needs of navigation.

Sincerely yours,

WILLIAM J. TALBOTT
Colonel, Corps of Engineers
District Engineer

RECEIVED
JAN 18 1966
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
JAN 18 1966
OREGON
STATE HIGHWAY COMMISSION

8651

RECEIVED
NOV 29 1965
FOR FILING

Maint
Bridge
Draw

November 26, 1965

Colonel William J. Talbott
District Engineer
Corps of Engineers, Portland District
628 Pittock Block
Portland, Oregon 97205

Your File: NPPCP-MA-1.4

Dear Sir:

We have your letter of November 19 concerning the revision of the Skipanon River Bridge at Warrenton. Your letter requested that we acquiesce to a provision which would require us to render navigation reasonably free and unobstructed at this crossing when and if, in the opinion of the Corps of Engineers, the present structure should cause unreasonable obstruction.

I again recite the history of this structure. It was built by Clatsop County as a part of a Clatsop County road which later, by agreement, became a part of the State highway system. This revision was due in part to the request of the United States Government to permit development of the Astoria airport during World War II.

The Department has an obligation to maintain its highway installation and structures in a condition suitable for safe travel. In this regard, we have recently rehabilitated this structure. Admittedly, the structure is not in accord with the permit which was issued by the Corps of Engineers with respect to clearances, but it is within the clearance and with the same opening capacity which the Clatsop County officials constructed in the first installation and which the Corps of Engineers has permitted to remain for some 40 years.

This Department, in truth, feels that the objection which Clatsop County takes to a nonconformance which they themselves constructed is somewhat ill-taken.

We wish to advise at this time that we will not acquiesce to the statement which you wish to include in your after-the-fact approval on two bases:

First, that the work done on the bridge consisted purely of maintenance to continue the structure in a safe condition.

Second, we believe no fact exists at this time to change the requirements which have existed for the past 40 years.

However, this Department does not at this time, nor will we in the future, assume the position that we will not improve this structure. It is our thought that if the area develops and additional waterway facilities and ease of waterway travel are necessary to the well-being of the community, then the Highway Department will consider cooperation on the facts which exist at that time.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

Tom Edwards
Assistant State Highway Engineer

bc Forrest Cooper
R. L. Porter
Victor Wolfe
E. S. Hunter (enc.)
Ivan Marchant (enc.)

TE:jwa

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

NPPOP-NA-1.4

REFERRED TO
Admin
BY SECRETARY

19 NOV 1965

Oregon State Highway Department
Salem, Oregon 97310

2182
NOV 22 65

Gentlemen:

Reference is made to your request of 13 September 1965 for Department of the Army approval of plans for the reconstruction of the Skipanon River Bridge at Warrenton, Oregon. Copies of Public Notice dated 16 September 1965 inviting comments concerning the application were mailed to all known interested parties. Inclosed for your information are copies of comments received from the following:

Palmberg Construction Co., P. O. Box 991, Astoria, Oregon 97103
The Port of Astoria, Astoria, Oregon 97103
Board of County Commissioners of Clatsop County, Astoria, Oregon

Reconstruction of the bridge, having been completed without prior approval by the Chief of Engineers and Secretary of the Army, as required by the General Bridge Act of 1946, was contrary to law. I propose to recommend after the fact approval of the bridge with the following special condition included in the instrument of approval: "Provided that if in future operation of the waterway it is determined, in the opinion of the Chief of Engineers, the structure shall cause unreasonable obstruction to the free navigation of said waterway, the owner will be required, upon due notice from the Chief of Engineers, to remove or alter the structure without expense to the United States, so as to render navigation reasonably free, easy, and unobstructed".

Your concurrence or objection to inclusion of the above special condition in the approval document is requested.

Sincerely yours,

WILLIAM J. TALBOTT
Colonel, Corps of Engineers
District Engineer

Incl
as stated

RECEIVED
NOV 22 1965
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
NOV 22 1965
OREGON
STATE HIGHWAY COMMISSION

At the entrance to the mighty Columbia River

THE PORT OF ASTORIA

TELEPHONE 325-4821 ASTORIA, OREGON 97103

COMMISSIONERS
ALBERT RISSMAN, PRESIDENT
RUSSELL FLUHRER, V. PRESIDENT
J. FRANK HOAGLAND, SECRETARY
JAMES T. CAMPBELL, TREASURER
HOWARD B. JOHNSON

RICHARD J. BETTENDORF
GENERAL MANAGER

October 14, 1965

District Engineer
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Re: NPPOP-NA-1.4
1507-21 (Skipanon R.-Bridge)-3

Dear Sir:

Reference subject public-notice and application of the Oregon State Highway Department, we feel that in approving the Highway Department's plans for the reconstructed bridge, a provision should be inserted in the permit that in the event at some future date some public or private agency may request that the bridge be redesigned so as to better accomodate water navigation upstream from the bridge, the permit would be subject to review by the Corps.

It is our understanding that the original permit for this bridge called for a bascule span. It is our feeling that it might be very desirable at some time in the future that a quick opening bridge be available at this highway crossing. We are unable to find in any of our records, our approval of a change from a bascule span to the present removable span.

Sincerely,

PORT OF ASTORIA

R. J. Bettendorf
Manager

RJB:m

Ind 8

Further written advice will be forwarded when they (Highway Dept.) have completed their plans

Clatsop County

ASTORIA, OREGON

VERNE STRATTON, COMMISSIONER
JAMES SCARBOROUGH, COMMISSIONER
HIRAM C. JOHNSON, COMMISSIONER
MARY HAY, CLERK
CARL B. BONDIETTI, SHERIFF
THOMAS E. EDISON, DIST. ATTY.

HAROLD T. JOHNSON, DISTRICT JUDGE
BEN BURNS, TREASURER
E. E. ISAACSON, SURVEYOR
EMMETT D. TOWLER, SCHOOL SUPT.
DR. NOEL B. RAWLS, MEDICAL EXAMINER
DAVID STANLEY DICKSON, ASSESSOR

October 13, 1965

OR-NA

District Engineer
U. S. Army Engineer District, Portland
628 Pittock Block
Portland, Oregon 97205

Re: Skipanon Waterway

Gentlemen:

If and when the water traffic warrants it, the Board of Clatsop County Commissioners recommends the installation of a bascule span on the Highway Bridge crossing the Skipanon River, in Warrenton, on the State Secondary Road immediately South of the S. P. & S. Railroad span.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS
OF CLATSOP COUNTY, OREGON

By, Verne Stratton
Commissioner

By, James Scarborough
Commissioner

By, Hiram C. Johnson
Commissioner

Incl 9 -1

OP-NA

PALMBERG CONSTRUCTION CO.

ENGINEERS AND CONSTRUCTORS

DREDGING • GENERAL • PILEDRIVING

P. O. BOX 991 PHONE 325-1831
ASTORIA, OREGON, 97103

October 12, 1965

District Engineer
U. S. Army Engineer District, Portland
628 Pittock Block
Portland, Oregon 97205

Re: Public Notice NPPOP-NA-1.4; 1507-21 (Skipanon River-Bridge) -3; dated 16 September 1965

Dear Sir:

I would like to make the following comments in the form of an objection to the issuance of a permit as requested by the State Highway Department of Oregon in the reference public notice.

The records of your office indicate that a permit was issued in September 1916 for the construction of a bascule span bridge with 15' vertical clearance at low water at the subject location. To confirm this, I have made an examination of the records of the Clatsop County Court and find that at a Court meeting held on July 6, 1916, the Court decided, because of the deteriorated condition of the existing bridge, to call for bids on July 31, 1916, for the construction of a draw bridge to replace the previous bridge.

At a County Court meeting held on July 31, 1916, one bid was received for the construction of a new draw bridge across Skipanon River at the subject location.

At a County Court meeting held on August 1, 1916, the county's engineer okayed the proposed contract for the bridge construction; the bond was furnished by the contractor, Chas. H. Waring, and a contract entered into for the amount of $4,295.00, plus $24.00 per cubic yard for concrete (including excavation to be made for concrete to be placed below water), and 50¢ per lineal foot for piling to be furnished.

Before or upon completion of the bridge, a contract was entered into with Rudolph Bosshart of Warrenton, Oregon to construct fills at the ends of the new bridge. On talking to Rudy Bosshart, who is still alive, he informs me that the bridge constructed was a bascule span with concrete counter-weight and that a Mr. Dewey Neal had the job of opening the bridge whenever required. Mr. Bosshart also informs me that there was a planing mill, and that a Mr. Frank Kelly had a sawmill, on Skipanon River above this bridge. He also confirms, as stated in 1916 publications of the Astoria Evening Budget that Hammond Lumber Company operated a log boom in Skipanon River above this bridge site.

Incl 7a-

Apparently at some later date, larger sawmills were built on Skipanon Channel below this bridge site and the upriver sawmills went out of business. Subsequently, the bridge was rebuilt or repaired and A-frame trusses constructed on each side of the main span to help support it, the concrete counter-weight apparently being dropped into the river where boom men clain they have felt it with pike poles.

There is no question but what the abandonment of the basculd span has been a restriction to the use of the river above the bridge site, not only by commercial and recreational boating, but also by industries which might require or benefit from navigation in Skipanon River.

Admittedly the needs of navigation must take into consideration economy; yet, if a waterway has been obstructed for such a period of time that it's utilization has been discouraged, how can one assess the needs of navigation? In a situation such as this Skipanon bridge presents, an individual is reluctant to put one's self in disfavor by demanding the opening of a navigation span where such opening entails the removal and re-installation of a waterline by the city; the necessity of the State entering into an informal contract with someone to float the span out of place on a barge and replacing it on the next tide about 4 hours later; the delay and inconvience to traffic on a rather heavily travelled thoroughfare; and the possible harm resulting from the bridge closure in the event of fire or ambulance emergency.

The railroad bridge has a swing opening at this location and it only seems resonable that the highway bridge should provide an equally adequate opening, even if the permit for the presently completed construction is authorized only until such time as a connecting roadway for fire and ambulance traffic can be provided across the dam approximately 3,100 ft. upstream from the bridge site in question.

Very truly yours,

By H. G. Palmberg
H. G. Palmberg

HGP/j

8651

RECEIVED
NOV 18 1965
FOR FILING

Marine
Bridges
Roads

November 18, 1965

1028

Board of County Commissioners
of Clatsop County
Clatsop County Courthouse
Astoria, Oregon

Gentlemen:

I wish to acknowledge receipt of a copy of your communication of October 14 concerning the possible eventual installation of a bascule span on the highway bridge crossing the Skipanon River in Warrenton.

Research reveals that the bridge which was recently rehabilitated was constructed by Clatsop County under a permit from the Corps of Engineers which called for a structure containing a bascule span. The road and bridge were built by the County and became a part of the State highway system in 1941.

It is our feeling that the conditions which prompted the County to build a "float out" span in preference to the bascule span still exists.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

Tom Edwards
Assistant State Highway Engineer

bc Forrest Cooper
R. L. Porter
Victor D. Wolfe
E. S. Hunter
R. D. Asburry

TE:jwa

1859

OCT 15 65

Clatsop County

ASTORIA, OREGON

VERNE STRATTON, COMMISSIONER
JAMES SCARBOROUGH, COMMISSIONER
HIRAM C. JOHNSON, COMMISSIONER
MARY HAY, CLERK
CARL B. BONDIETTI, SHERIFF
THOMAS E. EDISON, DIST. ATTY.

HAROLD T. JOHNSON, DISTRICT JUDGE
BEN BURNS, TREASURER
E. E. ISAACSON, SURVEYOR
EMMETT D. TOWLER, SCHOOL SUPT.
DR. NOEL B. RAWLS, MEDICAL EXAMINER
DAVID STANLEY DICKSON, ASSESSOR

REFERRED TO
Admin
BY SECRETARY

October 14, 1965

State of Oregon
State Highway Department
Salem, Oregon 97310

REFERRED TO
Edwards
BY DEPUTY STATE HIGHWAY ENGINEER

Gentlemen:

Enclosed herewith, for your files, is a copy of letter forwarded to the U. S. Army Engineers, with reference to the possible eventual installation of a bascule span on the Highway Bridge crossing the Skipanon River, in Warrenton, on the State Secondary Road immediately South of the S. P. & S. Railroad span, affecting the Skipanon Waterway.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS
OF CLATSOP COUNTY, OREGON

By, Helen C. Griffith
(Mrs.) Helen C. Griffith,
Secretary to Board of Commissioners

hcg
Encl - 1

Hunton
Reid
Ward
Jr.

NOTED
R. N. BOTHMAN

RECEIVED
OCT 15 1965
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
OCT 15 1965
OREGON
STATE HIGHWAY COMMISSION

XERO COPY XERO COPY XERO COPY XERO COPY

Clatsop County

ASTORIA, OREGON

VERNE STRATTON, COMMISSIONER
JAMES SCARBOROUGH, COMMISSIONER
HIRAM C. JOHNSON, COMMISSIONER
MARY HAY, CLERK
CARL B. BONDIETTI, SHERIFF
THOMAS E. EDISON, DIST. ATTY.

HAROLD T. JOHNSON, DISTRICT JUDGE
BEN BURRIS, TREASURER
E. E. ISAACSON, SURVEYOR
EMMETT D. TOWLER, SCHOOL SUPT.
DR. NOEL B. RAWLS, MEDICAL EXAMINER
DAVID STANLEY DICKSON, ASSESSOR

October 13, 1965

District Engineer
U. S. Army Engineer District, Portland
628 Pittock Block
Portland, Oregon 97205

Re: Skipanon Waterway

Gentlemen:

If and when the water traffic warrants it, the Board of Clatsop County Commissioners recommends the installation of a bascule span on the Highway Bridge crossing the Skipanon River, in Warrenton, on the State Secondary Road immediately South of the S. P. & S. Railroad span.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS
OF CLATSOP COUNTY, OREGON

By, Verne Stratton
Commissioner

By, James Scarborough
Commissioner

By, Hiram C. Johnson
Commissioner

RECEIVED
OCT 15 1965
OREGON
STATE HIGHWAY COMMISSION

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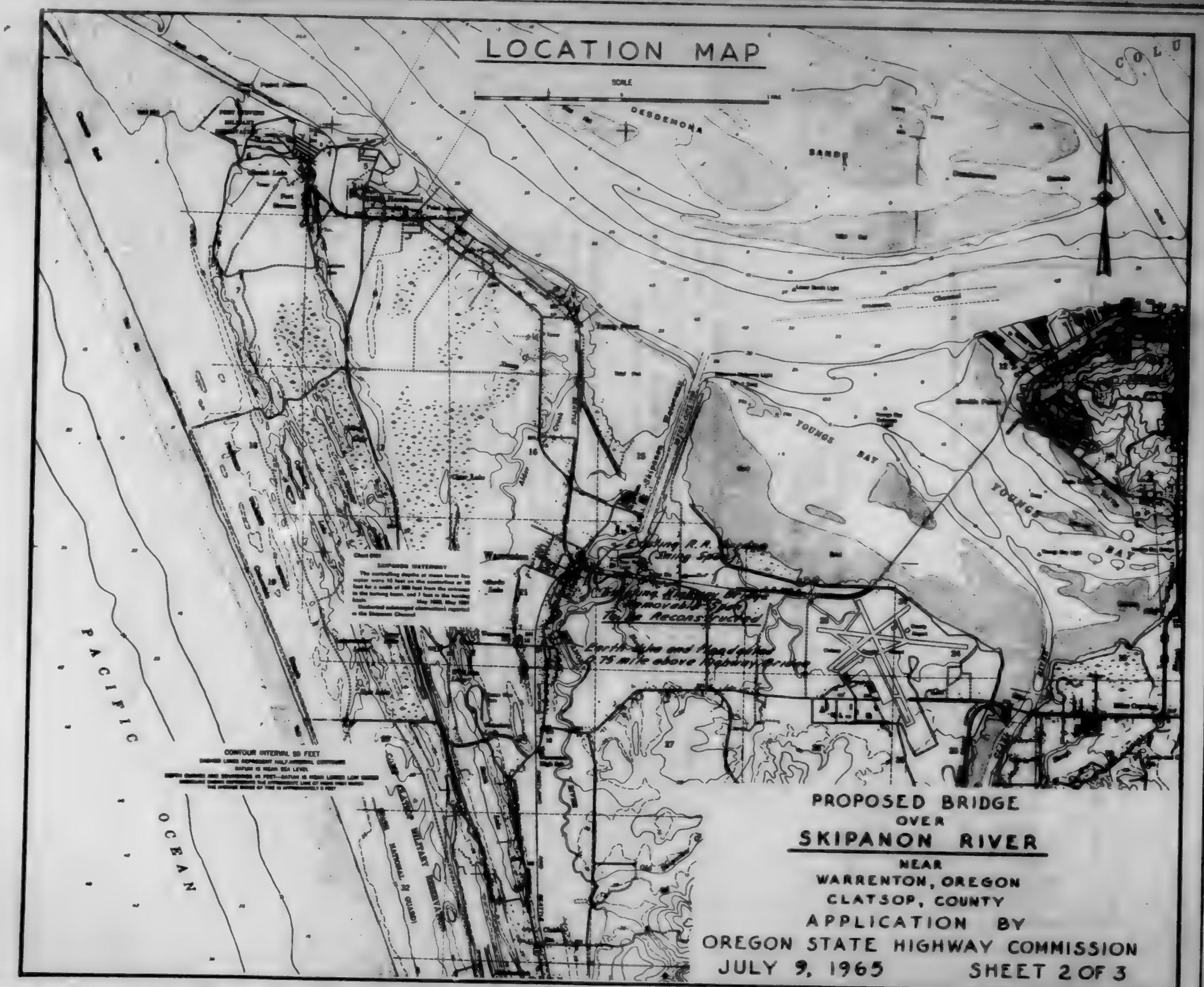


PROPOSED BRIDGE
OVER
SKIPANON RIVER
NEAR
WARRENTON, OREGON
CLATSOP, COUNTY
APPLICATION BY
OREGON STATE HIGHWAY COMMISSION
JULY 9, 1965 SHEET 2 OF 3

RECEIVED
SEP 22 1965
ENG
Marine
Bridges
Hydro

DEPARTMENT OF THE ARMY
U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK, PORTLAND, OREGON 97205

NPPOP-NA-1.4
~~1507~~-21(Skipanon R.-Bridge)-3.

16 September 1965

PUBLIC NOTICE

The State Highway Department of Oregon at Salem has applied for Department of the Army approval of plans for the reconstruction of the Skipanon River Bridge at Warrenton, Oregon, 0.9 mile above the mouth of the waterway, as shown on plans attached to this notice. The reconstructed navigation span would be removable in the same manner as the old span.

Interested parties are requested to submit, in writing, any comments or objections they may have to the proposed work. Replies to this notice should be mailed to reach this office not later than 14 October 1965 to insure consideration.

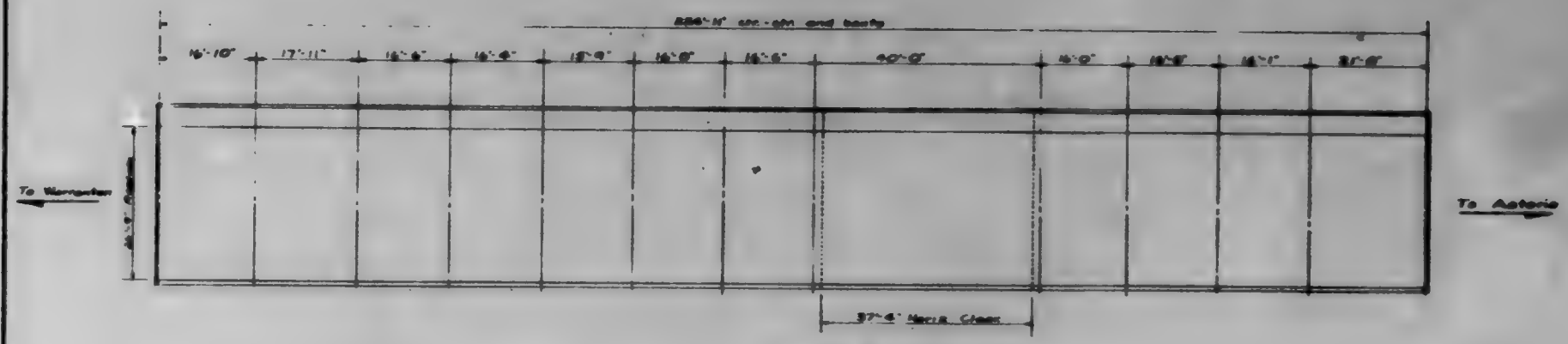
George E. Hyde
GEORGE E. HYDE
Chief, Navigation Branch

Copy to Hunter Info 9-22-65

NOTED
JOM EDWARDS

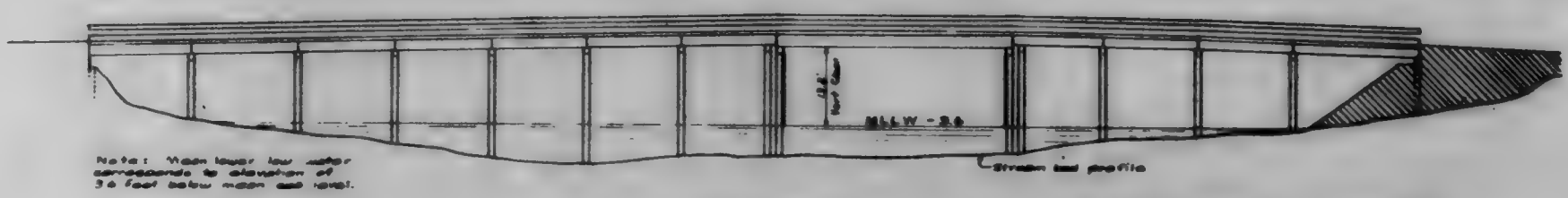
RECEIVED
SEP 21 1965
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
SEP 21 1965
OREGON
STATE HIGHWAY COMMISSION



PLAN

SCALE IN FEET



ELEVATION

PROPOSED BRIDGE
OVER
SKIPANON RIVER
NEAR
WARRENTON, OREGON
CLATSOP, COUNTY
APPLICATION BY
OREGON STATE HIGHWAY COMMISSION
JULY 9, 1965 SHEET 3 OF 3

8651

RECEIVED
OCT 11 1965
FOR FILING
Mail
Budget
Bridge

STATE OF OREGON
OREGON STATE GAME COMMISSION
1634 S. W. ALDER STREET
P. O. BOX 3503
PORTLAND OREGON 97208

RECEIVED
OCT 7 1965
OFFICE OF
STATE HIGHWAY ENGINEER

September 30, 1965

District Engineer
Portland District
U. S. Army Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Attention Mr. George E. Hyde, Chief
Navigation Branch

Dear Sir:

NPSOP-WA-1.4
1307-21 (Skipanon R.-Bridge)-1

We do not believe the construction described in your public notice will have material deleterious effect on the fish and wildlife resources of the area nor the habitat upon which they depend.

We are advised the construction outlined in this public notice was completed about September 1; consequently, any comments we may have cared to submit would have been somewhat untimely. If it is within the control of your office to do so, we would appreciate prior notification on future projects so that if some impact might be imposed on the fish and wildlife resources, we would have the opportunity of advising you and the applicant in time to consider corrective measures.

We appreciate receiving your public notices to be able to keep abreast of the various developments.

Sincerely yours,

P. W. Schneider

P. W. Schneider
Director

NOTED
R. L. PORTER

cc:
Oregon State Highway Department
Fish Commission of Oregon
Portland Area Office, River Basin Studies
Bureau of Sport Fisheries and Wildlife
Columbia Fisheries Program Office

COPY

RECEIVED
OCT 7 1965
OREGON
STATE HIGHWAY COMMISSION

8651

RECEIVED
SEP 14 1965
FOR FILING
Maint
Bridge
Draw

September 13, 1965

The District Engineer
Corps of Engineers
628 Pittock Block
Portland 5, Oregon

Re: Reconstruction of
Skipanon River Bridge at
Warrenton, Oregon
Clatsop County

Dear Sir:

Application is hereby made by the State Highway Department of the State of Oregon at Salem, Oregon, for approval by the Chief of Engineers and the Secretary of the Army of plans for the reconstruction of the Skipanon River Bridge at Warrenton, Oregon, 0.9 miles above the mouth of the water way as shown on the attached plans. Legal authority for the structure is found in the General Bridge Act of 1946.

Enclosed herewith is a letter of authorization from the Secretary of the State Highway Commission authorizing the Engineer to make this application.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

Tom Edwards
Assistant State Highway Engineer

Enc.

bc Forrest Cooper
R. L. Porter
Floyd Query
Victor D. Wolfe
E. S. Hunter
Ivan Merchant
R. D. Asburry
W. E. Sandquist

IM:HWY:hl jwa

STATE OF OREGON)
)
) ss
COUNTY OF MARION)

I, Floyd Query, Secretary of the Oregon State Highway Commission, do hereby certify that the attached copy of the excerpt from the minutes of the meeting of the Oregon State Highway Commission of July 13, 1965, entered in Volume 50 of the minute book pertaining to authority granted to the State Highway Engineer to apply to the U. S. Corps of Engineers for repairs to the Skipanon River Bridge on the Warrenton-Astoria Highway in Clatsop County, has been compared by me with the original and that the same is a true and correct copy of said portion of the minutes and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Oregon State Highway Commission this 10th day of September, 1965.

Floyd Query

Secretary
OREGON STATE HIGHWAY COMMISSION

Salem, Oregon
July 13, 1965

The Oregon State Highway Commission met in regular session at 9:30 a.m., in Room 419 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
K. N. Fridley, Commissioner
David B. Simpson, Commissioner
R. L. Porter, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
Victor D. Wolfe, Administrative Assistant
George E. Rohde, Chief Counsel
Frank C. McKinney, Acting Assistant Counsel
David H. Moehring, Right of Way Engineer
C. H. Maison, Controller
Floyd Query, Secretary

Mr. Forrest Cooper, State Highway Engineer, and Mr. Tom Edwards, Assistant State Highway Engineer, were excused.

Among others present were A. W. Parsons, Division Engineer, U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Office Engineer; David Talbot, Parks Superintendent; John Oakes, Assistant Right of Way Engineer; and Ralph Sipprell, Liaison Officer.

* * * * * * * * *

The Deputy Engineer reported that the bridge across the Skipanon River on the Warrenton-Astoria Highway in Clatsop County must be repaired. As the structure crosses a navigable body of water, it is necessary that application be made to the U. S. Corps of Engineers for repairs which will be performed by a State bridge crew. The Commission granted the Engineer authority to apply to the Corps of Engineers for permission to do this work. 4t

8651

RECEIVED
JUL 21 1965
FOR FILING

Maint
Bridge
Draw

Cross Refereuced To:
maint
bkwp
101

Salem, Oregon
July 20, 1965

3498
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3767
3914
3719

Mr. Tom Edwards
Assistant State Highway
Engineer

July 13 Commission Meeting
Agenda Item 4t
Skipanon River Bridge

BUILDING

Attached is a proposed minute entry for Agenda Item 4t, July 13, 1965, concerning the Skipanon River Bridge repairs.

If the item looks okay to you, the chances are very good that the Commission will approve it as written. Formal approval by the Commission will not be given until August 24, unless we ask for special approval which can be done if you think it is necessary.

Floyd Query, Secretary

FQ:fkm

Att.

Agenda Item 4t

July 13, 1965, Commission Meeting

The Deputy Engineer reported that the bridge across the Skipanon River on the Warrenton-Astoria Highway in Clatsop County must be repaired. As the structure crosses a navigable body of water, it is necessary that application be made to the U. S. Corps of Engineers for the repairs which will be performed by a State bridge crew. The Commission granted the Engineer authority to apply to the Corps of Engineers for this work.

August 26, 1965

The minutes of the July 13 meeting were officially approved by the Highway Commission at their regular meeting of August 23.)TE:jwa(

STATE HIGHWAY DEPARTMENT
STATE OF OREGON
SAMPLE

NOTED
R. A. GARDNER

NOTED
R. L. PORTER

STATE OF OREGON)
) ss
COUNTY OF MARION)

I, Floyd Query, Secretary of the Oregon State Highway Commission, do hereby certify that the attached copy of the excerpt from the minutes of the meeting of the Oregon State Highway Commission of April 3, 1962, entered in Volume 47 of the minute book pertaining to the approval of two projects in the 1965 ABC Federal-aid Program VIII on the Willamette River Bridge Section (Corvallis) of the Corvallis-Lebanon Highway has been compared by me with the original and that the same is a true and correct copy of said portion of the minutes and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Oregon State Highway Commission this 5th day of March, 1963.

Floyd Query

Secretary
OREGON STATE HIGHWAY COMMISSION

NOTED
I. D. MERCHANT

To accompany Misc. Order: Pursuant

855

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
620 PITTOCK BLOCK
PORTLAND, OREGON 97205

REFERRED TO
Edwards
BY DEPUTY STATE HIGHWAY ENGINEER

NPPOP-NA-1.4

28 June 1965

State of Oregon
State Highway Department
Salem, Oregon 97310

ATTENTION: Mr. Tom Edwards

Gentlemen:

Reference is made to your letter of 10 June 1965 concerning rehabilitation of Skipanon River bridge. Before issuing a Department of the Army permit for the proposed revisions, formal application including drawings will be required.

A revised public notice must be issued allowing sufficient time for comment by all interested parties. Your application may then be forwarded with our recommendations to higher authority for a decision re approval of proposed navigation clearances.

Sincerely yours,

George E. Hyde

GEORGE E. HYDE
Chief, Navigation Branch

Merchant
PA w/d

Copy to Hunter

NOTED
K. D. MERCHANT

RECEIVED
JUN 29 1965
OFFICE OF
STATE HIGHWAY ENGINEER

BRIDGE DIVISION
AM JUL 1 - 1965 PM
7,8,9,10,11,12,1,2,3,4,5,6

1651

RECEIVED
JUL 12 1965
FOR FILING

Bridges
Bridges
Bridges

July 9, 1965

Oregon State Highway Commission

Gentlemen:

It is essential that the bridge on the Warrenton-Astoria Highway crossing the Skipanon River be removed and repaired. It is proposed to remove the small "I" beam structure and substitute steel beams in like thereof. The work will be done by a State bridge crew.

As this structure is across a navigable body of water, it is necessary that we make application to the U. S. Corps of Engineers for the repairs.

It is requested that at the July 13 meeting you grant the Engineer the necessary authority to apply to the Corps of Engineers for this work.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

R. L. Porter
Deputy State Highway Engineer

cc: Mr. Floyd Query
Mr. Tom Edwards
Mr. Victor D. Wolfe
Mr. E. S. Hunter
Mr. H. W. Hughlett

RLP:ms:srb

RECEIVED
JUN 11 1965
FOR FILING

Maint
Bridges
Drabo

June 10, 1965

Mr. George E. Hyde
Chief, Navigation Branch
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Dear Mr. Hyde:

We have examined the structure at Skipanon channel. We have discussed the matter with the people in the area and as a result thereof will take the following corrective action:

1. The structure will be rehabilitated.

2. The "A" frame which is now in place over the channel will be replaced with a steel deck girder span with wooden deck.

3. It will be constructed in such a manner as to be removable in the same manner as the "A" frame span was previously removable.

4. The exact clearance to the bottom of the piers on the "A" frame span, disregarding the encroachment caused by the needle beam under the "A" frame, will be maintained.

5. The balance of the bridge will be brought into conformance with the grade line previously existing.

6. We propose to shorten the bridge somewhat on one end by removal of some trestle spans. This is in an area outside the waterway area.

We would appreciate having the permit for this crossing brought into conformance with respect to clearance,

which has been in existence apparently since this road was constructed, presumably by Siskiyou County.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

Wm. Edwards
Assistant State Highway Engineer

WE:jms

bc Forrest Cooper
R. L. Porter
E. S. Hunter (Enc.)
Ivan Merchant (Enc.)

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

Edwards

NPPOP-NA-1.4

3 June 1965

Oregon State Highway Department
Salem, Oregon 97310

Gentlemen:

Inclosed are copies of letters, listed below, objecting to changes in the Skipanon River bridge at Warrenton, Oregon, as proposed in your request of 13 May 1965 for a Department of the Army permit.

a. Letter from Palmberg Construction Company dated 19 May 1965.

b. Letter from Palmberg Construction Company dated 23 May 1965

c. Letter from H. G. Palmberg dated 19 May 1965.

d. Letter from Ingvold Nygaard dated 21 May 1965.

e. Letter from Board of County Commissioners of Clatsop County, Oregon, dated 28 May 1965.

Sincerely yours,

George E. Hyde

GEORGE E. HYDE
Chief, Navigation Branch

Incls
as

RECEIVED
JUN 4 1965
OFFICE OF
STATE HIGHWAY ENGINEER

Clatsop County

ASTORIA, OREGON

VERNE STRATTON, COMMISSIONER
JAMES SCARBOROUGH, COMMISSIONER
HIRAM C. JOHNSON, COMMISSIONER
MARY HAY, CLERK
CARL B. BONDIETTI, SHERIFF
THOMAS E. EDISON, DIST. ATTY.

HAROLD T. JOHNSON, DISTRICT JUDGE
BEN BURNS, TREASURER
E. E. ISAACSON, SURVEYOR
EMMETT D. TOWLER, SCHOOL SUPT.
DR. NOEL B. RAWLS, MEDICAL EXAMINER
DAVID STANLEY DICKSON, ASSESSOR

May 28, 1965

U. S. Army Engineer District, Portland
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Attention: George E. Hyde
Chief, Navigation Branch

Re: NPPOP-NA-1.4
Br. 408(Skipanon Riv.-Bridge)

Gentlemen:

Due to local concern regarding the Skipanon River Bridge, the Board of County Commissioners of Clatsop County feel serious consideration should be given this project, before any change is made in clearance of structure or closure of stream.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS
OF CLATSOP COUNTY, OREGON

By, Verne Stratton
Commissioner

By, James Scarborough
Commissioner

By, Hiram C. Johnson
Commissioner

NA

PALMBERG CONSTRUCTION CO.

ENGINEERS AND CONSTRUCTORS

DREDGING • GENERAL • PILEDRIVING

P. O. BOX 991 PHONE 325-1631
ASTORIA, OREGON, 97103

May 23, 1965

The District Engineer
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Re: Your file NPPOP-NA-1.4; Bridge 408 (Skipanon River-Bridge); Public Notice dated 14 May 1965.

Dear Sir:

Supplementing our letter of May 19, 1965, in connection with the reference public notice, we wish to inform you that we have just received a notice from the Port of Astoria of a considerable increase in rates for moorage of our floating equipment. This is in contemplation of greater industrial use of the Port facilities, which means that it soon will not only be uneconomical but probably impossible to continue our base of construction operations from the Astoria Port dock premises. This means that we must seek some other protective moorage for our considerable amount of floating equipment.

The Astoria upper mooring basin constructed by the Corps of Engineers some years ago offers a protected site but the shore facilities are very limited for construction operations. It may therefore become necessary sooner than contemplated for us to moor our floating equipment in the Skipanon River above the reference bridge where our company has access to a considerable land area adjoining the river within the reach of the existing navigation project and where protected moorage is available.

In further reply to your letter, file NPPOP-NA-1.4, dated 18 May 1965, I refer you to letter dated November 23, 1964, from Palmberg Construction Co1 in reply to a Public Notice dated 3 November 1964 concerning the reference bridge, in which it was stated that the vertical clearance should be not less than 15 feet above low water (which coincides with the published clearance of 15 feet as stated in your 18 May letter); and to the recent letters of May 19 from Palmberg Construction Co. and from H. G. Palmberg.

It is unfortunate that the present delima is causing an inconvenience to the traveling public at the present time, but the more thought one gives to the necessity for preservation of waterways the more logical it seems that this navigable waterway should be preserved for its maximum use. There is no question but what the Skipanon River above the reference bridge would be being used extensively at the present time by small boats were it not for the log rafting operations presently consuming the entire waterway for some distance above the bridge, thus effectively precluding passage to small boats at the present time.

Very truly yours,
PALMBERG CONSTRUCTION CO.

By H. G. Palmberg
H. G. Palmberg

HGP/j
cc: Port of Astoria
City of Warrenton

May 21, 1965

Mr. George E. Hyde
Chief, Navagation Branch
U.S. Army Engineer District, Portland
628 Pittock Block
Portland, Oregon

Re: BR 408 (Skipanon River Bridge)

Dear Mr. Hyde:

This is to advise that I wish to protest the lowering of the grade of the Skipanon Bridge at Warrenton, Oregon.

November 3, 1964, public notice, you indicated that the clearance to the draw span would provide a vertical clearance of 12.6 feet above mean low water. By virtue of the recent public notice, it appears that you will change the vertical clearance of this bridge by reducing it .05 feet which would be an insignifcant change. However, through one manner or another the actual vertical clearance as a result of these alleged .05 foot changes would be only 10.5 feet. In other words, it appears that there is a 2.1 foot loss in height of vertical clearance as a result of all the changes involved.

In addition to the objections that I made in my letter of November 12, 1964, I do at this time want to submit the following objection, namely: My log boom operation just south of the present span involves the sorting of logs and the rafting. The sorting takes place in between the brow log located on the shore just south of the bridge and is completed by making my sorts in between the present automobile bridge and the railroad bridge on the Skipanon River. If the automobile bridge is lowered it will be impossible for me to continue my operation there as a man could not walk along the boom sticks and sort the logs, for when he comes to the bridge at certain stages of the tide, there will not be sufficient clearance for him to crawl under the bridge and by the time he would climb over the bridge and down the other side and get on the boom sticks, the logs more than likely would have gone down into the race and would have either gotten into the wrong sort or jammed up. In any event, it would make the operation as it now exists utterly impossible.

If the Army Engineers continue their granting permission to reduce the vertical clearance of this bridge, the net result will be total destruction of my present operation at its present location, which I am sure is not the intent of either the United States Army Engineers or the Oregon State Highway Commission, but the results would be the same.

I would appreciate it if you would strenuously consider my damages in the event the vertical clearance of the span is lowered before permitting any additional reduction in vertical clearance height of the Skipanon River Bridge.

Very truly yours,

INGVALD NYGAARD

IN:pjh

Ingvald Nygaard

P.O. Box 261
Warrenton

PALMBERG CONSTRUCTION CO.

ENGINEERS AND CONSTRUCTORS

DREDGING • GENERAL • PILEDRIVING

P. O. BOX 991 PHONE 325-1831

ASTORIA, OREGON, 97103

May 19, 1965

The District Engineer
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Re: Your file NPPOP-NA-1.4; Bridge 048(Skipanon River-Bridge); Public Notice dated 14 May 1965.

Dear Sir:

We wish to express certain comments and objections in connection with the reference Public Notice concerning vertical clearance under Skipanon River Bridge No. 11226 on Warrenton secondary highway No. 105 at Warrenton, Oregon.

First, we wish to point out that the net decrease in vertical clearance for vessel traffic is really 2.07 feet in lieu of 0.5 feet as indicated in the notice since vessels could use the channel on either side of the center floor beam, the 1.5 feet depth of the center floor beam thus not being a hindrance to passage of vessels.

Second, the railroad bridge immediately downstream may have a vertical clearance virtually identical to that for the proposed bridge span but the situation is entirely different. The railroad swing span can be easily opened and shut in a very short period of time, and while open is no deterent to train traffic since practically no trains use the track. The highway bridge span opening is governed by the tide and usually must remain open for hours during a change of tide, and thus becomes a serious deterent to traffic since there is a considerable amount of automobile traffic using this highway and the only other useable crossing of the river for automobile traffic requires an extra drive of about three miles.

Third, the site distance problem is not only one of a vertical curve but also of a horizontal curve, and this problem could be easily and economically corrected by a realignment of the bridge to conform more nearly with the existing highway alignment on both sides of the bridge and by raising the roadway approach sections on each side of the bridge which could be easily done and would provide a much more desireable approach to the Warrenton mooring basin site on the easterly side of the said bridge.

Fourth, our construction company has future plans for use of this navigable waterway above the site of this bridge. We have three work boats requiring vertical clearance of approximately eight feet, three LCM boats requiring vertical clearance of approximately twelve feet, and five pieces of equipment (three hydraulic dredges, a piledriver and a floating derrick) requiring vertical clearances well in excess of twelve feet. Obviously, the boats could get under the existing span at only the MLLW ranges, and

PALMBERG CONSTRUCTION CO.
ENGINEERS AND CONSTRUCTORS
DREDGING ◆ GENERAL ◆ PILEDRIVING
P. O. BOX 991 PHONE 325-1831
ASTORIA, OREGON, 97103

it will be almost impossible for the LCM boats to get under the now proposed span as this would require a tide of 1.5 feet below MLLW. In consideration of existing log rafting operations utilizing the waterway above the bridge, our company has been deferring use of this waterway for our purposes; but it is our understanding that the log rafting operation will terminate about two years hence, and with the developing congestion of vessel moorages in the lower river area, we feel that at that time it will be necessary for us to commence utilizing this waterway. Since the controlling depths in the Skipanon River are very low, there is some question in our mind as to whether or not our vessels could navigate under the bridge span when tides are low enough for necessary clearance. This of course is not a problem on the railroad bridge which can be opened easily. We realize that opening the highway bridge causes serious delays to automobile traffic.

We realize the necessity of not seriously interferring with vehicular traffic on Warrenton secondary highway No. 105; and we would not be adamant in our objections if given reasonable assurances that in the near future a new bridge with adequate provisions for navigation were to be constructed at this location. We refer you to our letter of November 23, 1964, in reply to Public Notice dated 3 November 1964 concerning request by Oregon State Highway Department for permit to close drawspan of highway bridge on Skipanon River, Mile 0.9 at Warrenton, Oregon. The State at that time apparently contemplated constructing a new bridge at this location and our said letter indicated navigation requirements which we consider to be minimum for future developement and use of the waterway.

Very truly yours,

PALMBERG CONSTRUCTION CO.

By H. G. Palmberg
H. G. Palmberg

HGP/j

H. G. PALMBERG

P. O. BOX 991 ◇ PHONE FAIRFAX 8-1831

ASTORIA, OREGON

May 19, 1965

The District Engineer
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Re: Public Notice dated 14 May 1965, file NPPOP-NA-1.4, BR. 408 (Skipanon Riv.-D Bridge).

Dear Sir:

In reply to the reference Public Notice, I wish to state that the Skipanon River above the bridge in question has been a federal navigation project in years past and is still being used to the dam closure approximately one-half mile above this bridge.

I am the owner of a considerable amount of property adjacent to the Skipanon River above this bridge and it is in my future plans to develop moorages and marine industries in the Skipanon River above the site of this bridge. The development would be primarily in connection with recreational boating and industries related thereto.

Since the center beam is not the controlling factor in vertical clearance for passage of vessels, the proposed change will reduce the vertical clearance from 12.59 feet above MLLW to 10.52 feet above MLLW. Since the vertical clearance at high tide is now about the minimum possible for small recreational vessels, it is obvious that a decrease of two feet in this vertical clearance will mean a delay of three to four hours for vessels that can now just barely get under the span at high tide.

In view of the limited unprotected areas for small boats in the Columbia River estuary, the well protected Skipanon River waterway above this bridge will become increasingly useful and necessary in the future for small boats. Since use of the waterway does require a reasonable minimum vertical clearance without span opening and, as is necessary in any developed waterway, will require greater span openings from time to time for passage of floating construction equipment, a higher bridge with bascule span should be provided.

It is suggested that the problem of delays to the vehicular traffic at this bridge crossing could easily and economically be completely eliminated by rerouting this highway across the dam approximately one-half mile upstream. Such rerouting would also serve many other purposes such as easing the flow of traffic in the congested Warrenton business district where all traffic now converges on crossing the existing bridge into Warrenton, providing emergency fire and ambulance passage to east Warrenton and Astoria in the event the existing bridge may be opened for navigation, and provide a flow of traffic

H. G. PALMBERG

P. O. BOX 991 ◇ PHONE FAIRFAX 5-1831

ASTORIA, OREGON

on secondary highway No. 105 unrestricted by bridge openings and by congestion in the City of Warrenton business district.

I wish to reiterate my intention of doing everything possible to protect the Skipanon River waterway above the bridge in question for future navigational requirements; and if the suggested rerouting of the highway is rejected, I feel that some assurance should be obtained from the Oregon State Highway Department that the proposed span will be modified or a new bridge built within the next three years that will provide adequate clearances for navigational requirements.

Very truly yours,

H. G. Palmberg

HGP/j

8851

Form 6308

JUN 1 1 1965

Main
Bridge
Bridge

OREGON STATE HIGHWAY DEPARTMENT
FOR FILING DRAWBRIDGE OPERATOR'S REPORT

For Skipanon River Bridge in Warrenton Bridge, Astoria, Oregon

For the day or period ending midnight of From 1963 back to and thru 1946, 19....

Date	No. of Openings	Gates Closed	Gates Opened	Name of Craft	Up or Down	Tide	Weather	Wind	Operator's Signature
Our Drawbridge records show no openings on the Bridge by the Crab Pot on Hwy 101 during any of these years.									
Our Drawbridge records show no openings for the Skipanon River Bridge in Warrenton by the Railroad track thru the years back to 1954.									
Following openings listed back thru 1946.									
4/21/54	1	1/30p	4/30p	Pokomoko	up	F	Clear	NW Lite	LJH Last
4/26/54	2	6/15p	10/30p	Pokomoko	dn	F	Clear	NW Lite	LJH Opening
3/26/53	1	7/30a	1/10p	Pokomoko	up		Clear	Calm	LJH
3/31/53	2	11/30a	4/00p	Pokomoko	dn		Cloudy	W. Lite	LJH
2/11/52	1	9/40a	4/20p	Dredge Pokomoko	up		Rain	SE Lite	CSA
2/21/52	2	6/15a	11/00a	Dredge Pokomoko	dn		Snow	Calm	FSI
3/5/52	3	4/00a	11/00a	Dredge Pokomoko	up		Rain	NE Lite	FSI
4/22/52	4	8/45a	3/00p	Pokomoko	dn		Clear	NW Brisk	CSA
1/3/51	1	6/45a	12/45p	Brookfield Pokomoko	up		Clear	NE Lite	CSA
1/11/51	2	2/10p	6/00p	Pokomoko	dn		Rain	SW Lite	CSA
5/19/50	1	12/45p	7/30p	Digger	up	F	Cloudy	SW Lite	FTC
5/22/50	2	2/50p	8/30p	Brookfield Digger	dn		Cloudy	NW Brisk	CSA
3/25/49	1	6 hrs	1/15p	Brookfield Dredge	up		Cloudy	NW Lite	CSA
3/28/49	2	7½ hrs	4/30p	Brookfield Dredge	dn		Rain	SW Lite	CSA
2/8/48	1	7 hrs	1/30p	Brookfield Dredge	up	E	Clear	E. Lite	CSA
2/13/48	2	6½ hrs	5/30p	Brookfield Dredge	dn	E	Cloudy	SE Lite	CSA
8/27/48	3	6½ hrs	8/30p	Dredge Pokomoko	up		Rain	SW Brisk	CSA
8/31/48	4	5 hrs	2/50p	Dredge Pokomoko	dn		Clear	Calm	CSA
3/29/47	1	7 hrs.	10/30p	Brookfield Digger	up		Rain	SW Brisk	CSA
4/3/47	2	7½hrs	1/30p	Brookfield Digger	dn		Cloudy	SW Lite	CSA

Total Number of Openings	Maximum Time	Minimum Time	Average Time	Total Time Traffic Delayed

REMARKS (Report fully causes of delay, accidents, etc.): The above reports were copied from our original records onto this sheet Feb. 6, 1963 We found no openings listed in the year 1946. We did not go beyond this year.

Fred S. Illum
Drawbridge Supt.

NOTED
TOM EDWARDS

Fred S. Illum
Chief Operator

STATE PRINTING

FORM E-20 10M 8-62 42900

OREGON STATE HIGHWAY DEPARTMENT

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon

February 8, 1963

SUBJECT:

To: Mr. I. A. DeFrance
Maintenance Engineer
D e p a r t m e n t

Attention: Mr. H. W. Hughlett

Attached is a Drawbridge Operator's Report signed by Fred S. Illum, which he prepared on February 6 of this week by searching his records back to 1947 of openings of the Skipanon River Bridge on the Ft. Stevens Secondary. It shows 20 openings from 1947 through 1954 and none since, the last being on April 26, 1954. These openings were made primarily for the Brookfield Company's dredge, Pokomoko, which had hired out to the Nygaard Rafting Company.

Maintenance Superintendent R. M. Smith states that since 1950, when he went to the Astoria area, he knows personally that we have paid for all of the openings. It is very unlikely that there was ever an occasion since this highway was under the jurisdiction of the State Highway Department that we did not pay for any opening of it.

It is my understanding Assistant State Bridge Superintendent G. D. Anderson made a personal inspection of the site to determine if it would be in the best interest of the State to pursue the matter of requesting the Army Engineers that we no longer be required to open this structure.

R. D. Asburry
Division Engineer

By

G. W. Wimer
Assistant Division Engineer

GWW:AM

NOTED
H. W. HUGHLETT

8651

104-67 D

Salem, Oregon
May 18, 1965

To:

Skipanon Bridge Revision
Astoria-Warrenton Highway

Mr. W. E. Sandquist
Mr. R. M. Smith

RECEIVED
MAY 17 1965

Attached are copies of Maintenance Engineer E. S. Hunter's May 13 letter to George E. Hyde of the U. S. Army Engineers requesting permission to reconstruct the subject structure with but 10.52 feet of vertical clearance above mean lower low water. Also attached is a copy of his May 14 letter to this office indicating that a public hearing will be required. The Army Engineers are agreeable to holding it in two weeks, which is the shortest possible advertising period they are allowed. In the meantime, the Public Relations Department is arranging for a news release and you each are expected to place this structure and the roadway in the safest possible traffic condition.

Smith is to do some local "politicking". Sandquist is to arrange for installation of the Warrenton water line as soon as possible, if they want it installed, and to work around it during subsequent construction. Sandquist also is to, as soon as a permit is secured, recommence construction on an expedited basis. This is to mean that at least two crews are to be utilized on this work.

R. D. Asburry
Division Engineer

NOTED
R. D. ASBURRY

By

G. W. Wimer
Assistant Division Engineer

GWW:AM
cc E. S. Hunter

NOTED

RECEIVED
MAY 18 1965
FOR FILING

Cross Referenced To:
Maint
Hwy
101

Maint
Bridge
Hwy

OREGON STATE HIGHWAY DEPARTMENT

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
May 14, 1965

3498 To:

SUBJECT: Skipanon Bridge
Revision

2732
2767
2914

E. D. Asburry
Division Engineer

B u i l d i n g

Attention: G. W. Wimer
Assistant Division Engineer

The Corps of Engineers advises that they must put the Skipanon Bridge revision out on public notice for a period of two weeks. They are issuing the notice today and this would mean that the earliest we can begin work again would be two weeks from Monday on May 31.

Please see that the job is put in the safest manner possible during this period of time.

It would also be advisable to have Mr. Smith do some local "politicking."

ORIGINAL SIGNED BY E. S. HUNTER

E. S. Hunter
Maintenance Engineer

ESH:je

cc: Tom Edwards

NOTED
TOM EDWARDS

RECEIVED
MAY 17 1965
OFFICE OF
STATE HIGHWAY ENGINEER

8651

RECEIVED
MAY 19 1965
PORTLAND

Marine
Bridges
Draw

2 cr Edmonds

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

NPPOP-NA-1.4
Br. 408(Skipanon Riv.-Bridge)

14 May 1965

NOTED
R. L. PORTER

PUBLIC NOTICE

Application has been received by this office from Oregon State Highway Department, Salem, Oregon 97310, for a Department of the Army permit to modify Skipanon River Bridge #11226 on Warrenton Secondary Highway No. 105 at Warrenton, Oregon. The existing removal span is to be replaced by a new removal span which will eliminate the present vertical curve in the interest of traffic safety. The change will result in a net decrease of 0.5 feet in vertical clearance for navigation, making the vertical clearance 10.5 feet above m.l.l.w., all as shown on the drawing on the back of this notice. The railroad bridge immediately downstream has a vertical clearance of 10.4 feet.

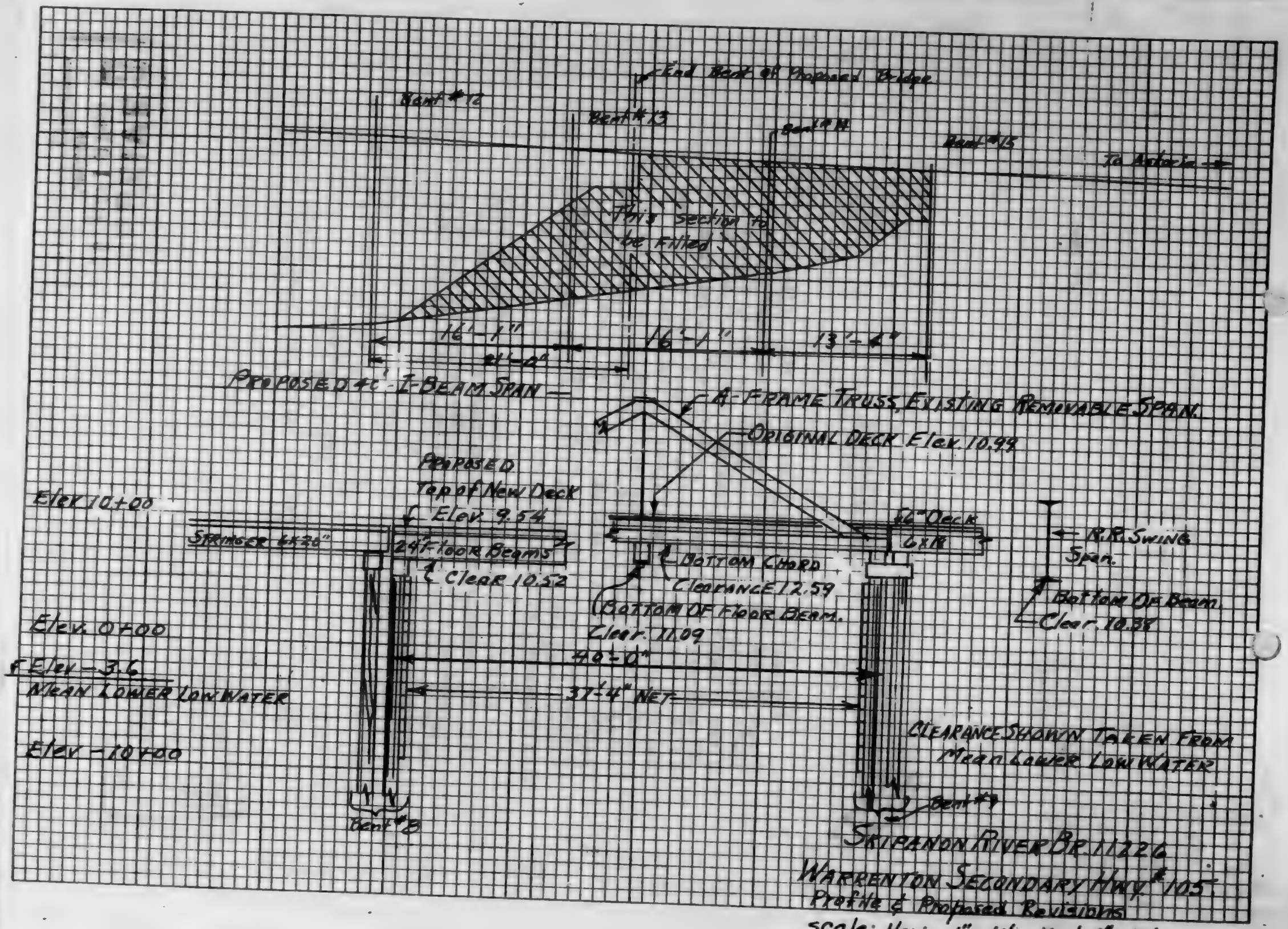
Interested parties are requested to submit in writing, any comments or objections that they may have to the proposed work. Replies to this notice should be mailed to reach this office not later than 28 May 1965 to insure consideration.

George E. Hyde
GEORGE E. HYDE
Chief, Navigation Branch

RECEIVED
MAY 19 1965
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
MAY 19 1965
OREGON
STATE HIGHWAY COMMISSION

Copy to Edmonds
5/19/65


End Bent of Proposed Bridge
Bent #12
Bent #13
Bent #14
Bent #15
To Asbury
Fill Section to be Filled
16'-1"
16'-1"
13'-4"
41'-2"
PROPOSED 44'-0" I-BEAM SPAN
H-FRAME TRUSS, EXISTING REMOVABLE SPAN.
ORIGINAL DECK Elev. 10.99
PROPOSED Top of New Deck Elev. 9.54
Elev 10+00
STRINGER 6"x36"
24" FLOOR BEAMS @ 2'
Clear 10.52
BOTTOM CHORD Clearance 12.59
BOTTOM OF FLOOR BEAM. Clear. 11.09
46"-0"
6"x8"
Elev. 0+00
Elev -3.6
MEAN LOWER LOW WATER
Elev -10+00
37'-4" NET
R.R. SWING Span.
Bottom Of Beam Clear. 10.38
CLEARANCE SHOWN TAKEN FROM Mean Lower Low Water
Bent #3
Bent #4
SKIPANON RIVER BR. 11226
WARRENTON SECONDARY HWY. # 105
Profile & Proposed Revisions
Scale: Horiz. 1"=10' Vert. 1"-10'

F-8651

RECEIVED
MAY 18 1965
FOR FILING

GLENN L. JACKSON, CHAIRMAN
MEDFORD
KENNETH N. FRIDLEY, MEMBER
WASCO
DAVID B. SIMPSON, MEMBER
PORTLAND
FLOYD QUERY, SECRETARY
SALEM

Marine
Bridges
Draw

STATE OF OREGON
STATE HIGHWAY DEPARTMENT
SALEM 10

May 13, 1965

3498

Mr. George E. Hyde
Chief, Navigation Branch
US Army Corps of Engineers
628 Pittock Block
Portland, Oregon

Dear Mr. Hyde:

The purpose of this letter is to answer questions raised in your letter of May 7, 1965, and in Mr. Palmberg's letter to you dated May 5, 1965. For this purpose I enclose plans of our proposed bridge revision and a sketch clearly indicating the clearances above mean lower low water, both before and after the bridge revision, and the relation of these to the existing railroad bridge.

In the interest of greater traffic safety we have lowered the deck elevation of the removable span by two feet. This, in effect, eliminated the crest vertical curve which was contained almost entirely on the structure. It is obvious that a much longer sight distance for automobiles is provided with the grade revision and, hence, a greater degree of safety.

You will note from the enclosed sketch that the old removable span's low point was 11.09 feet above mean lower low water. The proposed clearance for the revised removable span will be 10.52 feet. This, for practical purposes, is the same elevation as that of the railroad bridge which is immediately downstream and on which the bottom of the beam is 10.38 feet above mean lower low water.

Our revision will not lower the highway bridge below the railroad bridge and therefore will not restrict river traffic more than the existing railroad bridge. As you can see, the bridge revision will replace the removable "A" frame span with 24-inch steel floor beams. The new span will be removable, as was the old span, by use of a barge.

I have just received a communication from our field personnel which indicates that Warrenton City Manager Baldwin

NOTED
TOM EDWARDS

has discussed the bridge revision with local people, including Mr. Palmberg. Mr. Baldwin advises that Mr. Palmberg is now withdrawing his complaint since he is aware that the center span will be replaced with a span as easily removed as the existing "A" frame.

We respectfully request that you revise our permit which I understand now reads 15 feet clearance above mean lower low water to read 10½ feet clearance above lower low water. We make this request in the interest of public safety and, we feel, not to the detriment of the Skipanon River traffic.

Since we have crews on the site with equipment ready to continue the work and since the Warrenton City Manager and local townspeople are sincerely interested in improving the sight distance for highway traffic, I am sending this request to you by special messenger. I would appreciate your immediate consideration of the permit revision and, if possible under your existing regulations, your approval so that we may continue the work.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

E. S. Hunter
Maintenance Engineer

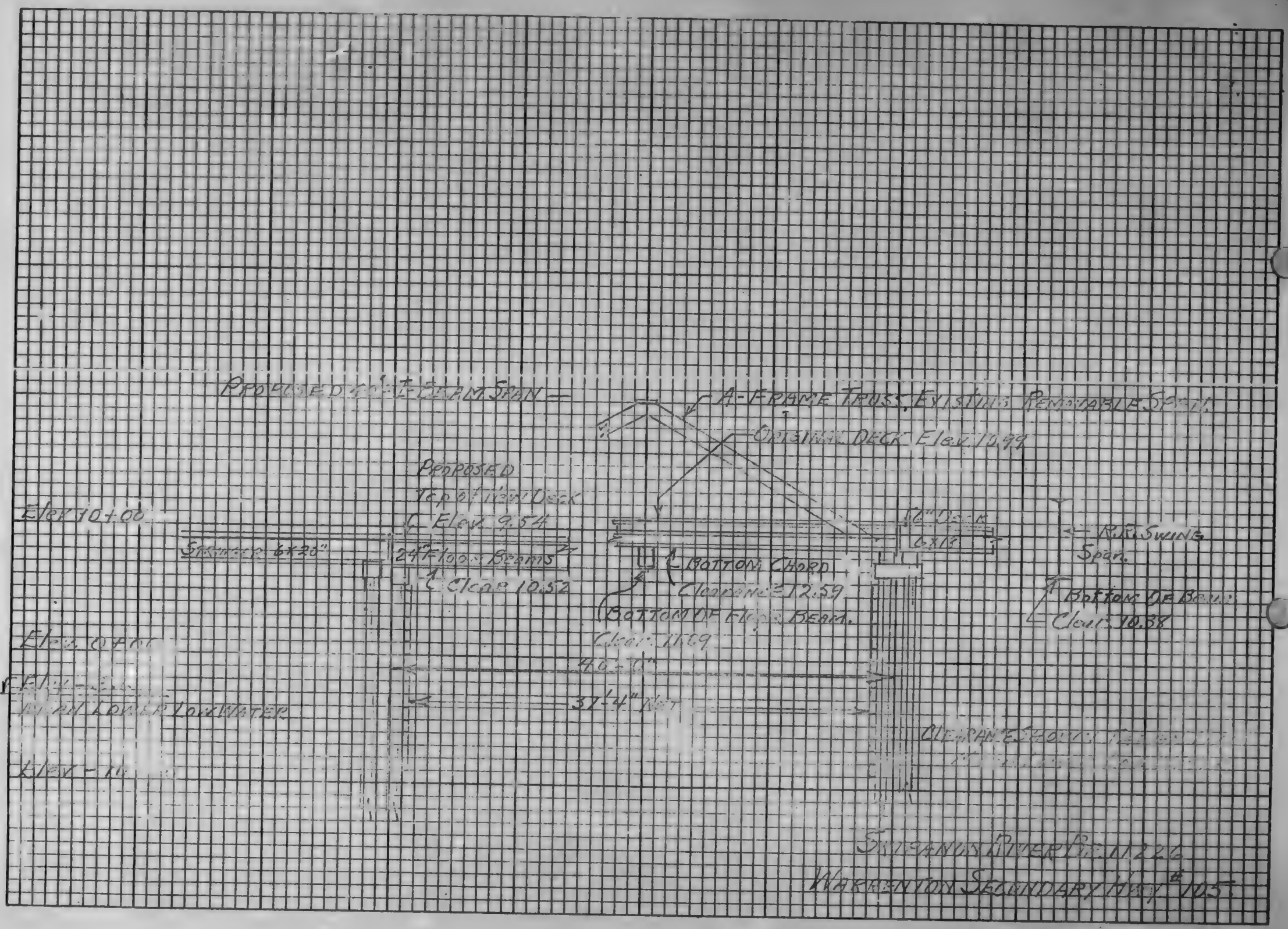
Enclosures

ESH:je

cc: Tom Edwards
G. W. Wimer

RECEIVED
MAY 14 1965
OFFICE OF
STATE HIGHWAY ENGINEER

BRUNING 700-10
10 X 10 TO THE INCH
CHARLES BRUNING COMPANY, Inc.
MADE IN U. S. A.



338

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

REFERRED TO
Edwards
BY DEPUTY STATE HIGHWAY ENGINEER

NPPOP-MA-1.4

REFERRED TO
Admin
BY SECRETARY

7 May 1965

State of Oregon
State Highway Department
Salem, Oregon

Re: Skipanon River Bridge at Warrenton

Gentlemen:

Please refer to your letter of 2 December 1964, same subject, and to public notice Br. 408 (Skipanon Riv.-Bridge) dated 3 November 1964, copy inclosed. By your letter your request for the work covered in the public notice was withdrawn.

Also inclosed is a copy of a letter to this office from Mr. H. G. Palmberg, contractor of Astoria, which raises points which we are unable to answer. We have not received a request for the temporary closure of this bridge for repairs.

Please advise of your plans for repair or alteration of this bridge.

Sincerely yours,

George E. Hyde
GEORGE E. HYDE
Chief, Navigation Branch

2 Incl
1. Public Notice
2. Cpy of Letter

RECEIVED
MAY 10 1965
OFFICE OF
STATE HIGHWAY ENGINEER

Hunter
Rld
Wood

NOTED
VICTOR D. WOLFE

NA

H. G. PALMBERG

P. O. BOX 991 ◇ PHONE FAIRFAX 8-1881

ASTORIA, OREGON

May 5, 1965

The District Engineer
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Dear Sir:

Reference is made to Public Notice, File NPPOP-NA-1.4, Bridge 408 (Skipanon River Bridge), dated 3 November 1964; my letter of November 23, 1964, with reference thereto; and your reply of 4 December 1964.

We note that a reconstruction of this bridge is now taking place in which the vertical clearance under the center span is going to be decreased at least 2 or 3 feet; and further, we do not know whether provisions are being made for opening the bridge at all.

We are not aware of any permit requests covering these present changes, and in view of the fact that the Skipanon River above this bridge has always been a navigable waterway and is intended to be used extensively for small boats in the future, I desire to herewith express my objections to the present changes; and it is further my intention to do everything possible to protect this waterway for future navigational requirements.

Very truly yours,

H. G. PALMBERG

HGP/j

cc

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

NPPOP-NA-1.4
Br. 408 (Skipanon Riv.-Bridge)

3 November 1964

PUBLIC NOTICE

The Oregon State Highway Department, Salem, Oregon 97310, has requested the U. S. Army Engineers to revise existing regulations to permit closure of the drawspan of the highway bridge on Skipanon River, mile 0.9, at Warrenton, Oregon. It is desired to revise and lower the present grade line and vertical curve in the deck elevation 2.4 feet at the center spans for better traffic visibility. It is further proposed to revise and flare the structure at the northeast corner for better street alignment, the structure to be rebuilt to a 28-foot roadway with one 3-foot, 6-inch sidewalk. The deck grade elevation cannot be lowered unless the existing drawspan is discontinued. It is reported that two openings were made in April 1954, and that no openings have been made since that date.

The closed drawspan bridge would provide vertical clearance as follows:

Above mean lower low water	12.6

Letters concerning the effect of the closed drawspan and revised vertical clearance are requested from all interested parties, particularly navigation interests and port and other local authorities. Replies to this notice should be addressed to the District Engineer and mailed to reach this office not later than 2 December 1964.

George E. Hyde
GEORGE E. HYDE
Chief, Navigation Branch

8651

RECEIVED
APR 15 1965
FOR FILING

2

Cross Reference to:
Maint
Hwy 101

Maint
Bridges
Draw-

OREGON STATE HIGHWAY DEPARTMENT

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
April 9, 1965

2932
276
29.4

To: Mr. R. M. Smith
District Maintenance Superintendent
Oregon State Highway Department
Astoria, Oregon

SUBJECT:

In State Highway Engineer Forrest Cooper's September 24 letter to Warrenton Auditor and Police Judge E. R. Baldwin, a copy of which is attached, he promised that we would plan to widen and improve the shoulders on the portion of the Astoria-Warrenton and Fort Stevens Secondaries that form the entrances to that city from the Coast Highway, when funds are available, the inference being, of course, that we would do it this summer when our crew was in that area.

The present schedule for Paving Crew No. 2 calls for them to be in the area before the end of the budget year but not afterwards. Our regular betterment budget has been expended and it is doubtful that we will be able to secure any approved orders to overrun that budget, even though we were assured last fall that we could overrun that budget $36,000.

Would you please contact Mr. Baldwin and explain to him that although we will likely not pave the shoulders when our paving crew is in the area, we have not overlooked the promise and that you will make arrangements to purchase the materials from a local contractor this summer and either have the contractor do the paving or do it with your section crew after the beginning of the next budget year providing there are funds available, which I see no reason to expect that there won't.

Just in case this work can be approved under the current budget, would you please submit orders immediately for consideration.

R. D. Asberry
Division Engineer

By A. — G. Wimer

G. W. Wimer
Assistant Division Engineer

GWW:AM
cc Tom Edwards
E. S. Hunter

NOTED
TOM EDWARDS

RECEIVED
APR 12 1965
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
SEP 25 1964
FOR FILING
Maint

September 24, 1964

3710

Mr. R. H. Baldwin
Auditor & Police Judge
City of Warrenton
Post Office Box 250
Warrenton, Oregon

Dear Bert

The situation referred to in your letter of September 15 at the connection of the old Oregon Coast Highway with the northerly end of the recently constructed North Unit of the Astoria-Long Bilen Bridge has previously been brought to our attention. We believe your suggestion of widening the old highway in this area will help this situation and we will plan on doing this work as soon as funds are available.

We have plans for improving, including widening, of the bridge across the Skipanon River on Highway No. 104. This should be done sometime before the end of this year. It is also planned to widen and improve the shoulders on Highways 104 and 105 when funds are available. We have numerous like conditions throughout the state and must better them in accordance with the funds available and the critical traffic conditions. We will keep these two areas in mind.

Very truly yours,

Burnett Cooper
State Highway Engineer

cc R. L. Porter
Sam Edwards
Victor D. Wolfe
R. D. Ashcroft

RDA:am fn

FORM E-30 80M 12-60 94676

OREGON STATE HIGHWAY DEPARTMENT

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
September 22, 1964

To: Mr. Tom Edwards
Assistant State Highway Engineer
D e p a r t m e n t

SUBJECT: Assignment Edw No. 2710
N. Unit, Astoria-Camp Rilea Section
Oregon Coast Highway

The letter from E. R. Baldwin, Auditor & Police Judge of Warrenton, regarding certain problems arising due to the construction of the North Unit of the Astoria-Camp Rilea Section of the Coast Highway has been studied by this office and found to be essentially true. The connection made from the existing Coast Highway to the new facility at the southerly end of the project (Cn line) is not adequate to permit the free flow of logging truck traffic originating from the direction of Camp Rilea and wanting to continue on easterly on the old highway. It was designed to fit into the traffic pattern when the South Unit is constructed, where all through traffic on the existing highway would have to stop. Now this easterly bound traffic does not have to stop and is a free-flowing movement.

To correct this situation, further widening of this connection could be done on the 200-foot radius curve giving a better alignment for this eastbound traffic. The cost of widening in this area would be very slight, as considerable material was placed in this area during the construction of the subject project, making no more fill needed just additional surfacing.

As for the bridge across the Skipanon River on Warrenton Highway No. 105, orders have been approved and most of the materials have been purchased for the improving of this bridge, said improving to include the widening of the structure. The remainder of this highway to the new Warrenton connection has a surface width of 22 feet. This could quite readily be widened by paving the shoulders to get 12-foot lanes and 4-foot shoulders. We have considered this in the past but due to the traffic that was on this road prior to the opening of the new project it had a very low priority, but should the traffic warrant it we will place it higher on the priority list.

Fort Stevens Highway No. 104 from the main part of Warrenton to a connection with the Oregon Coast Highway has a 20-foot surfacing through most of its length. This section also has been considered for widening and shoulder paving but also has been deferred due to more critical areas

and the lack of funds. We will also place this on a higher priority and see if we can not get it on an early schedule next year.

Attached is a print of Sheet No. 6 of the North Unit, Asteria-Camp Riley Section showing the possible improvement of the connection at the southerly end of the newly constructed section. Also attached is a rough draft of a reply to Mr. Baldwin.

R. D. Asburry
Division Engineer

RDA:AM

RECEIVED
SEP 24 1964
OFFICE OF
STATE HIGHWAY ENGINEER

CITY OF WARRENTON
WARRENTON, OREGON

P. O. Box 250
Telephone 861-2233

September 15, 1964

REFERRED TO
Edwards

Forrest Cooper, Engineer
State Highway Department
State of Oregon
Salem - Oregon

Dear Sir:

The Warrenton City Commission requested that a letter be written to the Highway Department pointing out a dangerous intersection or entrance at Warrenton, Oregon, where old Highway 101 enters the south portion of Smith Point to Camp Rilea cut-off, across Youngs Bay. This is the short dog-leg coming from the Airport-Astoria section of Highway 101, originally intended for entrance into the new paving.

Log truckers maintain it is impossible, coming from the south and going to the Lewis & Clark and Van Vleet dumps, to make this change-over without straddling the yellow line. Since there is an abrupt hill ffom the east approach, there will eventually be an accident because of fast-moving south-bound vehicles meeting a log truck in the wrong lane of traffic.

It would appear the only correction would be to further widen the section of old 101 and the approach to permit log trucks or other long vehicles to keep well to the right when taking the old section of highway toward Astoria.

Another problem created by Youngs Bay bridge is the re-routing of truck traffic through the City of Warrenton from canneries and particularly the Warrenton Lumber Company which makes up to 20 trips per day across the Skipanon bridge to the port docks in Astoria with truck and trailer.

This bridge has long since outlived its usefulness and should be replaced and realigned, accompanied by widening of the shoulders on State Secondary 104 and 105 to the intersection of 101.

It is inevitable that the re-routing and modernization of the highway such as was accomplished by Youngs Bay bridge would bring on problems but it is also evident that the above three suggestions are made as absolute safety factors.

RECEIVED
SEP 17 1964
OFFICE OF
STATE HIGHWAY ENGINEER

Sincerely,

CITY OF WARRENTON

E. R. Baldwin
Auditor & Police Judge

ERB:jb

END OF PROJECT F-115(19)
STA. 175+00.92

Remove Entry Portion

Existing Roads to Jetty Ave.

Connect to Jetty Ave.

EXIST. ORE DOCK

Ore Dock Conveyor

Ore Dock Trestle

Coast Guard Station

Coast Guard Pier

Jetty

Kline Ave

Ireedale Ave

Heron Ave

END OF CONTRACT PROJECT
STA. 178+00.92

T.B.M. R.O.W. MK.

Remove & Reset Aluminum Rail

Remove & Reset Fence

Remove & Reset Gate

Remove & Reset Sign

Remove & Reset Light

Remove & Reset Hydrant

Remove & Reset Mailbox

Remove & Reset Flagpole

Remove & Reset Bench

Remove & Reset Trash Can

Remove & Reset Bollard

Remove & Reset Bicycle Rack

Remove & Reset Newspaper Rack

Remove & Reset Parking Meter

Remove & Reset Traffic Signal

Remove & Reset Traffic Sign

Remove & Reset Traffic Light

T.8N. R.10W. W.M.

Const. Rd. Conn. Lt. & Rt.

Taper 20:1

55' R.

55' L.

7th St.

8th St.

9th St.

10th St.

Tuna Ave.

Marlin Ave.

Lake Ave.

King Ave.

T.8N. R.10W. W.M.

(Future) 3°C.L. Δ 21°20'30" D 66.09' Lrc. 111.31' 600' Sp. @ 0.5

To Camp Rilea

S.E. 13th St.

Edge Pavement (Future)

℄ Alignment (Future)

Const. Guard Rail 162±'

Inst. 1½" Electrical Conduit-SE

To Seaside

Heron Ave.

END OF CONTRACT PROJECT STA. "C" 8+75

ASTOR
FED. ROAD Div. No. 8

Revised 10

8V-18

NORTH UNIT ASTORIA – CAMP RILEA SECTION OREGON COAST HIGHWAY CLATSOP COUNTY				SHEET No. 6
FED. ROAD Div. No.	STATE	PROJECT NUMBER	FISCAL YEAR	TOTAL SHEETS
8	OREGON	F-115(19)		See Index

Revised 10-10-63 Connection to Jetty & 13th St. Added

Comet Rd. Conn. Lt. & Rt.

Taper 20:1

Marlin Ave.

8th St.

9th St.

Lake Ave.

10th St.

King Ave.

11th St.

Fishtrap & Flow Appr.

To Camp Rilea

Alignment (Future)

To Seaside

8651

RECEIVED
DEC 7 1964
FOR FILING

CITY OF WARRENTON

P. O. Box 250
Telephone 861-2233

WARRENTON, OREGON

Cross Referenced to:
Maint.
Hwy
101

Manns
Bridges
Bridw

December 3, 1964

State Highway Department
State of Oregon
Salem - Oregon

Separate

Br.

ATTENTION: Tom Edwards, Assistant State Highway Engineer

Gentlemen:

2732
2767
29 14

I regret the apparent conflict of our interests which shows up in your letter of December 2, 1964.

Actually, the City of Warrenton and the Warrenton Chamber of Commerce are two absolutely different organizations. I happen to be secretary (no salary), and have been for 20-some years, of the Warrenton Chamber of Commerce, and the Board of Directors of that organization, by a resolution, directed that the letter be sent to the Army Engineers. Normally, the Chamber correspondence would have been over the signature of its president, Dr. Rex Butler, and, although the letter would have been identical, I, personally, would have preferred to be out of it. At that particular meeting, Dr. Butler was out of the City and the secretary was given the assignment.

The resolution was based on objections filed with the Chamber by business organizations--Herbert Palmberg, as a contractor and as an individual, Nygaard Rafting Company, the Port of Astoria, and others. The Chamber of Commerce is dedicated to business interests and honestly believes that the bridge can be improved without the loss of possible emergency up-river requirements, such as dredging in the Nygaard log pond or repairs to dikes.

The City of Warrenton, for whom I am city manager, on the other hand, is interested primarily in the construction of a safe, modern bridge and an uninterrupted flow of traffic. I might add here, however, that the majority of the group also believe such a bridge can be built at very little extra cost and still provide for the very rare but possible need for the admitting upstream of necessary equipment.

Both the City and the Chamber, I do know, are interested, with the Highway Department, in a good, modern, safe bridge, and both congratulate the Department on its extremely fine highway system. In this instance, with the development of the conflict, this individual is withdrawing from the controversy.

Sincerely,

CITY OF WARRENTON
City Manager

NOTED
TOM EDWARDS

CHAMBER OF COMMERCE
Secretary

E. R. Baldwin

RECEIVED
DEC 4 1964
OFFICE OF
STATE HIGHWAY ENGINEER

ERB:jb

RECEIVED
DEC 3 - 1964
FOR FILING
Trans
Bridges
Hlaw

Cross Referenced to:
Maint
Hwys
101

December 2, 1964

cc Forrest Cooper
R. L. Porter
E. S. Hunter (Enc.)
R. D. Asburry (Enc.)

Mr. E. R. Baldwin, Secretary
Warrenton Chamber of Commerce
Warrenton, Oregon

2732
2767
2914

Dear Mr. Baldwin:

We have a copy of the letter which the Warrenton Chamber of Commerce directed to the Corps of Engineers over your signature. This letter states "...It is the opinion of the Chamber that the possible damage to business interests far outweighs any small saving by the Highway Department in any construction of the bridge, and is not warranted at this time..."

We wish to set the record straight. The position of the Highway Department has been, as indicated by past correspondence and talks with you, that the travel safety condition could be improved at the Skipanon River if the closure of the drawspan could be achieved, thus permitting lowering of the center portion of the bridge to approximately a 12-foot clearance above the water and improving the grade line. We never, at any time, made any presentation that this would result in a saving of money.

We requested this closure based on your urgings to improve the traffic condition. This bridge has not been opened for 10 years. With the advent of more modern machinery, the objections to closure of this span based on the past record certainly do not appear to have justification. However, the purpose of this letter is to set the record straight and we reiterate that the closure was proposed at your urging in order that the traffic condition might be improved.

We are withdrawing our request for closure, as indicated by the attached letter to the Corps of Engineers, and will proceed in due course of time to rehabilitate the bridge as originally planned.

Attachment

cc Mr. George R. Hyde
Chief, Navigation Branch
Corps of Engineers

TE:jwa

Very truly yours,

Forrest Cooper
State Highway Engineer

By

Tom Edwards
Assistant State Highway Engineer

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

NPPOP-NA-1.4
Br. 408(Skipanon R.-Bridge)

30 November 1964

Oregon State Highway Department
Salem, Oregon 97310

ATTENTION: Mr. Tom Edwards, Asst. State Hwy. Engr.

Gentlemen:

Inclosed for your information and guidance is a copy of a letter from the Warrenton Chamber of Commerce objecting to your proposed revision of regulations and construction of the Skipanon River Bridge.

Sincerely yours,

George E. Hyde
GEORGE E. HYDE
Chief, Navigation Branch

Incl
as stated

RECEIVED
DEC 1 1964
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
DEC - 1 1964
OREGON
STATE HIGHWAY COMMISSION

Warrenton Chamber of Commerce

WARRENTON, OREGON

November 25, 1964

District Engineer
Corps of U. S. Army Engineers
628 Pittock Block
Portland - Oregon

Dear Sir:

The Warrenton Chamber of Commerce, at a regular meeting, has gone on record as opposing the request of the Highway Department for the closure on the Skipanon River, listed as mile post 0.9 at Warrenton, Oregon.

It is the opinion of the Chamber that the possible damage to business interests far outweighs any small saving by the Highway Department in any construction of the bridge, and is not warranted at this time.

Sincerely,

WARRENTON CHAMBER OF COMMERCE

E. R. Baldwin

E. R. Baldwin, Secretary

ERB:jb

8451 RECEIVED DEC 3 - 1964

Form 734-2

FOR FILING

OREGON STATE HIGHWAY DEPARTMENT
DRAWBRIDGE OPERATOR'S REPORT

For Skipanon River Bridge in Warrenton Bridge, Astoria, Oregon

For the ~~day or period ending~~ midnight of From 1963 back to, and thru 1946, 19....

Date	No. of Openings	Gates Closed	Gates Opened	Name of Craft	Up or Down	Tide	Weather	Wind	Operator's Signature
	Our Drawbridge records show no openings on the Bridge by the Crab Pot on Hyy 101 during any of these years.								
	Our Drawbridge records show no openings for the Skipanon River Bridge in Warrenton by the Railroad track thru the years back to 1954.								
	Following openings listed back thru 1946.								
4/21/54	1	1/30p	4/30p	Pakamoko	up	F	Clear	NW Lite	LJH
6/26/54	2	6/15p	10/30p	Pakamoko	dn	F	Clear	NW Lite	LJH
5/26/53	1	7/30a	1/10p	Pakamoko	up		Clear	Calm	LJH
8/31/53	2	11/30a	4/00p	Pakamoko	dn		Cloudy	W. Lite	LJH
2/11/52	1	9/40a	4/20p	Dredge Pakamoko	up		Rain	SE Lite	CSA
2/21/52	2	6/15a	11/00a	Dredge Pakamoko	dn		Snow	Calm	FSI
3/5/52	3	4/05a	11/00a	Dredge Pakamoko	up		Rain	SE Lite	FSI
4/22/52	4	6/45a	3/00p	Pakamoko	dn		Clear	N. Fresh	CSA
1/3/51	1	6/45a	12/45p	Brookfield Pakamoko	up		Clear	NE Lite	CSA
1/11/51	2	2/10p	5/00p	Pakamoko	dn		Rain	SW Lite	CSA
5/10/50	1	12/45p	7/30p	Digger	up	F	Cloudy	SW Lite	FTC
5/22/50	2	2/30p	6/30p	Brookfield Digger	dn		Cloudy	NW Brisk	CSA
3/25/49	1	6 hrs	1/15p	Brookfield Dredge	up		Cloudy	NW Lite	CSA
3/28/49	2	7½ hrs	4/30p	Brookfield Dredge	dn		Rain	SW Lite	CSA
2/8/48	1	7 hrs	1/30p	Brookfield Dredge	up	E	Clear	E. Lite	CSA
2/13/48	2	6½ hrs	5/30p	Brookfield Dredge	dn	E	Cloudy	SE Lite	CSA
8/27/48	3	6½ hrs	8/30p	Dredge Pakamoko	up		Rain	SW Brisk	CSA
8/31/48	4	8 hrs	2/50p	Dredge Pakamoko	dn		Clear	Calm	CSA
3/29/47	1	7 hrs.	10/30p	Brookfield Digger	up		Rain	SW Brisk	CSA
4/3/47	2	7½ hrs	1/30p	Brookfield Digger	dn		Cloudy	NW Lite	CSA

Total Number of Openings	Maximum Time	Minimum Time	Average Time	Total Time Traffic Delayed

REMARKS (Report fully causes of delay, accidents, etc.): The above reports were copied from our original records onto this sheet Feb. 6, 1963 We found no openings listed in the year 1946. We did not go beyond this year.

Fred S. Illum
Drawbridge Supt.

Chief Operator

STATE PRINTING

RECEIVED
DEC 3 - 1964
FOR FILING

Marine
Bridges
Drake

December 2, 1964

Mr. George B. Hyde
Chief, Navigation Branch
U.S. Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Re: HPTCP-Hi-1.4
Br. 408
(Skipanon River Bridge)

Dear Mr. Hyde:

As a result of urgings from the City of Warrenton, as evidenced by the attached correspondence, we requested hearings be held on the closure of the Skipanon River Bridge.

Posting of notices by your organization has resulted in several objections, some of which we believe are valid as evidenced by the past record of the openings of this structure. However, as the record clearly indicates, closure was requested in order that traffic safety conditions might be improved.

In view of the reversal of position of the local interests, we withdraw our request for closure of this structure. We are sorry to have instituted this action and would not have done so had we anticipated that the request from the local interests would be reversed.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

Tom Edwards
Assistant State Highway Engineer

TE:jm

Attachments

cc Mr. E. R. Baldwin, Secretary
Warrenton Chamber of Commerce
Warrenton, Oregon

bc Forrest Cooper
R. L. Porter
E. S. Hunter
R. D. Asburry

9651

RECEIVED
DEC 4 - 1964

Bridges
Draw

OREGON STATE HIGHWAY DEPARTMENT

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
November 23, 1964

To:

SUBJECT: Drawbridge Openings
Skipanon River Bridge
Warrenton

2914

Tom Edwards
Assistant State Highway Engineer
B U I L D I N G

L

We have rechecked all drawbridge records and also checked with the District Maintenance Superintendent office in Astoria and confirm the information which we have previously submitted regarding openings to this bridge to the effect that there have been no openings of this drawbridge since the two openings reported in April, 1954.

E. S. Hunter
Maintenance Engineer

By: H. W. Hughlett
H. W. Hughlett
State Bridge Superintendent

AL:sw

Hughlett
draws

RECEIVED
NOV 23 1964
OFFICE OF
STATE HIGHWAY ENGINEER

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

NPPOP-NA-1.4
Br.408 (Skipanon R.-Bridge)

23 November 1964

Oregon State Highway Department
Salem, Oregon 97310

ATTENTION: Mr. Tom Edwards
Assistant State Highway Engineer

Gentlemen:

Inclosed for your information is a copy of a letter from Mr. G. S. Gray of the G. & A. Logging Company, Seaside, Oregon, objecting to proposed revisions of the Skipanon River Bridge at Warrenton, Oregon.

Sincerely yours,

George E. Hyde
GEORGE E. HYDE
Chief, Navigation Branch

Incl
as stated

RECEIVED
NOV 24 1964
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
NOV 21 1964
OREGON
STATE HIGHWAY COMMISSION

G. & A. Logging Company

Seaside, Oregon
Nov. 19, 1964.

U. S. Army Engineers,
Portland District,
Portland, Oregon.

Gentlemen:

Re NPPOP-NA-1.4, Bridge 408, Skipanon River Bridge at Warrenton.

With reference to the request of the Oregon State Highway Commission for permission to discontinue the lift span when reconstructing the above bridge wish to advise that we object to the bridge being rebuilt without a lift span. Granted that the present span has not been opened since 1954 we feel that there is need for the lift.

Our company, with many others, use the log dump located on the Skipanon River above the bridge approximately one half mile. In years past we have found it necessary to have the bridge opened to permit the passage of a dredge to deepen the water in the area of the dumping grounds. The last time the dredge was there the area was deepened to a depth below the needs at the time so as to avoid having to bring the dredge back soon. The dump man now tells me that they will likely have to dredge again next year.

Very truly yours,
G. & A. Logging Co
G. S. Gray
G. S. Gray, partner.

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

NPPOP-NA-1.4
Br. 408 (Skipanon R.-Bridge)

17 November 1964

Oregon State Highway Department
Salem, Oregon 97310

ATTENTION: Mr. Tom Edwards, Asst. State Highway Engineer

Gentlemen:

Inclosed for your information is a copy of a letter from Mr. Ingvald Nygaard objecting to your proposed revision of regulations and construction of the Skipanon River bridge.

Sincerely yours,

George E. Hyde
GEORGE E. HYDE
Chief, Navigation Branch

Incl
as stated

Hughlett
Please discuss w/me

HWH
11-19-64

RECEIVED
NOV 18 1964
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
NOV 18 1964
OREGON
STATE HIGHWAY COMMISSION

November 12, 1964

Mr. George E. Hyde
Chief, Navigation Branch
U. S. Army Engineer District, Portland
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Dear Mr. Hyde:

This is to advise you that I wish to protest the lowering of the grade line of the highway bridge on the Skipanon River at mile 0.9 at Warrenton, Oregon. Also, it is my thought this bridge should be raised two feet from its present elevation so that there is a vertical clearance of 15 feet under the span, and the span should remain open.

I operate a log boom just upstream from the bridge in question and it is necessary for me to periodically redrive piling them while in my booming grounds and also to have the pocket under the brow log dredged. In order to do this work it is necessary to bring a piledriver and a clam shell dredge through the bridge which naturally means opening the bridge because of the height of these two pieces of equipment. If the bridge were permanently closed I would be forced to terminate my business and if the vertical height were increased it would result in a savings to me as tugs that removed my rafts from my booming grounds will be able to work at advantageous hours and not have to rely on the tide conditions.

I would be happy to discuss the matter with you further in the event you would care to call upon me.

Very truly yours,

Ingvald Nygaard
Box 162
Warrenton, Oregon 97146

Ingvald Nygaard
Rafting Co

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

NPPOP-NA-1.4

19 November 1964

Oregon State Highway Department
Salem, Oregon 97310

ATTENTION: Mr. Tom Edwards, Asst. State Highway Engineer

Gentlemen:

Inclosed for your information is a copy of a letter from the Port of Astoria objecting to your proposed revision of regulations and construction of the Skipanon River bridge at Warrenton, Oregon.

Sincerely yours,

George E. Hyde

GEORGE E. HYDE
Chief, Navigation Branch

Incl
as stated

RECEIVED
NOV 20 1964
OFFICE OF
STATE HIGHWAY ENGINEER

RECEIVED
NOV 20 1964
OREGON
STATE HIGHWAY COMMISSION

At the entrance to the mighty Columbia River

THE PORT OF ASTORIA

TELEPHONE 325-4521 ASTORIA, OREGON 97103

COMMISSIONERS
GEORGE S. GRAY, PRESIDENT
W. B. POHL JR., V. PRESIDENT
ALBERT RISSMAN, SECRETARY
RUSSELL FLUHRER, TREASURER
J. D. WATERHOUSE

RICHARD J. BETTENDORF
GENERAL MANAGER

November 17, 1964

OP-NA

District Engineer
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Dear Sir:

With reference to your notice of 3 November, 1964 wherein the Oregon State Highway Department has requested the closure of the drawspan of the highway bridge on Skipanon River, mile 0.9 at Warrenton, Oregon, the Port of Astoria protests the requested closure. This action was taken by the Board of Commissioners at regular meeting held on 10 November, 1964.

The Commissioners do not oppose the rebuilding of this bridge, in fact, unanimously endorses this improvement to eliminate a serious traffic hazard. However, they believe the retention of a draw span is essential to provide water access upstream from the bridge for floating pile drivers, clam shells and small dredges. Channel maintenance and improvements, dike repairs, shore installations and property development are apt to require the use of floating equipment in the future.

Sincerely,

PORT OF ASTORIA

R. J. Bettendorf

R. J. Bettendorf
Manager

RJB:m

8651
RECEIVED
NOV 9 - 1964
FOR FILING
Harris
Bridges
Crane

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
688 PITTOCK BLOCK
PORTLAND, OREGON 97205

Edwards

NPPOP-NA-1.4
Br. 408 (Skipanon Riv.-Bridge)

3 November 1964

2767 REFERRED TO
Admin
BY SECRETARY

PUBLIC NOTICE

The Oregon State Highway Department, Salem, Oregon 97310, has requested the U. S. Army Engineers to revise existing regulations to permit closure of the drawspan of the highway bridge on Skipanon River, mile 0.9, at Warrenton, Oregon. It is desired to revise and lower the present grade line and vertical curve in the deck elevation 2.4 feet at the center spans for better traffic visibility. It is further proposed to revise and flare the structure at the northeast corner for better street alignment, the structure to be rebuilt to a 28-foot roadway with one 3-foot, 6-inch sidewalk. The deck grade elevation cannot be lowered unless the existing drawspan is discontinued. It is reported that two openings were made in April 1954, and that no openings have been made since that date.

The closed drawspan bridge would provide vertical clearance as follows:

Above mean lower low water	12.6

Letters concerning the effect of the closed drawspan and revised vertical clearance are requested from all interested parties, particularly navigation interests and port and other local authorities. Replies to this notice should be addressed to the District Engineer and mailed to reach this office not later than 2 December 1964.

George E. Hyde
GEORGE E. HYDE
Chief, Navigation Branch

Copy to
Mr. Durgalett
11-6-64

RECEIVED
NOV 4 1964
OFFICE OF
STATE HIGHWAY ENGINEER

NOTED
TOM EDWARDS

RECEIVED
NOV - 1 1964
OREGON
STATE HIGHWAY COMMISSION

8651

RECEIVED
OCT 28 1964
FOR FILING
Miscl
Bridges
Bridges

October 27, 1964

2767

Mr. William O. Ouesa
Acting Chief, Navigation Branch
U.S. Army Engineer District, Portland
Corps of Engineers
628 Pittock Block
Portland, Oregon 97205

Dear Mr. Ouesa:

As requested in your letter of October 13, we are attaching two copies of a drawing showing proposed elevations and revisions for repairing the Siuslaw River Drawspan at Mapleton, Oregon, if and providing the closure of the drawspan is approved.

We again respectfully request and recommend that a new public hearing be advertised and held to revise the existing bridge to permit closure of the drawspan on the Siuslaw at Mapleton.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

Tom Edwards
Assistant State Highway Engineer

Attachments

bc Forrest Cooper
R. L. Porter
H. W. Hughlett

HWH:sw jw

U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS
628 PITTOCK BLOCK
PORTLAND, OREGON 97205

NPPOP-MA-1.4
ER-408 (Skipanon R.-Bridge)

13 October 1964

Mr. Tom Edwards
Oregon State Highway Department
Salem, Oregon 97310

Dear Mr. Edwards:

In reply to your letter of 9 October 1964 you are requested to submit a revised plan and application for the proposed changes in the Skipanon River bridge at Warrenton.

After publication of proposed changes in a notice to all interested parties a public hearing may be held at the discretion of the District Engineer.

Please include the following statement on revised plans "Mean lower low water corresponds to an elevation of 3.6 feet below mean sea level".

Your application will receive prompt attention upon receipt in this office.

Sincerely yours,

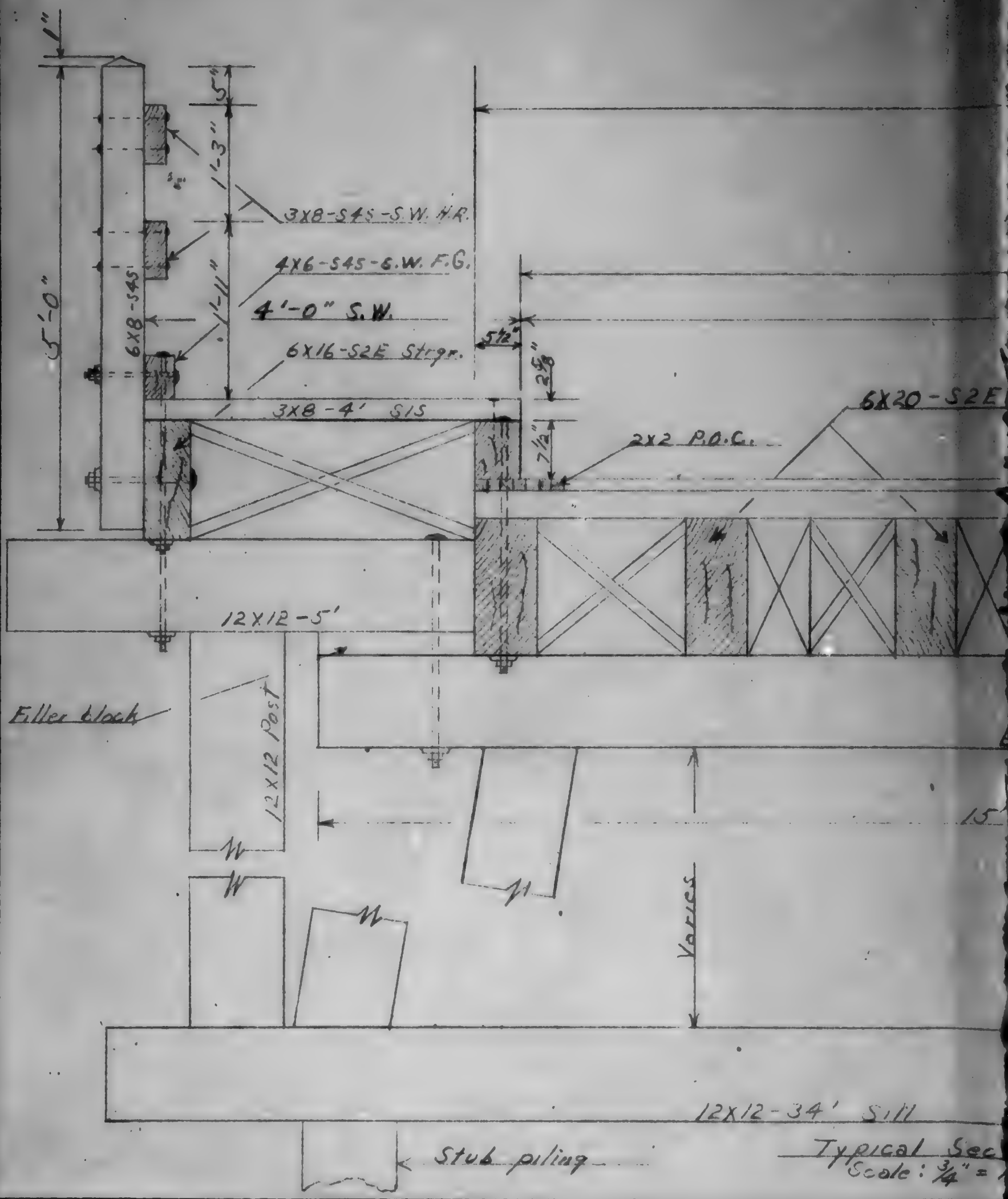
William O Owens

WILLIAM O. OWENS
Acting Chief, Navigation Branch

RECEIVED
OCT 14 1964
OFFICE OF
STATE HIGHWAY ENGINEER

ROAD DES. DIV. CHIEF DESIGNER

BRIDGE DIV. PR. DESIGN ENGR.
BR. DESIGN ENGR.
ASST. BR. ENGR.



30'-0"

3X10-S4S-

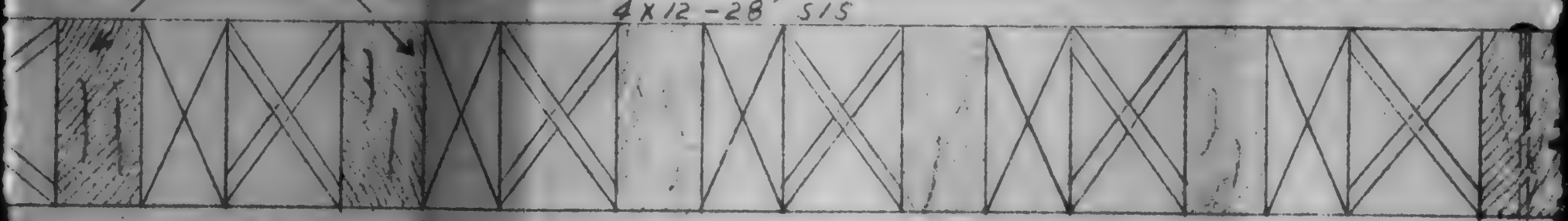
Net Rdwy. 28'-9"

14'-6½"

6X20-S2E Stngrs.

x2 P.O.C.

4X12-28' S1S



Existing-12X12-32' Cap

15'-6"

Varies

12X12-34' Sill

Typical Section
Scale: ¾" = 1'-0"

PRELIMINARY

OREGON STATE HIGHW
BRIDGE DIV

SKIPANON RIVER
- APPROACH BEN
H-15 LOAD

APPROVED:	DATE Jul
	DESIGNED
BRIDGE ENGINEER	DRAWN G

30'-0"

3X10-S4S-H.R.

Net Rdwy. 28'-9"

14'-6½"

14'-2½"

1½"

8"

6"

1"

1'-9"

11½"

8X8-S4S

...trgrs.

4X12-28' S1S

...isting 12X12-32' Cap

14'-6"

PRELIMINARY SKETCH

OREGON STATE HIGHWAY DEPARTMENT
BRIDGE DIVISION

SKIPANON RIVER BRIDGE - HWY. 105
APPROACH BENTS DETAIL
H-15 LOADING

APPROVED:

BRIDGE ENGINEER

DATE June 1, 1964 BRIDGE NO. 11226-A
DESIGNED GDA . H.W. Hughes
DRAWN GDA DRAWING NO.

ASTORIA

59

ALBANY ST.

SKIPANON

70

Proposed Fill

E. Eastga Ave.

72+99.7

Δ 16°23'30"

Bent #15

RIVER

Bent #15

EXISTING BRIDGE

Bent #

75'

76+66.0
Δ 37°41'30"

79+50.2
Δ 13°05'30"

80

)sed Fill

PROPOSED WIDENING

22+89.7
Δ 16°23'30"

S. P. & S. R. E.

E. Eagle Ave.

FLOW
EBB

PLAN SCALE 1 inch

N

WARRENTON

79+50.2
Δ 13°05' 30"

80

SCALE 1 inch = 100 feet

WARREN COM

EXISTING BULK

Elev. 20.00

Elev. 10.00

16'-10"

17'-11"

Note: Mean Lower Low Water corresponds to elevation of 3.6 feet below Mean Sea Level.

existing piers

16'-8"

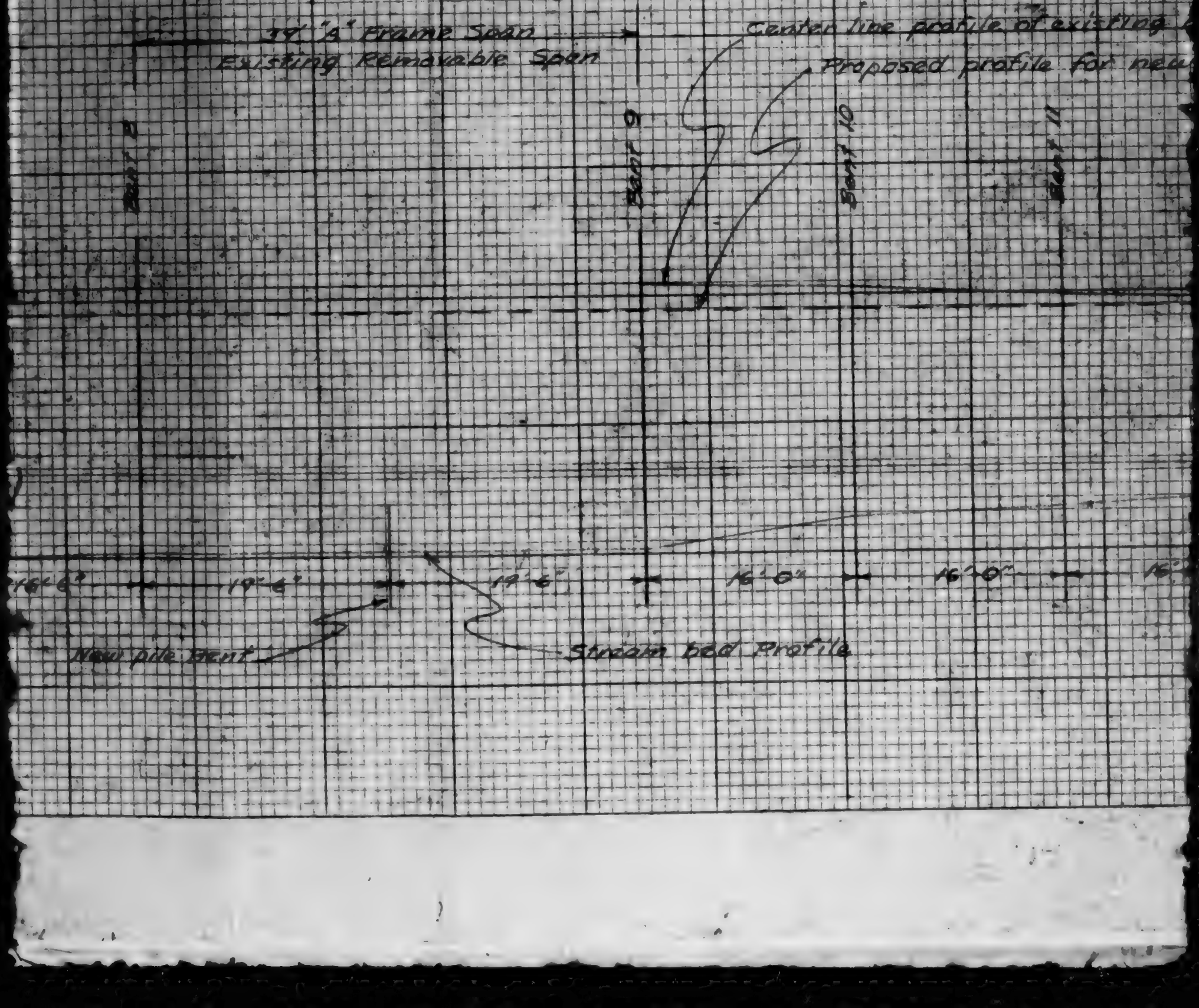
16'-4"

16'-0"

16'-0"

16'-6"

New pile Be


30' 3" Frame Span
Existing Removable Span
Center line profile of existing
Proposed profile for new
New pile Bent
Stream bed Profile

existing bridge deck

For steel bridge deck

Shaded section to be filled

Sta. 12+48.15 ± Ahead

SKIPANO

WARREN

PROFILE a

Horizontal

15'-4"

15'-1"

15'-1"

13'-8"

21'-0"

End Bent of proposed bridge

Shaded section to be filled

ASTORIA →

SKIPANON RIVER BRIDGE # 1226
WARREN TON SECONDARY HIGHWAY MAP 6.2
PROFILE and PROPOSED REVISIONS
Horizontal & Vertical Scales 1 inch = 10 feet

Approximate location of Center Line

Approximate location of Center Line

Approximate location of Center Line

RECEIVED
OCT 9 - 1964
8651
FOR FILING

Maint
Bridges
Drdg

October 9, 1964

District Engineer
U.S. Army Engineers
628 Pittock Block
Portland 5, Oregon

Dear Sir:

Due to proposed reconstruction and repairs to the Skipanon River Drawspan Bridge at Warrenton, Oregon, Mile Point 0.17 on the Warrenton Secondary Highway 105, the City of Warrenton has reviewed and reversed their decision on the actual need of maintaining the existing drawspan. City officials have stated they will withdraw their previous objections and will promote locally the closure, provided another hearing is held for its discontinuance.

It is proposed that the Highway Department revise and lower the present grade line and vertical curve in the deck elevation approximately two feet at the center spans for better traffic visibility. It is further proposed that the Highway Department revise and flare the structure at the northeast corner for better street alignment, the structure to be rebuilt to a 28-foot roadway with one 3-foot, 6-inch sidewalk. The deck grade elevation cannot be lowered unless the existing drawspan is discontinued. Our records show two openings were made in April, 1954, and no openings have been made since that date.

We respectfully request and recommend that a new public hearing be advertised and held for revising the existing bridge plan to permit closure of the drawspan on the Skipanon River at Warrenton.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

Tom Edwards
Assistant State Highway Engineer

bc Forrest Cooper
H. L. Porter
E. S. Hunter

HWH:ia jw

865

RECEIVED
OCT 8 - 1964
FOR FILING

Maint

2752

Salem, Oregon
October 6, 1964

Skipanon River Bridge
Warrenton Secondary Highway

Mr. R. L. Porter

As per our discussions concerning the Skipanon Bridge, it will be widened to 28 feet, all on the north side. A flare will be added on the northeast corner.

I have asked the Division to delineate the road approach about which Senator Dan Thiel complained.

TE:jv

Tom Edwards
Assistant State Highway Engineer

cc Forrest Cooper
E. S. Hunter
R. D. Asbury

8651

RECEIVED
OCT 2 - 1964
FOR FILING

October 2, 1964

1732

Mr. E. R. Baldwin
Auditor and Police Judge
City of Warrenton
City Hall
Warrenton, Oregon

Dear Mr. Baldwin:

This will acknowledge receipt of your September 24 inquiry concerning repairs to the Skipanon Bridge on the Warrenton Secondary Highway 103.

The piling supporting this structure were, to a great extent, renewed in recent years. The current work, which is a Minor Betterment project, proposes to widen the deck to 26 feet and provide a 3½-foot sidewalk.

The horizontal alignment across this structure, while not up to modern standards, does not seem too unreasonable for the 25-mile-per-hour speed zone now in existence, and to realign and build a new structure would require the purchase of additional right-of-way and some grading rather than the contemplated Minor Betterment job.

It is our opinion that if the draw can be permanently closed the current job could include considerable improvement in the vertical alignment. To us, this seems more critical than a complete horizontal correction.

Any comment you care to make on this proposal will be appreciated and will be given full consideration.

Very truly yours,

Forrest Cooper
State Highway Engineer

By

R. L. Porter
Deputy State Highway Engineer

cc Forrest Cooper
Tom Edwards
Victor D. Wolfe

RLP:ms bbc

CITY OF WARRENTON

WARRENTON, OREGON

P. O. Box 250
Telephone 861-2233

September 24, 1964

Warrenton Hwy

RETURNED TO
Edwards
Please advise

Mr. Forrest Cooper
State Highway Engineer
Oregon State Highway Department
Salem - Oregon

Dear Mr. Cooper:

Since the City of Warrenton wrote its last letter pointing out what seemed to be some minor deficiencies in the State Secondary 105, we notice that lumber has been accumulated for the repair of the Skipanon Bridge, which was a part of the earlier objection.

Firsthand information also shows that within the last few months, repairs have been made to bents and sills of the present bridge. Substantial replacement 3 yrs.

Porter

The protest against the alignment of this bridge is due to the fact that the early settlers built the bridge perpendicular to the river bank for ease of construction and that the highway on both sides hits it at an adverse angle. The elimination of even ten degrees of this angle would be most desirable so that, coupled with any widening of the bridge, it would be modern enough to take traffic for the next ten or fifteen years, which traffic is estimated to have doubled since the construction of the new Youngs Bay Bridge.

It is highly possible that there would be some waste from the present improvement to the piling and bents but probably not more than one-third of this would be involved in the realignment.

The City earlier had objected to the closure of this span to navigation but it is believed that a reversal of this attitude would be preferable to re-building the bridge in exactly the same position as at present. If there is not sufficient highway right-of-way and additional property would be necessary the City does own a parking lot immediately east and west of the bridge which could be encroached upon. Also the City will move any water lines or any other right-of-way necessary to help make the adjustment.

Again we strongly urge that good engineering would not indicate the present site.

Sincerely,

CITY OF WARRENTON

E. R. Baldwin

E. R. Baldwin
Auditor & Police Judge

Hunter 21

ERB:jb

RECEIVED
SEP 28 1964
OREGON
STATE HIGHWAY COMMISSION

Copy to RC

8651

FORM ST30 5OM. 7-00 2000S

OREGON STATE HIGHWAY DEPARTMENT

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
October 2, 1964

SUBJECT:

To: Mr. Tom Edwards
Assistant State Highway Engineer

O F F I C E

Please see me relative to repairs on the Skipanon River Bridge on the Warrenton Secondary Highway at Warrenton.

Senator Dan Thiel was in the office today with a definite request. He left the attached photos for our file.

R. L. Porter
Deputy State Highway Engineer

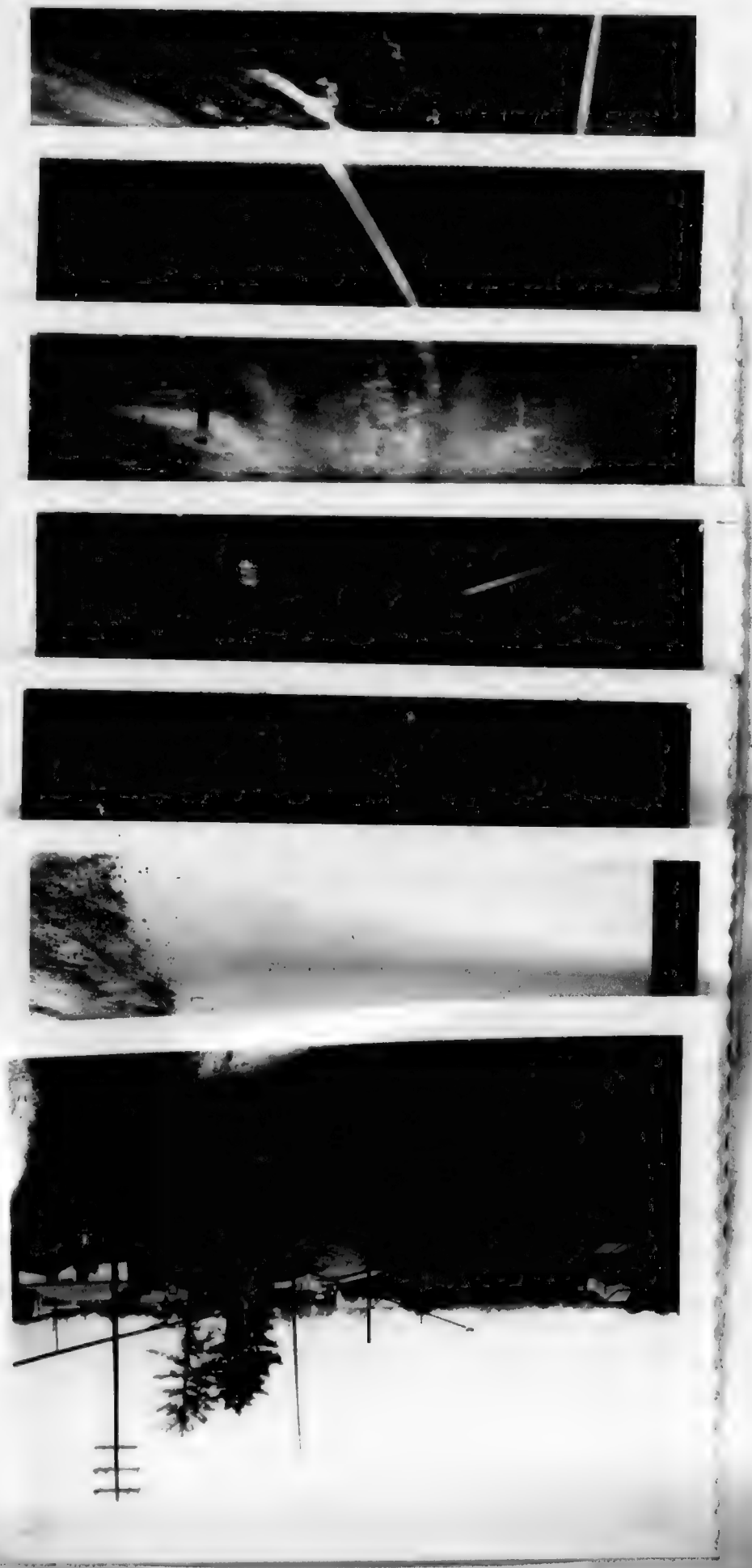
RLP:ms
att.
cc Mr. Forrest Cooper

Write memo

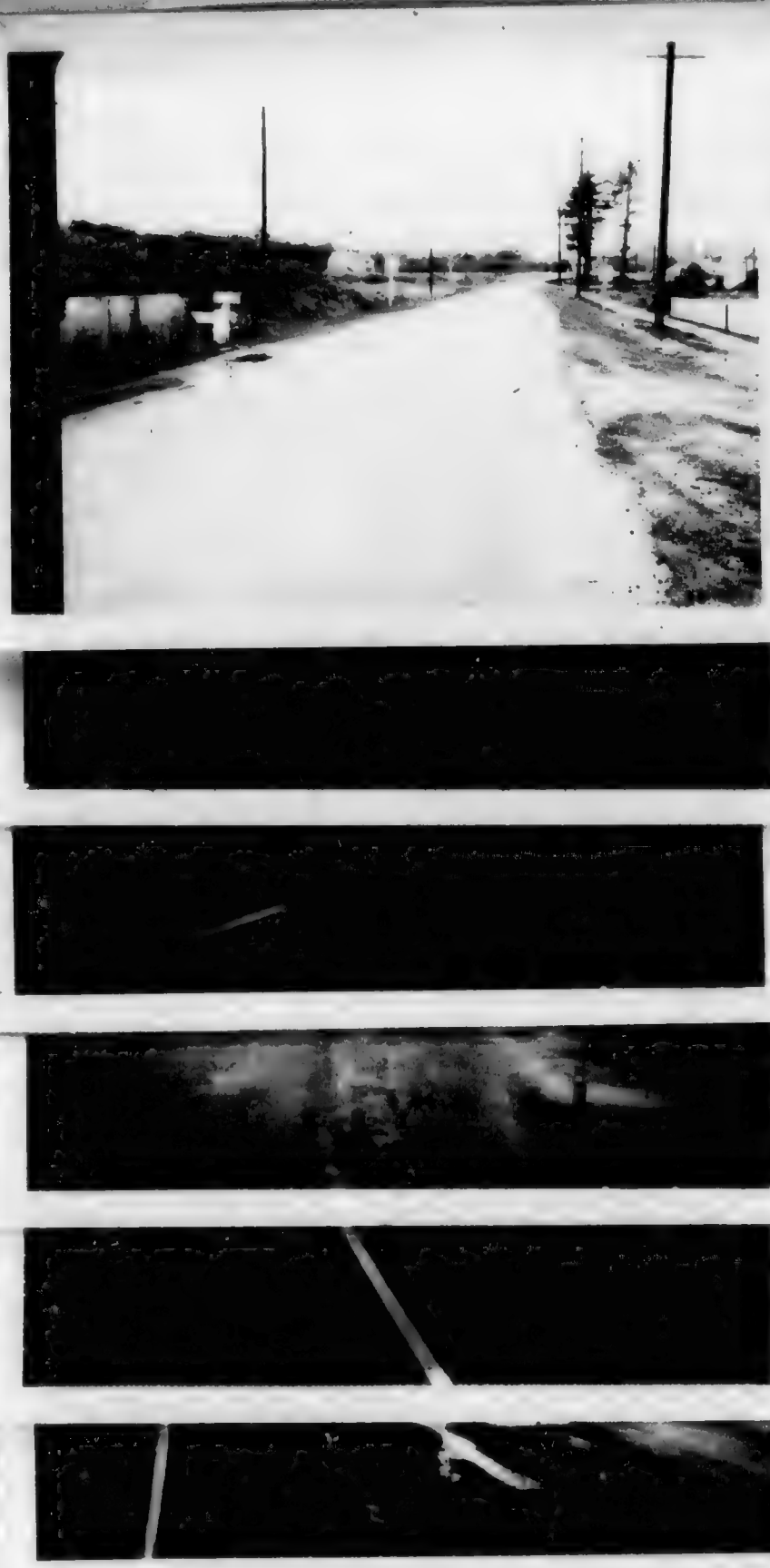
To Porter

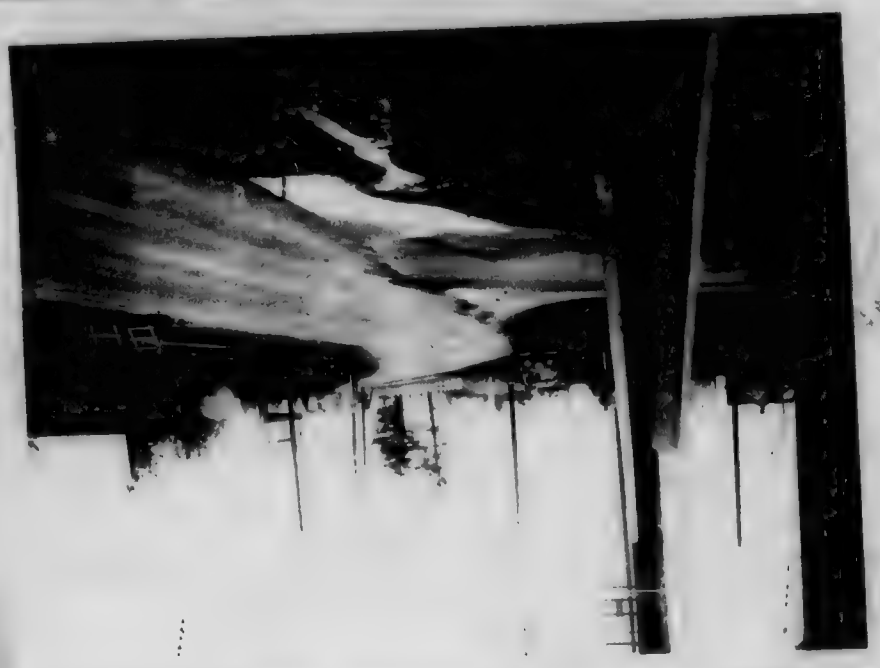
As per our discussions concerning the Skipanon Bridge, it will be widened to 28' all on the north side. A flare will be added on the Northeast corner. I have asked the division to delineate the road approach about which Mr. Thiel complained.

2



7





8657

FORM S-00 REV. 12-47

OREGON STATE HIGHWAY COMMISSION

INTER-DEPARTMENT CORRESPONDENCE

Salem, Oregon
May 12th, 1949

104-67

SUBJECT: Skipanon River Bridge
MP 00.17 on Warrenton Sec. Hwy.

To: Mr. F. D. Eason
Division Engineer
Salem

RECEIVED
MAY 13 1949
DIVISION ENGINEER

L

Dear Sir :

This is for your information regarding the drawspan at Skipanon River at MP 00.17 on the Warrenton Sec. Hwy.

Attached find tabulated sheet showing opening dates, type of equipment opened for, owners, size & length, & time the Highway was closed for each opening.

In 1946, when the state acquired this highway from Clatsop county, inspections were made of the structure & recommendations were made at that time for replacing with a steel lift span. I find that the Bridge Dept. drew up such plans & had estimated the cost of replacing structure complete at $50,000.00, however it was never approved for construction.

The condition of the structure was such that it was necessary to rebuild in 1948, for which $15,900.00 was budgeted. To now replace the present 40' removable A-truss with 40' steel beam deck girders, hinged for lifting, would cost approx. 10,000 to $12,000.00. This type of lift span would require either towers or a removable A-Frame, using a heavy truck & cables for lifting the span. We have such a structure across this same river on the Ore. Coast Hwy. MP 08.61. Opening & closing operations time on this type of structure would be about 1½ hrs.

The possibility of having this bridge closed against openings for barges & log rafts I believe is nil, as I find that for years past this stream has been used as for rafting & barging purposes & approved as such by the War Dept.

It would be my recommendation that as long as there is less than the three openings & closures per year on this structure, that thepresent removable A-Truss be utilized. Then at such time as it is necessary to replace the truss, replace with deck girders hinged for lifting.

Yours truly,

H. W. Hughlett

H. W. Hughlett
Bridge Supt.

cc - I. A. De France

.8652 Shore Acres State Park on 1977
Cape Arago Hwy. 13 mil. southwest
of Coos Bay (Toilet building)

8652

UNITED STATES DEPARTMENT OF COMMERCE
Economic Development Administration
Washington, D.C. 20230

JUN 2 1980

Mr. C.T. Keasey, Construction Engineer
Oregon Department of Transportation
State Highway Division
Transportation Building
Salem, Oregon 97310

Re: EDA Project Number: 07-51-23613
Shore Acres State Park Toilet Building

Dear Mr. Keasey:

We would like to take this opportunity to advise you that the Economic Development Administration has closed out your grant on the above-referenced project. EDA has accepted $ 80,756 as the final eligible project cost and $ 80,756 as EDA's share. The total grant amount was $ 95,000.

Please be advised that financial records and as-built drawings pertaining to this project must be maintained for three years. We hope the project has fulfilled your original expectations, and we would like to thank you for the cooperation extended to our staff throughout the Local Public Works program.

Sincerely,

for Laurence D. Pitsenberger
Director for Local Works

RECEIVED
JUN 9 1980
CONSTRUCTION BRANCH
Richards
Johnson
Gebauer
Church

6-9-80
cys to:
Highway Accounting
Parker
(Project Management)

8652

August 7, 1978

Safeco Insurance Company of America
1500 S.W. First Avenue
Portland, OR 97201

Gentlemen:

On August 4, 1978, we wrote to you concerning release of final payment on Contract No. 8652 awarded to Baughman & Son, Inc., for work in Shore Acres State Park on the Cape Arago Highway in Coos County.

Final payment on this contract is $4,037.82 and the total contract amount is $80,756.33. No work was performed under force account.

Very truly yours,

C. W. Mead
[redacted]

dda

cc Baughman & Son, Inc.
2770 Woodland Drive
Coos Bay, OR 97420

Safeco Insurance Company of America
4347 Brooklyn Avenue N.E.
Seattle, WA 98105

bc C. T. Keasey
Walt Hart
Alfred Shirley

8652

FORM 81-734-5801

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Shore Acres State Park	WEEK ENDING: July 15, 1978	
	SECTION PREFIX: 6-8205	
HIGHWAY: Cape Arago	COUNTY: Coos	
NAME OF JOB: Shore Acres State Park	KIND OF WORK: Toilet Building	
CONTRACTOR: Baughman & Sons, Inc.	CONTRACT NUMBER: 8652	FEDERAL AID PROJECT NUMBER: EDA 07-51-23613
DATE OF CONTRACT: December 17, 1977	DATE WORK STARTED: January 16, 1978	ESTIMATED COMPLETION DATE: June 16, 1978
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 0 SUPERVISION: 0	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS	CALENDAR DAYS USED
PROJECT AUTHORIZATION: $91,828.72	SPECIFIED COMPLETION DATE: June 30, 1978	PERCENT OF TIME ELAPSED: 100%
EXCLUSIVE OF ENGINEERING: $83,808.74	ENGINEERING AUTHORIZATION: $8,019.98	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 100%
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $80,756.23	ENGINEERING COST TO DATE: $7,500.00	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION
ESTIMATED PERCENT: ~~OVERRUN~~ UNDERRUN 3.6 %	PERCENT OF AUTHORIZATION 96 %	DATE PROJECT WAS COMPLETED: June 16, 1978

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT					
MILES PARTIALLY COMPLETED					
MILES COMPLETED					
TOTAL ESTIMATED QUANTITIES (CONTRACT)					
TOTAL QUANTITIES CORRECTED TO DATE					
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE					
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

None

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.								
PERCENT								

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY.
SUNDAY 9				
MONDAY 10				
TUESDAY 11				
WEDNESDAY 12				
THURSDAY 13				
FRIDAY 14				
SATURDAY 15				

RECEIVED
JUL 17 1978
CONSTRUCTION BRANCH

Kessey, Jackmond, Hopkins, Williams, Johnson, Stein, Richards, Burg., Gebauer, Church

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY 9	
MONDAY 10	-Project completed 6/16/78 No work all week..
TUESDAY 11	
WEDNESDAY 12	
THURSDAY 13	
FRIDAY 14	
SATURDAY 15	

REMARKS

Mr. George Hopkins visited project on July 12th.

Semi-final was mailed to Roseburg on July 13th.
Mr. Evan Stall, U.S. General Accounting office met with me on July 13th.

No further reports.

SIGNED Eugene H Clark LOCATION Coquille

Res. Engr.

PRIME RESIDENT SUBMIT 2 COPIES. WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES.

SP-F216

Form 83-734-1384 (9-77)

8652

Oregon Department of Transportation
HIGHWAY DIVISION

PROJECT INSPECTION REPORT

Intermediate ☐
Final ☒

Project Name				Contract No.
Shore Acres State Park (Toilet Building)				8652
Highway			County	Prefix No.
Cape Arago			Coos	6-8205
Contract Time Elapsed 100 %	Contract Work Completed 100 %	Contract Work Quality	Contract Work Progress	F.A. Project No.
		Good	Satisfactory	EDA 07-51-23613
Inspection date		By		
7-12-78		George Hopkins		
In company with				
E. H. Ash				

REMARKS
(Scope of inspection, Findings, Recommendations, Instructions, etc.)

The project is completed and is a very good looking job. The color scheme, is especially good - very pleasing to the eye. The rock work looks very good, however some of the rock are laid horizontal with projections along which children might climb; however these could probably be broken off if it proved objectionable later on without detracting from the general appearance. The lawn has been seeded and is coming along very well.

5

(USE ADDITIONAL SHEETS AS REQUIRED)

FINAL INSPECTION CHECKLIST

_____ Date opened to traffic or in operation
_____ Date of Second Notification
_____ Date Contractor's notice for semi-final inspection received
_____ Date Contractor removed equipment, plant, etc.
_____ Estimated submittal date of semi-final estimate
_____ Recommended acceptance date of completed contract work

Original to: Construction Engineer
Copy to: Region Engineer
District Engineer
Resident Engineer
Project Mgt. (Final Only)
FHWA (Final F.A. Only)
Project Engineer (If Applicable)

Signed George D Hopkins

Title Field Engineer

NOTED
RICHARD UNREIN

1652

OREGON STATE HIGHWAY DIVISION

May 23, 1978

HIGHWAY BUILDING • SALEM, OREGON • 97310

C. Mark Smith, Regional Director
U.S. Department of Commerce
Economic Development Administration
1700 Westlake Avenue North
Seattle, WA 98109

Attn: Mr. Bill England
Project Management Specialist
Civil Rights Division

Re: EDA Project 07-51-23613
State Contract 8652
Shore Acres State Park
Request for Partial Waiver
Grantee: Oregon Department of Transportation, Highway Division

Dear Mr. England:

Pursuant to C. Mark Smith's May 12, 1978 letter that denies Benall Sales & Supply as a bona fide supplier, we hereby request a partial waiver for the referenced project.

Initially we assumed that the 10% minority business utilization requirement was met by approving our Prime Contractor's subcontract with C.L.U.S.I.T. (4.4% of original grant) and plumbing material supplier, Benall Sales & Supply (5.6% of original grant).

Currently we have approved a total of eight (8) subcontracts for this project that total 45.3% of the contract amount (C.L.U.S.I.T. is the only minority business subcontractor). Our Standard Specifications for Highway Construction limits a prime contractor to subcontract no more than 50% of the

NOTED
H.S.COULTER

RECEIVED
STATE HWY ENGR
MAY 24 '78
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

contract work. If a subcontract amounting to 5.6% was required, this would violate our 50% limitation; to void an existing subcontract would be unethical.

A review of the project work status (as of May 20) indicates the project is 91% complete. At this stage, most of the subcontract work is essentially done, or at least started.

Considering the overall project status, it would seem difficult to meet the 10% minority business utilization requirement at this time.

We request that this project's Minority Business Utilization be reduced to 4.4% of the original grant.

Thank you for your consideration.

Very truly yours,

C. T. Keasey
Construction Engineer

By Garald Inloes

Garald Inloes
EEO & Labor Compliance
Coordinator

GI:mk

bc: H. S. Coulter
D. H. Moehring
Larry Jacobsen
E. H. Ash
Marsha Ryan

Attachment No. 1

#8652

U.S. DEPARTMENT OF COMMERCE
Economic Development Administration
1700 Westlake Avenue North
Seattle, Washington 98109
(206) 442-7000

April 24, 1978

Mr. C. T. Keasey
Construction Engineer
Oregon State Highway Division
Highway Building
Salem, Oregon 97310

RECEIVED
APR 28 1978
CONSTRUCTION BRANCH

Re: EDA Project Number 07-51-23613
Shore Acres State Park Toilet Building

Dear Mr. Keasey:

In reference to your letter of March 28, 1978, requesting a project budget revision, EDA has reviewed and approved the request, effective April 20, 1978.

We have enclosed the new approved budget (Form ED-508). As you have previously been advised, expenditures are not to exceed any budget line item without prior EDA approval.

Sincerely,

David L. Witachi

for Donald L. Gould
LPW Division

Attachment: Form ED-508

NOTED
H.S.COULTER

RECEIVED
STATE HWY ENGR
MAY - 1 '78
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

4-28-78
cpy to: Coulter ✓
Skoog
Bracking
Isaacson

LOCAL PUBLIC WORKS PROJECT LINE ITEM ESTIMATED COSTS

EDA Project No. 07-51-23613 State Oregon County Coos Co.

Line Items	Previous	Approved Revision
Administrative Expense	$ 700	$ 700
Architectural/Engineering (Updating and/or completion of Plans and Specifications)	2,000	2,000
Other Architectual Engineering Fees	400	400
Project Inspection Fees	-0-	-0-
Relocation Expenses		
Relocation Payments to Individuals and Businesses		
Demolition and Removal		
(a) Labor	1,950	1,950
(b) non-Labor	470	470
Construction and Project Improvement		
(a) Labor	38,200	38,260
(b) non-Labor	39,600	39,643
Equipment		
Contingencies	11,680	11,577
Total Estimated Costs	$ 95,000	$ 95,000

Remarks:

Effective Date: April 20, 1978.

USCOMM-DC 18761-P76

8652

ROBERT W. STRAUB
GOVERNOR

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

March 28, 1978

U. S. Department of Commerce
Economic Development Administration
1700 Westlake Avenue North
Seattle, WA 98109

Attn: Mr. Bill England
Project Management Specialist
Civil RIghts Division

Re: Request for Budget Revision
EDA Project No. 07-51-23613
Contract No. 8652

Gentlemen:

We request a budget line item revision for the subject project, as shown on the attached copy of the approved budget. (Form ED-508.)

A copy of the change order modifying the project work is also attached.

Very truly yours,

ORIG. SIGNED BY
WARREN RICHARDS

C. T. Keasey
Construction Engineer

CTK:mk

Attach.

bc: H. S. Coulter
V. E. Skoog
D. H. Moehring
Gareld Inloes
Larry Jacobsen

FORM ED.308 LPW

U.S. DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION

Attachment No. 1

LOCAL PUBLIC WORKS PROJECT LINE ITEM ESTIMATED COSTS

EDA Project No. 07-51-23613 State Oregon County Coos Co.

Line Items	Previous	Approved Revision	Requested Revision
Administrative Expense	$ 700	$ 700	700
Architectural/Engineering (Updating and/or completion of Plans and Specifications)	1,000	2,000	2,000
Other Architectual Engineering Fees	-0-	400	400
Project Inspection Fees	8,000	-0-*	-0-*
Relocation Expenses			
Relocation Payments to Individuals and Businesses			
Demolition and Removal			
(a) Labor	1,700	1,950	1,950
(b) non-Labor	-0-	470	470
Construction and Project Improvement			
(a) Labor	30,800	38,200	38,260
(b) non-Labor	48,700	39,600	39,643
Equipment			
Contingencies	4,100	11,680	11,577
Total Estimated Costs	$ 95,000	$ 95,000	95,000

Remarks:

Effective Date: January 20, 1978.

*State to provide Project Inspection at an estimated cost of $8,000.

USCOMM-DC 19791-P78

Form 734-1188 (Rev. 8-73)

OREGON STATE HIGHWAY DIVISION

Price Agreement

APPLYING TO EXTRA WORK AND EXTRA MATERIAL 2/21

Project Name: Shore Acres State Park — Date: February 17, 19 78

Highway: Cape Arago — Contract No. 8652

County: Coos — Prefix 6-8205

Contractor: Baughman & Son, Inc. — F. A. Project No. EDA 07-51-23613

Address: Box 270, Coos Bay, Oregon 97420 — Price Agreement No. 1

For the below described extra work or extra material to be performed or furnished under the contract above referred to, the contractor agrees to accept payment at the prices given herein, understanding that, except as herein otherwise provided, the work is to be performed and the material is to be furnished in accordance with the specifications which form a part of the contract and in accordance with the instructions of the engineer.

Work to be done:

Furnish new meter base and install on Northerly wall of building. Conduit to be installed in foundation and inside block wall instead of surface mount. Salvaged meter base to be returned to Park Maint.

Locations by station numbers:

Shore Acres Toilet Building

Names of pay items, estimated quantities and agreed prices:

Furnish Labor Material & Equipment	for Lump Sum Price	- - - -	= $85.50
20% Overhead & Profit			= 17.10
	TOTAL LUMP SUM COST		$102.60

Specifications, basis of measurement and other provisions:

All work to conform to the Standard Specifications 1974 edition as applicable, the Special Provisions and Plans for this project.

INSTRUCTIONS

After the signature of the contractor has been obtained, submit six copies (including original copy) to the Salem Office. After approval by the Assistant State Highway Engineer, approved copies will be sent to the Contractor, the Regional Engineer, and the Resident Engineer.

This order does not constitute authority for expenditure until approved by the Assistant State Highway Engineer or State Highway Engineer.

Project authorization	$ 91,199.75
Present estimate of project cost, including $ 102.60 for work under this order	$ 91,828.72
Expected under-run / over-run (amount)	$ 0.00
Expected under-run / over-run (per cent)	0%

Spare to right of this line is for use of Salem Office

Submitted by: Eugene H. Ashby — Resident Engineer

Approval Recommended: [signature] — Division Engineer

Approval Recommended: ..... — Construction Engineer or Bridge Engineer

Signed: Baughman & Son, Inc. — Contractor

Gen'l & R. Baughman - Pres.

Approved: O. B. Jackman — ~~Deputy State Highway Engineer, Assistant State Highway Engineer or~~ Office Engineer.

2-27-78

For Constr.

BP*19603-734

8652

ROBERT W. STRAUB
GOVERNOR

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

February 9, 1978

U. S. Department of Commerce
Economic Development Administration
1700 Westlake Avenue North
Seattle, WA 98109

Attn: Mr. Bill England
Project Management Specialist
Civil Rights Division

Re: EDA Project 07-51-23613
State Contract 8652
Shore Acres State Park

Dear Mr. England:

Enclosed is ED-530, Part B, for the above referenced project.

Benall Sale & Supply is a material supplier for this project. This contract for $5,355.55 is 5.6% of the original grant. The proposed minority participation is $9,538.55.

Very truly yours,

Gareld Inloes

For: C. T. Keasey
Construction Engineer

GI:mk

Attach.

bc: H. S. Coulter
Larry Jacobson
Gareld Inloes/att.

RECEIVED
STATE HWY ENGR
FEB 10 '78
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FOR
Info | Inves | R/D | D/R | Sign | Act | File

NOTED
H. S. COULTER

A DIVISION OF THE DEPARTMENT OF TRANSPORTATION

8652

D

2

ROBERT W STRAUB
GOVERNOR

Oregon State Highway Division

TRANSPORTATION BUILDING, SALEM, OREGON 97310

January 23, 1978

U. S. Department of Commerce
Economic Development Administration
1700 Westlake Avenue North
Seattle, WA 98109

Attn: Mr. Bill England
Project Management Specialist
Civil Rights Division

Re: EDA Project 07-51-23613
State Contract 8652
Shore Acres State Park

Dear Mr. England:

Enclosed is ED-530, Part B, for the above referenced project.

The minority subcontractor, C.L.U.S.I.T., is the only proposed minority subcontractor for this project. This subcontract of $4,183.00 is 4.4% of the original grant, and is the total minority participation to date. The remaining minority participation will be from the material supplier, Ben-All Sales & Supply.

Very truly yours,

Gareld Inloes

For: C. T. Keasey
Construction Engineer

GI:mk

Attach.

bc: H. S. Coulter
Larry Jacobson
Gareld Inloes

NOTED
H.S.COULTER

RECEIVED
SEP 2 H.Y. ENGR
JAN 24 '78
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FOR
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8652

9

Department of Transportation
PARKS AND RECREATION BRANCH
525 TRADE STREET S.E., SALEM, OREGON 97310

December 8, 1977

Mr. Donald L. Gould
LPN Division
Economic Development Administration
1700 Westlake Avenue North
Seattle, WA 98109

Attention Bill England

Dear Mr. Gould:

Subject: EDA Project No. 07-51-26830
Beverly Beach State Park

EDA Project No. 07-51-23613
Shore Acres State Park

We are enclosing the following data to satisfy special condition requirements:

Project No. 07-51-26830

1. Special condition No. 1 - Results of Survey by SHPO.

2. Special condition No. 2 - Letter from Division of State Lands indicating they would not require a permit.

Project No. 07-51-23613

1. Special condition No. 1 - Results of Survey by SHPO.

Additional required bid and contract material will be forwarded as it becomes available.

Very truly yours,

Larry Jacobson, Assistant
State Parks Superintendent

LJ:aw

Encl. bcc: C. T. Keasey, J. H. Versteeg, Region 2; D. Unrein, E. S. Hunter, Region 3; W. Gaskill, C. W. Head; D. Walker, V. Jones

NOTED
HEAD

1652

8

ROBERT W. STRAUB
GOVERNOR

Department of Transportation

PARKS AND RECREATION BRANCH

525 TRADE STREET S.E., SALEM, OREGON 97310

December 1, 1977

TO: State Parks and Recreation Advisory Committee

FROM: David G. Talbot
State Parks Superintendent

SUBJECT: Round II, Local Public Works Capital Development Program - Economic Development Administration

Under Round II of the Public Works program through EDA, the State Parks Branch was allocated $1,250,000 for six projects. These projects were at Wolf Creek Tavern, Shore Acres State Park, Beverly Beach State Park, Cape Meares State Park, Oceanside Beach State Wayside, and Manhattan Beach State Wayside.

EDA requirements were that on-the-job construction must begin within 90 days of receipt of the grant offer, and that 10% of the grant amount must go to minority business enterprises for either work performed or materials supplied. Contracts have been awarded for Wolf Creek Tavern, Oceanside, and Manhattan Beach. Bids were opened for Shore Acres and Beverly Beach, but were too high and failed to meet the MBE requirement and were rejected. These projects will be rebid for bid openings on December 14. Advertisements for bids for Cape Meares failed to receive any bids. This project will be rebid pending a waiver of the 90-day construction from EDA.

This matter will be on the agenda for the December 15 meeting of the Committee.

DGT:dlw
cc: Robert Burco
Fred Klaboe
Janet McLennan
George Bell

NOTED
F. D. KLABOE

U.S. DEPARTMENT OF COMMERCE
Economic Development Administration
1700 Westlake Avenue North
Seattle, Washington 98109
(206) 442-7000

November 22, 1977

NOTED
L. JACOBSON

Mr. Larry Jacobson
Assistant State Parks Superintendent
Department of Transportation
Parks and Recreation Branch
525 Trade Street S. E.
Salem, Oregon 97310

Re: EDA Projects Number 07-51-23613
Shore Acres

EDA Projects Number 07-51-26830
Beverly Beach State Park

Dear Mr. Jacobson:

In response to your letter of November 14, 1977, your request for a waiver of the 90-day start of construction to provide for a 60 day extension for these two projects is approved. The on-site labor deadlines are now as follows:

Project Number	On-site labor deadline
07-51-23613	February 17, 1978
07-51-26830	February 23, 1978

Sincerely,

Donald L. Gould
LPW Division

NOTED
E. S. HUNTER

RECEIVED
DOT OPERATIONS
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FOR
Info | Invest | R/D | D/R | Sign | Act | File

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Info | Invest | R/D | D/R | Sign | Agt | File

cc Klabo
Versteeg
Mochring
Hart
11-29-77

STATE OF OREGON INTEROFFICE MEMO

TO: MEMO TO THE FILES

DATE: November 22, 1977

NOTED
E. S. HUNTER

FROM: Richard E. Holt
Office Engineering

SUBJECT: Contacts With Minority Business Enterprises to Determine Interest in Construction Projects at Shore Acres and Cape Meares State Parks

From November 14 through November 17, 1977, I made several calls to contractors concerning the upcoming toilet building project at Shore Acres State Park and the concrete block building addition to the lighthouse at Cape Meares State Park. These calls were made as part of a "contractor - Parks construction project" awareness program for the purposes of seeking out possible minority business enterprises who might be interested in bidding on these projects.

The minority business enterprises contacted were from a list put out by the Oregon State Highway Division. Of the 17 minority business enterprises that were listed as doing some type of building construction, 13 were contacted. The results of those contacts are as follows:

1 - Total number of MBE's contacted.....13
2 - Number not returning call..... 2
3 - Number projects discussed with.....11
4 - Number not in building construction any more..... 1
5 - Number that would probably do this type of work as prime contractor..... 6
6 - Number that might bid as prime contractor at this time..... 2
7 - Number that would probably do this type of work as a subcontractor..... 4
8 - Number that said they are real busy at this time and have a lot of local work..... 8

Distance from headquarters seemed to be a major factor for disinterest in construction projects at this time.

During this period I also contacted three non-minority business enterprises giving information on these projects.

REH:aw

cc: Larry Jacobson

cy Ventral 11-28-77

11-29-77 E.

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ROBERT W. STRAUB
GOVERNOR

Department of Transportation

PARKS AND RECREATION BRANCH

525 TRADE STREET S.E., SALEM, OREGON 97310

NOTED
E. S. HUNTER

November 14, 1977

Mr. Donald L. Gould
LPW Division
Economic Development Administration
1700 Westlake Avenue N.
Seattle, WA 98109

RECEIVED
TECHNICAL SERVICES
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REFER TO
FOR

Info	Invest	R/D	D/R	Sign	Act	File

Attention Mr. Bill England

Dear Mr. Gould:

Shore Acres State Park EDA #07-51-23613
Beverly Beach State Park EDA #07-51-26830

On November 10, 1977, bids were opened for Project #07-51-26830, Beverly Beach State Park; Project 07-51-27014, Manhattan Beach State Wayside; Project 07-51-26880, Oceanside Beach Wayside; and Project 07-51-23613, Shore Acres State Park. We are proceeding with award recommendations for #07-51-27014 and #07-51-26880.

For Project 07-51-23613, Shore Acres, the low bid was 26.28% over the Engineers Cost Estimate. There was no minority business enterprise for participation in that bid. The second bidder was 51.68% over the Engineers Cost Estimate. MBE participation was $9,645 or 10.2%. Only two bids were received on this project. We have declined to award the contract. We hereby request a waiver of the 90-day construction beginning for this project from December 16, 1977 to February 16, 1978, a 60-day extension period. This will enable us to review the contract plans and cost estimates, solicit more MBE participation, and seek wider bidder interest in the project. Bids would be opened on December 14, 1977.

For Project 07-51-26830, Beverly Beach State Park, the low bid was 48.98% over the Engineers Cost Estimate. There was no MBE participation from the low bidder. The second bidder was 117.19% over the Engineers Estimate. MBE participation was $15,000 or 10.0%. Only two bids were received. We declined to award the contract. We hereby request a waiver of the 90-day construction beginning date from December 23, 1977 to February 23, 1978, a 60-day extension period. This will enable us to revise the contract documents, solicit more MBE participation, seek wider bidder interest in the project. The bids would be opened on December 14, 1977.

Attached is the revised schedule for these two projects. The 60-day extensions for these projects is the minimum time needed to implement the revised bid opening, contract award, and construction beginning. The 3-week time period from bid advertisement on November 23 to bid opening on December 14 is necessary to allow potential bidders adequate time to solicit MBE participation. The Christmas and New Years holiday season falls within this period. Material suppliers, contractors, and others in the construction industry often shut down during this time. Contractors need time to complete jobs they are presently on

and to mobilize for these. Inadequate mobilization time would pose additional contractor costs because of the short time frame.

Your favorable response to these waiver requests is solicited. It is important that I be notified of action on this request as soon as possible, due to the December 14, 1977 bid opening. If I can provide additional information, please contact me at Area Code 503-378-5015.

Very truly yours,

Larry Jacobson, Assistant
State Parks Superintendent

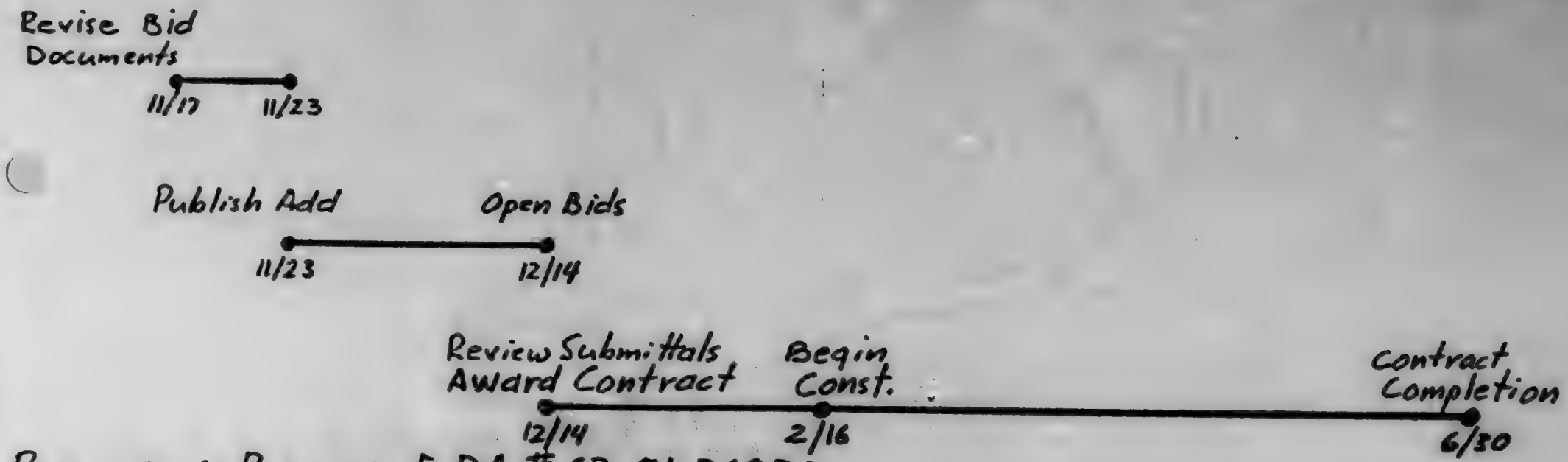
LJ:aw

Attach.

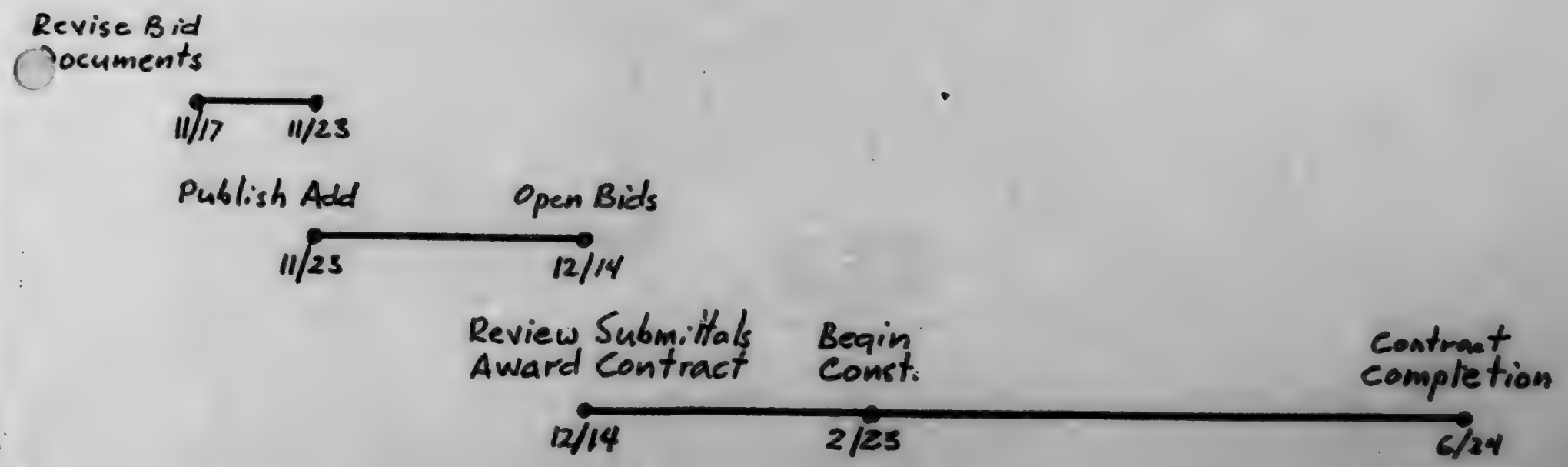
bc: Ed Hunter
C. T. Keasey
Dick Unrein
Art Brummit
Hal Versteeg
Bud Shirley
B. Swan
John Sheldrake
John Bond
Virgil Boyd
Val Jones

REVISED SCHEDULE
NOVEMBER 11, 1977

SHORE ACRES EDA # 07-51-23613



BEVERLY BEACH EDA # 07-51-26830



STATE OF OREGON

INTEROFFICE MEMO

TO: E. D. Hunter
Technical Services Engineer

DATE: November 14, 1977

FROM: Warren Gaskill, Deputy
State Parks Superintendent WG

SUBJECT: Recommendations for Contract Awards
Bid Openings - November 10, 1977

NOTED
E. S. HUNTER

#3 - Shore Acres State Park - EDA #07-51-23613 $95,000 Reject 1 - 89,413 2 - 107,400

The low bid was 26.28% over the Engineers' cost estimate. There was no Minority Business Enterprise participaction. The second bidder was 51.68% over the Engineers' Cost estimate. MBE participation was $9645, 10.2%. Only two bids were received. I recommend that the contract not be awarded.

I also recommend that we review the contract estimates, solicit MBE participation, seek wider distribution of bid notice, and rebid the project on the December 14 letting. A waiver of the 90-day construction beginning from EDA from 12/16/77 to ~~1/16/78~~ 2/16/78 would be necessary. We are prepared to make that request.

Dec 14th Letting

#6 - Beverly Beach State Park - EDA #07-51-26830 Reject $150,000 1 - 184,770 2 - 269,380

The low bid was 48.98% over the Engineers' cost estimate. There was no MBE participation. The second bidder was 117.19% over the Engineers' estimate. MBE participation was $15,000, 10.0%. Only two bids were received. I recommend that the contract not be awarded.

I also recommend that we revise the scope of the contract, review the cost estimates, solicit MBE participation, seek wider distribution of bid notice, and rebid the project on the December 14 letting. A waiver of the 90-day construction beginning from EDA from 12/23/77 to ~~1/16/78~~ 3/23/78 would be necessary. We are prepared to make that request.

#7 - Manhattan Beach State Wayside - EDA #07-51-27014 $175,000 1 - 198,218.50 2 - 207,711 OK award

The low bid was 21.73% over the engineering cost estimate. The bids for the A.C. items are high; bid items #10, 865 T Cl. "C" A.C. and #16,540 SY extra for A.C. walks. The bid for the toilet building, bid item #21, also a major contract item, was high. A survey of contractors shortly before the bid opening revealed that minority enterprises were quoting high estimates for subcontracted work. Included were estimates for paving. The Engineers' estimate excluded any allowance for high subcontracting bids lacking experience with this new specification in these EDA projects. An allowance of upwards of 10% would have been included in this estimate had the demand for minority subcontractors been known. MBE participation was $93,384, 53.4%.

The cost estimate was based on anticipated bid award in early fall. The Grant Award was received later than originally anticipated. This resulted in less favorable weather conditions for the beginning of construction. Bid unit estimates were not revised to reflect this.

81-125-1387

Non-award of this bid would require budgeting this project for the 1979-81 budget period. Inflation in construction costs by that time could result in at least a 20% to 30% project cost increase which could be more than proceeding with the project at this time.

There were only two bids received for this project, bid competition was low. There is nothing that could be revised, short of an incomplete project, that would likely reduce costs of construction, or any evidence to suggest that rebidding the project would result in submission of lower bids.

It appears to be economically favorable to proceed with the project at this time. I recommend award of the contract to the lowest responsible bidder. The Parks and Recreation Branch will absorb those costs over the grant amount. These recommendations include those of Ed Johnsen, Cost Engineer.

#8 Oceanside Beach State Wayside EDA #07-51-26880 $150,000 1-113,695.65 2-139,207 OK award

The low bid was 20.10% over the engineering cost estimate. The bids for the A.C. items are high; bid items #6, 520 T Cl. "C" A.C. and #18,510 SY extra for A.C. walks. A survey of contractors shortly before the bid opening revealed that minority enterprises were quoting high estimates for subcontracted work. Included were estimates for paving. Other high items were #1. Mobilization, #2. Removal of Structures and Obstructions, and #24. Type 4 Toilet Building. The Engineers' estimate excluded any allowance for high subcontracting bids lacking experience with this new specification in these EDA projects. An allowance of upwards of 10% would have been included in this estimate had the demand for minority subcontractors been known. MBE participation was $51,292.25, 34.2%.

The cost estimate was based on anticipated bid award in early fall. The grant award was received later than anticipated. This resulted in less favorable weather conditions for the beginning of construction. Bid estimates were not revised to reflect this.

There were only two bids received for this project, bid competition was low. There is nothing that could be revised, short of an incomplete project, that would likely reduce costs of construction, or any evidence to suggest that rebidding the project would result in submission of lower bids.

I recommend award of the contract to the lowest responsible bidder. The low bid is within the grant amount. These recommendations include those of Ed Johnsen, Cost Engineer.

WG:aw

cc: F. B. Klaboe
H. S. Coulter
Dave Moehring
W. J. Hart
C. T. Keasey
J. H. Versteeg
D. E. Swan
John Bond
Virgil Boyd
Cost Analysis

(#1)

ROBERT W. STRAUB
GOVERNOR

DEPARTMENT OF TRANSPORTATION

STATE HIGHWAY BUILDING • • SALEM, OREGON • • 97310

September 28, 1976

TO Executive Department
Federal Aid Coordination Unit

Coos-Curry Council of Governments
P. O. Box 647
1975 McPherson Street North
North Bend, OR 97459

FROM for D. E. Swan
Federal Aid Engineer

SUBJECT Notice of Intent for FA Funds
State Admin. Dist. No. 7
Section: Shore Acres Rest Room
Highway: -
County: Coos

In accordance with the requirements of Circular No. A-95 of the Bureau of the Budget of the U.S. Government, attached are Notices of Intent for the subject project for your review and comment.

Early programing of this project for advance planning in anticipation of future construction is necessary; therefore, your prompt attention to this proposal will be appreciated.

Allowing time for your review, we estimate the date of filing for federal aid funds on this project to be October 25, 1976.
If additional information is desired, please contact Larry Jacobson, phone 378-6289.

BLG:bb
Attachments

cc: H. S. Coulter
D. G. Talbot
J. H. Versteeg
R. E. Royer
J. B. Boyd
Gary Potter

Region Engineer: A. Shirley
District Engineer: B. E. Brown
Aeronautics Division
Paul Hartwig, Parks
B. L. Gifford

RECEIVED
STATE HWY ENGR
OCT 1 '76
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

OREGON PROJECT NOTIFICATION AND REVIEW SYSTEM

NOTIFICATION OF INTENT TO APPLY FOR FEDERAL AID

For Internal Use Only	1-8] PNRS #		Page One

02	12] APPLICANT: Oregon State Highway Division [45]	46] DIVISION: Parks & Recreation [79]			
03	12] APPLICANT ADDRESS STREET: 525 Trade St. S.E. [45]	46] CITY: Salem [60]	76] ZIP: 97310 [80]		
04	12] CONTACT PERSON: Larry Jacobson [45]	46] AREA CODE: 503 [48]	49] PHONE: 378 [55]	56] EXTENSION: 6289 [59]	
01	12] PROJECT TITLE: Shore Acres Rest Room [71]				
11	12] PROJECT LOCATION—CITY: Charleston	PROJECT LOCATION—COUNTY: Coos	PROJECT LOCATION [79]: SEC: 17 T: 26 S R: 14 W		
05	SUMMARY PROJECT DESCRIPTION (ATTACH SUPPORTING DOCUMENTS AS NECESSARY—SEE INSTRUCTIONS ON BACK)				
06	12] This project will replace an old dilapidated wooden toilet building with a new [71]				
07	12] modern rest room facility and include associated landscaping. [71]				
08	12] [71]				
09	12] This is a State Parks Project. [71]				
10	12] [71]				

12	AMOUNT REQUESTED—FEDERAL FUNDS		NON-FEDERAL MATCHING FUNDS		OTHER	TOTAL
	12] (A) Grant [19	20] (B) Other [27	28] (C) State [35	36] (D) Local [43	44] (E) FUNDS [51	52] (F) FUNDS [60
	$95,000					$95,000

13	12] TYPE OF OTHER FEDERAL FUNDS (See 12B) [45	46] TYPE OF OTHER NON-FEDERAL FUNDS (See 12E) [79
14	12] FEDERAL PROGRAM TITLE: Public Works Employment Act - Title I [71]	
15	12] FEDERAL AGENCY NAME: U.S. Department of Commerce [45]	46] FEDERAL SUB-AGENCY NAME: Economic Dev. Administration [79]

17 **(A) TYPE OF APPLICANT:** (Check (X) the single most applicable box)

STATE	INTER-STATE	COUNTY	CITY	SCHOOL DISTRICT	SPECIAL DISTRICT	COMMUNITY ACTION	SPONSORED ORGANIZATION	OTHER
[X] 12	[ ] 13	[ ] 14	[ ] 15	[ ] 16	[ ] 17	[ ] 18	[ ] 19	[ ] 20

(B) TYPE OF ACTION: (Check (X) as many boxes as apply to this action)

NEW GRANT	CONT. GRANT	SUPPL'T GRANT	INCREASE DURATION	DECREASE DURATION	CANCELLATION	INCREASE DOLLARS	DECREASE DOLLARS
[X] 21	[ ] 22	[ ] 23	[ ] 24	[ ] 25	[ ] 26	[ ] 27	[ ] 28

(C) HAS DISTRICT CLEARINGHOUSE BEEN NOTIFIED?	(D) REVIEW REQUIRED by A-95	(E) ENVIRONMENTAL IMPACT	(F) HOUSING RELOCATION REQUIRED
Yes [ ] 29 No [X] 30 Date: _____	Yes [X] 31 No [ ] 32	Yes [X] 33 No [ ] 34	Yes [ ] 35 No [X] 36

(G) ESTIMATED APPLICATION FILING DATE:	41] MONTH [42	43] DAY [44	45] YEAR [46
	October	25	1976

ADDITIONAL INFORMATION—ALL APPLICANTS

I. A. Is the project consistent with the city or county comprehensive plan, zoning and subdivision ordinance? No ☐ Yes ☒

I. B. Is the proposal consistent with statewide land use goals? No ☐ Yes ☒

I. C. Is the proposal consistent with state and regional plans? No ☐ Yes ☒

II. Will the project have an impact on a neighboring jurisdiction? No ☒ Yes ☐

If so, is the project consistent with the comprehensive plan for that jurisdiction? No ☐ Yes ☐

III. Explain deviations if any, from pertinent plans.

IV. Federal Catalog number (or Public Law no. and title) P.L. 94-369 Pub. Works Emp. Act

V. Has funding agency been notified? No ☐ Yes ☐ Date:

VI. If project includes state funds (12C), identify agency

STATE AGENCIES ONLY

VIII. (a) IS PROGRAM BUDGETED ☐ NON-BUDGETED ☐

(b) STATE SHARE

GENERAL FUND CASH $_____ OTHER FUND CASH $_____ IN KIND $_____

(c) FUNDING METHOD

	FEDERAL SHARE	STATE SHARE	TOTAL
First Year	%____ $_____	%____ $_____	%____ $_____
Second Year	%____ $_____	%____ $_____	%____ $_____
Third Year	%____ $_____	%____ $_____	%____ $_____

(d) WILL PROGRAM REQUIRE HIRING OF NEW STATE EMPLOYEES? No ☐ Yes ☐ Number _____

(e) Will accounting for this grant be administered by the Executive Dept. Accounting Division? Yes ☐ No ☐

PLEASE ATTACH ANY ADDITIONAL NARRATIVE OR REMARKS

SHORE ACRES
NORTH BEND
COOSTON
EASTSIDE
HAYDEN
SUMNER
GREEN ACRES
COALEDO
COOS COUNTY
FOREST
COQUILLE
RIVERTON
JOHNSON
Parkersburg
Bullards
Prosper
Offield
Randolph
Libby
Bunker Hill
Bay Park
Empire
Glasgow
Hayner
Southport
Delmar
Laneve
Fivemile Point
Cape Arago
Cape Arago State Park
Bullards Beach State Park
Daniel Creek
Rink Peak
Hungry Hollow
Noah Butte
Pulaski Creek
Dutch John Ridge
Crystal Cr
Coquille River
Coos River
Coos Bay
Millicoma River
Pacific
17-3
101
42

.8653 Oreg. Coast Hwy. @ Shopping 197
Center Ave. (MP 358.6) Sec.
(Traffic signal installation)

CTR 6225 11-29-77

#8653 3-4-80 2

cc: OSHD (H S Coulter)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

FINAL ACCEPTANCE REPORT

STATE COPY

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	1	Curry	Oregon
DATE OF REPORT	**REPORT MADE BY**		**PROJECT NO.**
3-4-80	T. P. Lowe, Area Engineer		TQF-2-1(3)
COMPLETION DATE	**ACCEPTANCE DATE BY CONTRACT AGENCY**	**TIME ELAPSED**	**CONTRACT TIME**
8-19-78	12-13-78	114 %	200 days
APPROVED EXTENSIONS	**LOCATION**		
29 days	See below		

*The PR-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been submitted.

*A copy of the State's materials certificate is attached to the Division office copy of this report.
There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: *The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.*

Oregon Coast Highway @ Shopping Center Avenue
Oregon Coast Highway
Signal Installation

Description

The project provided a multiphase traffic control signal at the subject location.

Findings

Minor work items mentioned in the final inspection report have been completed.

RECEIVED
STATE HWY ENGR
MAR 10 '80
3/10
REFER TO
Keasey
FOR
Info | Inves | R/D | D/R | Sign | Act | File

*NOTE: Not applicable for direct federal projects.

ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION Original Signed By	
SIGNATURE Original Signed by T. P. LOWE T. P. Lowe		SIGNATURE G. K. HOSSNER Field Operations Engineer G. K. Hossner	
TITLE Area Engineer	DATE 3-6-80	TITLE Field Operations Engineer	DATE 3-6-80

FORM FHWA-1446 B (12-73) FORMELY PR-33E

Previous Editions Of PR-33E Will Not Be Used.

F653

December 15, 1978

Great American Insurance Company
Pacific NW Regional Office
2030 Ninth Avenue
Seattle, WA 98121

Gentlemen:

Contract No. 8653 awarded to Hamilton Electric, Inc., for traffic signal installation on the Oregon Coast Highway at Shopping Center Avenue (M.P. 358.6) in Curry County was completed on August 19, 1978, and accepted by the State Highway Engineer on December 13, 1978.

Final payment in the amount of $3,099.36 will be released to the contractor after December 20, 1978. The total contract amount is $34,429.80 and no work was performed under force account.

No claims for labor or material have been filed with us.

Very truly yours,

C. W. Head
COMMISSION SERVICES

dda

cc Hamilton Electric, Inc.
232 West 5th Avenue
P. O. Box 708
Eugene, OR 97440

Smith & Crakes, Inc.
58 West 11th Avenue
Eugene, OR 97401

bc C. T. Keasey
Walt Hart
V. E. Skoog Attn: Dick Hacek
Alfred Shirley

#8653

December 6, 1978

Hamilton Electric, Inc.
Post Office Box 708
Eugene, OR 97401

Gentlemen:

Time Extension, Contract No. 8653
Oregon Coast Hwy. @ Shopping Center Ave.
(M.P. 358.6)
Curry County
FAP No. TQF-2-1(3)

Careful consideration and review have been given your request for an increase in calendar days in which to complete your contract for the subject project.

A 29-calendar day time extension is hereby granted for delays due to the supplier's labor dispute. This increase will eliminate all liquidated damages.

Sincerely,

H. S. Coulter
State Highway Engineer

OBJ:DA:fr jl

bc: FHWA
C. T. Keasey
Robert Church
Alfred Shirley, Jr.
E. H. Ash
Richard Hacek

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon

December 1, 1978

FILE: CON 5 #8653

FROM: O. B. Jackmond
Contract Administration Engineer

TO: H. S. Coulter
State Highway Engineer

SUBJECT: Time Extension Request
Oregon Coast Hwy. @ Shopping Center Ave. (M.P. 358.6)
Curry County
Contract No. 8653

The contractor on the subject project, Hamilton Electric, Inc., has requested a 29 calendar day increase in which to complete their contract. Late delivery of materials due to a supplier strike is the basis of his request. Pertinent dates are:

Time count began	1- 3-78
Work began	5-25-78
Time expired	7-21-78
Project completed	8-19-78

The contractor placed his order for materials on December 20, 1977. Receipt of materials was anticipated around April 1, 1978. The last of the materials was not received until July 24, 1978. The delay in receipt of materials was attributed to an equipment manufacturer's strike. This is documented by letters to the contractor from the supplier. Copies of these letters were attached with the request. The strike lasted from April 1, 1978 to May 15, 1978 or a total of 46 days. As a strike or labor dispute is considered a bona fide cause beyond the control of the contractor, it is recommended the 29 calendar days be returned to the contractor. This will eliminate all liquidated damages charged the contractor.

FHWA approval will not be required.

A rough draft letter to the contractor is attached.

OBJ:DA:fr

Att.

cc: Alfred Shirley
E. H. Ash

RECEIVED
STATE HWY ENGR
DEC - 4 '78
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

B-380 (Rev. 1-72)

OREGON STATE HIGHWAY COMMISSION

Contractors Request

for

Increase in Number of Workdays

to

Complete Construction Contract

Oregon State Highway Commission
Salem, Oregon

Date October 26, 1978

Gentlemen:

We, the undersigned, respectfully request an increase in the number of workdays from 200 days to 229 days, within which to complete our Contract No. 8653, without the assessment of liquidated damages. The said contract is described as follows:

The dates of the workdays during which prosecution of the work was actually prevented and the conditions or causes which actually prevented the prosecution of work on said dates were as follows: We were awarded this contract on December 20, 1977 and our purchase order for the signal equipment was placed December 21, 1977 (copy enclosed). The equipment delivery was delayed to us because of a strike at the supplier, (Crouse-Hinds) that lasted from March 31st until May 15th of 1978. This 46 day delay was the cause of our 29 day delay in completing the project. We are enclsoing for your information copies of letters from our supplier, Northwest Signal Supply, Inc. and from the Crouse-Hinds Company documenting the fact that this strike occurred. We completed the installation on a timely basis just as soon as we received the signal equipment.

Respectfully submitted,

Hamilton Electric, Inc.
Contractor

By

CONSENT OF SURETY

Date October 30, 1978

We, TRANSAMERICA INSURANCE COMPANY

, as surety on the bond guaranteeing the completion of the contract above-named and listed, hereby join in and consent to said request for an increase in the number of workdays, and hereby agree to remain fully bound as surety in all respects as if the number of workdays remained as stipulated in the original agreement.

Attorney-in-Fact
Genevieve A. Bernhardt (SEAL)

Resident Agent

OREGON STATE HIGHWAY COMMISSION

Engineers Recommendation Regarding Contractors Request for Increase in Number of Workdays to Complete Construction Contract

Investigation has been completed regarding the request (see reverse side) for an increase in the number of workdays within which to complete, without assessment of liquidated damages, the following project:

Contract No. 8653 Contractor Hamilton Electric, Inc.

Highway Oregon Coast

Section Oregon Coast Highway at Shopping Center Avenue

Kind of Work Traffic Signal Installation

It is recommended that the request for increase in the number of workdays within which to complete said contract be [redacted] or GRANTED. The reasons for such recommendation are as follows:

A 29-day extension is hereby granted for delays resulting from a labor dispute.

Recommended for Approval:

Alfred Clark
Regional Engineer

O. B. Jakmond
For Construction Engineer or Bridge Engineer

H. S. Coulter
State Highway Engineer

Contract No.	8653
Project designation	Federal
Date awarded	December 19, 1977 (State-Federal)
Work started	May 25, 1978
Per cent completed	100
No. of Workdays Allowed	200 (Date)
No. of Workdays Used	229
No. of Added Workdays Requested	29

SP*87868-734

8663

8

FORM 01-724-8001

OREGON STATE HIGHWAY DIVISION

FIELD ENGINEER'S WEEKLY REPORT

FOR CONSTRUCTION PROJECTS ONLY
CONSTRUCTION AND BRIDGE SECTION

SECTION: Oregon Coast at Shopping Center (Brookings)		WEEK ENDING: September 30, 1978
		SECTION PREFIX: 8-1059
HIGHWAY: Oregon Coast		COUNTY: Curry
NAME OF JOB: Oregon Coast ● Shopping Center	KIND OF WORK: Traffic Signals	
CONTRACTOR: Hamilton Electric Inc.	CONTRACT NUMBER: ~~8643~~ 8653	FEDERAL AID PROJECT NUMBER: TQF-2-1 (3)
DATE OF CONTRACT: December 19, 1977	DATE WORK STARTED: May 23, 1978	ESTIMATED COMPLETION DATE: August 19, 1978
AVERAGE FORCE ON PROJECT FOR THE WEEK: MEN: 0 SUPERVISION: 0	SPECIFIED WORK DAYS	WORK DAYS USED
	SPECIFIED CALENDAR DAYS: 200	CALENDAR DAYS USED: 229
PROJECT AUTHORIZATION: $ 41,918.20	SPECIFIED COMPLETION DATE	PERCENT OF TIME ELAPSED: 114
EXCLUSIVE OF ENGINEERING: $ 38,257.24	ENGINEERING AUTHORIZATION: $ 3,660.98	PERCENT OF CONTRACT COMPLETED BASED ON ESTIMATED COST: 100
ESTIMATED COST OF COMPLETED PROJECT, EXCLUSIVE OF ENGINEERING: $ 38,257.24	ENGINEERING COST TO DATE: $ 3,391.42	PERCENT OF CONTRACT COMPLETED BASED ON TOTAL AUTHORIZATION: 100
ESTIMATED PERCENT: OVERRUN / UNDERRUN . . . . . 0 %	PERCENT OF AUTHORIZATION . . . . . 93 %	DATE PROJECT WAS COMPLETED: August 19, 1978

ESTIMATED PERCENT COMPLETE (ROADWORK)

CLEARING	DRAINAGE	GRADING	BASE	OIL AND/OR PAVE.	MAT'L. PROD.		

	GRADING	SURFACING	MAINTENANCE MATERIALS	OIL & BITUMINOUS MACADAM	PAVING
MILES IN PROJECT					
MILES PARTIALLY COMPLETED					
MILES COMPLETED					
TOTAL ESTIMATED QUANTITIES (CONTRACT)					
TOTAL QUANTITIES CORRECTED TO DATE					
ESTIMATED QUANTITIES MOVED OR PLACED TO DATE					
AVERAGE DAILY QUANTITIES					
AVERAGE DAILY QUANTITIES NECESSARY TO COMPLETE PROJECT ON TIME					
NUMBER OF SHIFTS PER DAY					
HOURS PER SHIFT					

EQUIPMENT USED DURING THE WEEK:

ESTIMATED PERCENT COMPLETE (STRUCTURES)

BRIDGE NO.								
PERCENT								

	WEATHER	WORK DAYS CHARGED	HOURS DELAY	CAUSE OF DELAY
SUNDAY 24	Fair	0		
MONDAY 25	Fair	0		
TUESDAY 26	Fair	0		
WEDNESDAY 27	Fair	0		
THURSDAY 28	Fair	0		
FRIDAY 29	Fair	0		
SATURDAY 30		0		

Kessey
Jackmond
Hopkins
Williams
Johnson
Glenn

RECEIVED
OCT 1 1978
CONSTRUCTION BRANCH

Richards
Berg
Inloes
Widmer
Gebauer
Church

GENERAL DESCRIPTION OF ACTIVITIES FOR THE WEEK

SUNDAY 24	No work.
MONDAY 25	No work.
TUESDAY 26	No work.
WEDNESDAY 27	No work.
THURSDAY 28	No work.
FRIDAY 29	No work.
SATURDAY 30	No work.

REMARKS

Semi-Final
Sent to Region on September 29, 1978.

RECEIVED

SIGNED Dave Parker For E.H. Ash
Res. Engr. LOCATION Coquille

PRIME RESIDENT SUBMIT 2 COPIES. WHEN BRIDGES AND GRADING BOTH ARE INVOLVED, SUBMIT 3 COPIES.

SP*F216

8653 7-26-78

U.S. DEPARTMENT OF TRANSPORTATION — FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO. TQF-2-1(3)

STATE PROJECT NO. See below

FROM: G. L. Green, Division Administrator, Salem, Oregon

PROGRAM NO.

ITEM NO. 70142

COUNTY NAME Curry

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. F. B. Klaboe
Chief of Operations, ODOT
State of Oregon
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
11-22-77	7-18-78	Primary 2	Primary 9

GENERAL LOCATION:

Oregon Coast Hwy. at Shopping Center Ave.

GENERAL DESCRIPTION OF WORK:

Furnish and install informational signs at M.P. 358.6.

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION
☐ OTHER (Specify)

☐ ACQUISITION OF RIGHT-OF-WAY
CONTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS
☑ CONSTRUCTION - PROCEED ON [redacted] FORCE ACCOUNT BASIS

REMARKS

This will confirm the advance authorization date of 7-17-78, as requested in Mr. Keasey's letter of 7-18-78 as being in the public interest for the use of State Forces to proceed with the above work. State Force Order No. 3 is approved for TEC NTE $600 Federal Funds $515.

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
7-26-78	G. K. Hansen	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8653

STATE COPY 9

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	Oregon
MONTHLY TRANSACTION NO. 2-28		County: Curry
	FEDERAL-AID PROJECT AGREEMENT 1-30-78	Project No.: TOF-2-1(3)

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

Oregon Coast Hwy. at Shopping Center Ave.

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	11-22-77	0.00
OTHER *(Specify)*		

Pro rata 85.8%

FUNDS	
ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
$ 40,721.00	$ 34,938.00

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E J Hunter

Technical Services Engineer
(Title)

By H S Hamilton

State Highway Engineer
(Title)

By _____

_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Administrator)

For: G. L. Green

Date executed by Division Administrator JAN 9 0 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtedness of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

File

Oregon State Highway Division
Salem, Oregon, January 10, 1978

Federal Aid Project
No. TQF-2-1(3)

Oregon Coast Hwy. at Shopping Center Ave.
Oregon Coast Highway
Curry County

Project Agreement Estimate.

Type Code Y031
Signals (M.P. 358.6)

Temporary Protection and Direction of Traffic	All Required		$ 479.00
Temporary Signs	180 Sq.Ft.	3.86	694.80
Flagmen	40 Hour	10.00	400.00
Sidewalk Ramps	4 Only	297.00	1,188.00
Traffic Signal Installation, Complete	All Required		32,348.00
			$35,109.80

Anticipated Items

Temporary Pavement Striping (S.F.)	All Required	$ 300.00
Subtotal		$35,409.80
Engineering		4,711.20
Engineering (Signal Controller Testing)		600.00
Total		$40,721.00

Length of Project - - - - - - - - - - - - 0.00 Mile

Work Retained in Program Status
(Not included in amounts below)

Permanent Signing	All Required	$ 600.00

Federal Funds (85.8%) -	$34,938.00
State Funds -	5,793.00
Total	$40,721.00

Group 1 100%
Contract No. 8653
Prefix No. 8-1059

8653

November 29, 1977

Board of County Commissioners
Curry County
Courthouse
Gold Beach, OR 97444

Attention: Bernard I. Mather
County Clerk

MISC. CONTRACTS and
AGREEMENTS No. 6225

Gentlemen:

Attached for your records is a fully executed copy of an agreement for installation of traffic signals on the Oregon Coast Highway at the connection to Shopping Center Avenue in the Harbor area.

We have retained a fully executed copy of this agreement for the Transportation Commission's files.

Very truly yours,

C. W. Head
COMMISSION SERVICES

fkn

Att.

cc Don Harwell (conf. agree. att.)

8653

U.S. DEPARTMENT OF TRANSPORTATION · FEDERAL HIGHWAY ADMINISTRATION

11-22-77

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJ. TQF-2-1(3)

STATE PROJECT NO. See Below

COUNTY NAME Curry

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

FROM: G. L. Green, Division Administrator
Salem, Oregon

PROGRAM NO.

ITEM NO. 70142

TO:

Mr. F. B. Klaboe
Chief of Operations, DOT
State of Oregon
Salem, Oregon

DATE PS & E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER
11-22-77	11-22-77	Primary 2
		STATE ROUTE NUMBER Primary 9

GENERAL LOCATION:

Oregon Coast Highway at Shopping Center avenue (MP 358.6) Sec

GENERAL DESCRIPTION OF WORK:

Traffic Signal

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☐ LOCATION ONLY
PRLIMINARY ENGINEERING FOR SURVEY AND PLAN
☐ PREPARATION

☐ ACQUISITION OF RIGHT-OF-WAY
CONTRUCTION - ADVERTISE FOR RECEIPT
☒ OF BIDS

☒ OTHER (Specify) Temporary Pavement Striping (SF) $300.

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

As requested in Mr. Swan's letter of 9-6-77, I concur that the subject project is a non major action as set forth in FHPM 7-7-2, para 10e.

After concurrence in award you are authorized to proceed with those items listed above as shown in your estimate.

Mr. Swan's 11-18-77 request and certifying statements are accepted.

PS&E documents for the subject project have been reviewed and are approved at a total estimated cost of $43,527 Federal Funds $37,346.

A signed copy of the Title Sheet is returned herewith.

NOTED F. B. KLABOE 12-16

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
11-22-77	D K. Hansen	for Division Administrator

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976—626-787

8653

9

ENVIRONMENTAL REVIEW CHECKLIST

ALL CLEAR 11/16/77
Donald L. Bond

~~10-20-77~~ 12-14-77 Bid Letting _____ All Clear Deadline

SECTION OR. COAST HWY. @ SHOPPING CENTER AVE.(MP 358.6)
Highway Oregon Coast
County Curry Region 3
Type of Work Signal Funds Trans
State __ Consultant __ Plans Avail. __ Yes __ No

	Not Required	Required	Mitigation Required	Mitigation/Plans	ALL CLEAR	
DOCUMENTS:						
EIS	X					
Negative Declaration	X					
Project Assessment		X			X	Statewide - No significiant problems
Write-off Letter	X					
PERMITS:						
Division of State Lands	X					
D.O.G.M.I.	X					
Corps of Engineers	X					
Coast Guard	X					
Co. Conditional Use	X					
NPS Air Pollution	X					
NPS Water Pollution						
CULTURAL:						
Cultural Survey	X					
Cultural Salvage	X					
NOISE:						
Noise Study		X		X		

8651

FORM 81-734-2030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

FILE:

August 16, 1977

Salem, OR 97310

FROM: Gary A. Potter, Manager
Environmental Section

ORIGINAL SIGNED BY GARY A. POTTER

SUBJECT: Statewide Assessment
Oregon Coast Highway connection to Shopping Center Ave. (Harbor)
Curry County

TO: D. H. Moehring
Program Management Engineer

NOTED E. S. HUNTER

A signal has been proposed for the intersection of the Oregon Coast Highway with the connection to Shopping Center Avenue in the community of Harbor, south of Brookings. Here, at M.P. 358.57, a 3-phase signal is anticipated with an estimated cost of $40,000 on Transition Quarter Funding.

This signal is not on the Statewide Traffic Signal Priority List. It is a substitution for the proposed North Bank Chetco River Road signal which is on that list. It is felt that, by making the South Bank Chetco River Road one-way westbound from US 101 to Shopping Center Avenue, more of the boat basin traffic (all outbound traffic) would be taken to the Shopping Center Avenue connection with US 101. Here much better intersection geometrics exist.

With present and projected one-way traffic increases, the Shopping Center Avenue connection would meet signal warrant 2: Minimum Vehicular Volume in addition to warrant 1: Accident Experience. This would give it a weighted value of 60, ranking high on the priority list.

The proposed intersection is a "T"-type intersection; US 101 has 4 lanes and a left-turn refuge while the Shopping Center Avenue connection has 2 lanes. Surrounding land use is intermittent strip commercial development with some older uses such as the Chetco Grange persisting.

The subject project has been assessed and evaluated for its potential impact on the quality of the human environment. It has been determined that no new right-of-way will be required, and that this project is of a type for which the Statewide Assessment on Safety Projects is applicable. The Statewide Assessment classifies this project as Non-Major.

The primary purpose of this project is safety. Traffic noise will not be noticeably affected by this project. Mitigation is not feasible because of access and safety considerations. This constitutes the project noise study report as per FHPM 7-7-3.

GAP:cjh

Attachment

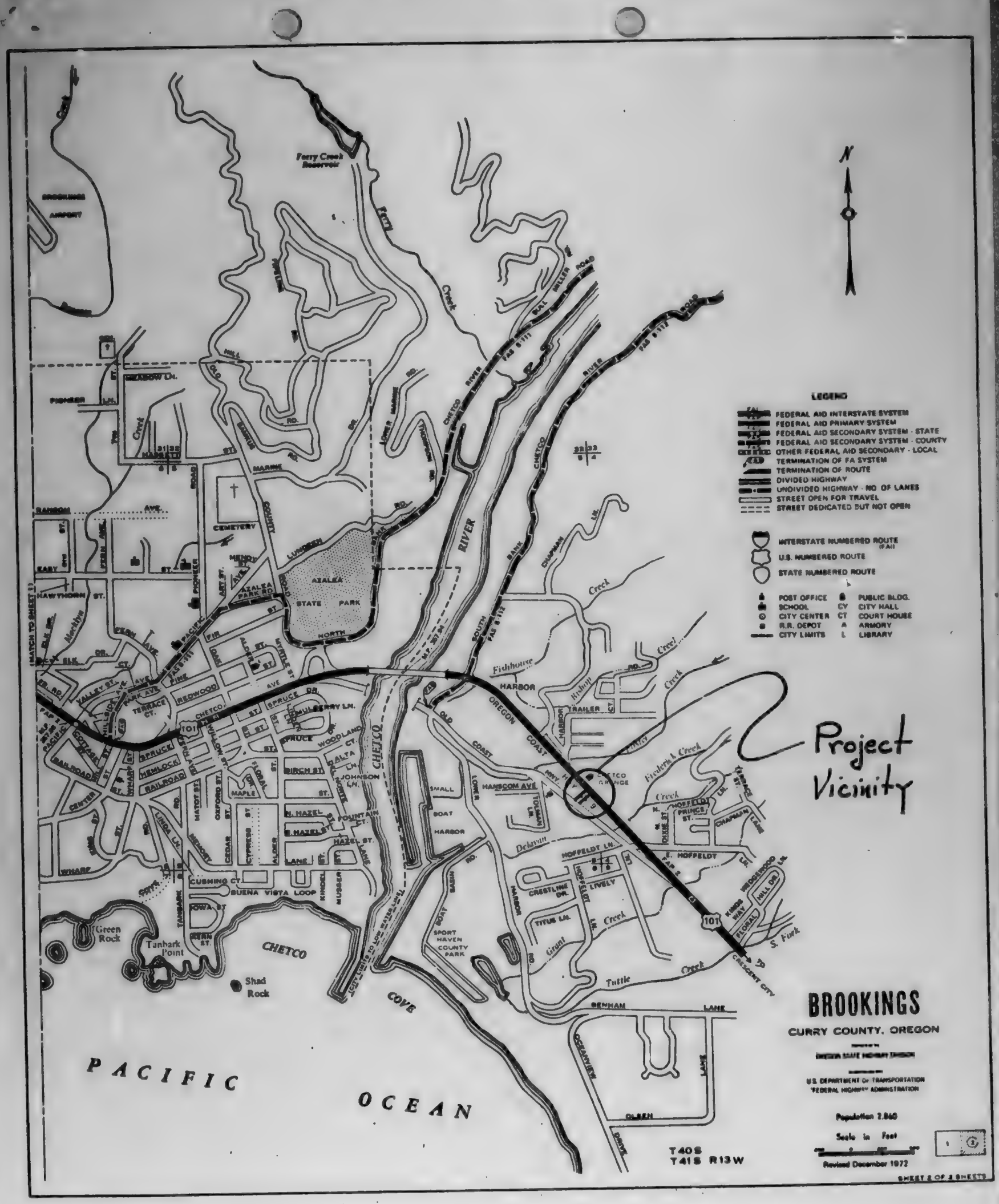
cc: E. S. Hunter
Al Shirley w/attach
Eb Engelmann w/attach

FOR: Info, Invest, R/D, D/R, Sign, Act, File

REFER TO

AUG 16 '77

RECEIVED TRANSPORTATION BUILDING


Project Vicinity
BROOKINGS
CURRY COUNTY, OREGON
PACIFIC OCEAN
CHETCO COVE
Chetco River
Fatty Creek Reservoir
Harbor
Azalea State Park
Green Rock
Tanbark Point
Shad Rock
Sport Haven County Park
Crescent City
T40S
T41S R13W
Population 2,940
Scale in Feet
Revised December 1972
LEGEND
FEDERAL AID INTERSTATE SYSTEM
FEDERAL AID PRIMARY SYSTEM
FEDERAL AID SECONDARY SYSTEM - STATE
FEDERAL AID SECONDARY SYSTEM - COUNTY
OTHER FEDERAL AID SECONDARY - LOCAL
TERMINATION OF FA SYSTEM
TERMINATION OF ROUTE
DIVIDED HIGHWAY
UNDIVIDED HIGHWAY - NO OF LANES
STREET OPEN FOR TRAVEL
STREET DEDICATED BUT NOT OPEN
INTERSTATE NUMBERED ROUTE
U.S. NUMBERED ROUTE
STATE NUMBERED ROUTE
POST OFFICE
SCHOOL
CITY CENTER
R.R. DEPOT
CITY LIMITS
PUBLIC BLDG.
CITY HALL
COURT HOUSE
ARMORY
LIBRARY

8653

8

FORM 81-734-3030

OREGON STATE HIGHWAY DIVISION

INTER-OFFICE CORRESPONDENCE

Salem, Oregon 97310

May 20, 1977

FILE:

FROM: L. E. George
Traffic Engineer

TO: H. S. Coulter
State Highway Engineer

SUBJECT: Requested Project Changes
Special Supplemental
Preservation Program
(with transition quarter funds)

Region III has requested some changes in the Special Supplemental Preservation Program as follows:

(1) That the signal on the list (FY 1980) for US101 at North Bank Chetco River Road (M.P. 357.76) be deferred and placed back on the unfunded signal priority list. Region has been working with the locals and they have come to agreement on this action.

(2) Since the project listed for FY 1978 on ORE99 at Clear-Lake-Irving Rd. (M.P. 117.89) is being funded by HHS funds, Region would like to substitute in its place on the FY 1978 Special Supplemental Preservation list a signal project on the Oregon Coast Hwy. at the connection to Shopping Center Avenue (M.P. 358.57). The costs are about the same. This project is not currently on the Preservation Program List, but it meets two warrants which would rank it as high as some of the projects on the FY 1978 list. Region would like this project installed this year.

RECEIVED
DOT OPERATIONS
MAY 26 '77
REFER TO
FOR
Info | Inves | R/D | D/R | Sign | Act | File

RECEIVED
STATE HWY ENGR
25
MAY 23 '77
REFER TO
F.B. Klabure
FOR
Info | Inves | R/D | D/R | Sign | Act | File

(3) Since the project listed for FY 1978 on the Rogue Valley Hwy. at Mountain Ave. (M.P. 20.17) is being funded with FAUS funds, Region would like to substitute in its place on the FY 1978 listing the signal project on the Pacific Hwy. West at Barger Ave. (M.P. 119.44). This project is currently on the FY1979 listing for transition quarter funds but Region would like to have it done sooner.

Recommend changes in Programs as suggested. —

Also, because of previous commitments I would like to move the signal project on the Pacific Hwy. West at McDonald Lane in McMinnville (M.P. 36.36) from FY 1980 to FY 1978.

Your approval of these actions is requested.

APPROVED
H. S. Coulter
STATE HIGHWAY ENGINEER
DATE: 5/20/77

State's Turn

L. E. George
Traffic Engineer

RECEIVED
MAY 27 1977
TRAFFIC ENGINEERING

RDT:rw
cc: Alfred Shirley, Jr.
L. W. Rulien
J. W. Sheldrake

.1979 N Oakland Interchg.-Suther- 8654
.lin Intch. Sec. of Pac. Hwy. (Gr,
.pave, barriers, struc, & sign) #3

CKA 7846 — 3-16-83

ic cc: OSHD (Rulien) C

8657

STATE COPY

US Department of Transportation
Federal Highway Administration

FINAL ACCEPTANCE REPORT

REGION NO.	REPORT NO.	COUNTY	DIVISION
10	5	Douglas	Oregon

DATE OF REPORT	REPORT MADE BY	PROJECT NO.
10/16/87	Richard R. Arnold, Area Engineer	I-F-5-3(111)137

COMPLETION DATE (Actual)	ACCEPTANCE DATE BY CONRTACT AGENCY	TIME ELAPSED	CONTRACT TIME
2/2/80	3/18/81	129 %	A) 200 CWD B) 400 CWD

LOCATION

N. Oakland Intch - Sutherline Intch, Pacific Hwy

The FHWA-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds, has been submitted. (Projects over $500,000)
A copy of the State's materials certificate is attached to the Division office copy of this report.
There is compliance with section 1.23 of the Regulations pertaining to encroachments on the right-of-way.

REMARKS: *The project has been completed in reasonably close conformity with the approved plans and specifications including authorized changes and extra work.*

This project provided for the grading, paving, barriers, structures, signing and incidental work common to this type of project on a 3.2 mile section of the Pacific Highway.

A contract in the amount of $3,374,976.38 was awarded to S. D. Spencer & Son of Vancouver, Washington on December 19, 1977. Work began on April 12, 1978 and was completed in reasonably close conformance with the approved plans and specifications, including approved changes on February 22, 1980 at a final cost of $4,068,643.57 which includes $3,334,277.80 for original bid item work, $61,974.27 for work completed under approved Price Agreements, $119,475.65 for approved Force Account work, $29,059.45 for approved State Force work, $65,400 credit for liquidated damages, and $513,500 for construction engineering.

A final lump sum payment of $182,500 was made for the several claims submtted by the contractor. This justification for this claim settlement is included in Price Agreement #25, approved by this office October 9, 1987.

A total of 518 calendar workdays were used in completing the work as compared with the 200 calendar workdays allowed under the contract plus a 50 CWD extension was approved April 18, 1979. Liquidated damages in the amount of $65,400 were assessed accordingly.

The statement of overruns and underruns is attached to the Division file copy of this report.

- RRA -

NOTED
W. E. SCHWARTZ
10/22

RECEIVED
STATE HWY ENGR
OCT 19 '87
REFER TO
Fredrickson
FOR

ACCEPTANCE OF PROJECT IS RECOMMENDED		ACCEPTED BY FEDERAL HIGHWAY ADMINISTRATION	
SIGNATURE: Richard R. Arnold		SIGNATURE: John T. Price	
TITLE: Area Engineer	DATE: 10/16/87	TITLE: District Engineer	DATE: 10/19/87

FORM FHWA 1446B PREVIOUS EDITIONS MAY BE USED

8654

C

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
OREGON DIVISION
The Equitable Center - Suite 100
530 Center Street NE
Salem, Oregon 97301

October 9, 1987
IN REPLY REFER TO

HB-OR

Mr. L. W. Rulien
State Highway Engineer
102 Transportation Building
Salem, Oregon 97310

Dear Mr. Rulien:

Oregon Project I-F-5-3(111)137
N. Oakland Intch.-Sutherlin Intch.
Douglas County
Price Agreement No. 25

We have reviewed Mr. Fredrickson's September 24 letter and information to support your settlement of a $1,171,513 claim for $182,500.

All costs are supportable except the $5,745 in claim item number 11. The State used the contractor's guardrail material for maintenance purposes.

Since the net supportable costs exceed the actual settlement amount, we approve Price Agreement No. 25 and will fully participate in the $182,500 settlement.

Sincerely yours,

John T. Price

Dale E. Wilken
Division Administrator

cc:
OSHD (O. B. Jackmond, Const) w/Price Agreement No. 25
OSHD (C. Gilmour, Program)

done 10/14
cy - Schwartz
Adams

RECEIVED
STATE HWY ENGR
OCT 9 '87
REFER TO
FOR

8654

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

OREGON DIVISION
The Equitable Center - Suite 100
530 Center Street NE
Salem, Oregon 97301

August 31, 1987
IN REPLY REFER TO
HB.1-OR

Mr. L. W. Rulien
State Highway Engineer
102 Transportation Building
Salem, Oregon 97310

Dear Mr. Rulien:

Oregon Project I-F-53(111)137
Request for Project Acceptance

We have reviewed the documents submitted with Mr. Fredrickson's May 1, 1987 memorandum and note a lump sum claim settlement of $182,500 has been included in the estimate.

Before we can proceed with final acceptance of this project with this claim settlement as a Federal participating cost, a breakdown of the lump sum relating to the contractor's claims and supporting data for the amounts allowed is needed. Please advise on the action being taken by your office regarding this item.

Sincerely yours,

John T. Price

Dale E. Wilken
Division Administrator

D. R. ADAMS

cc:
OSHD (G. A. Potter, Program)
(C. O. Fredrickson, Const)

Schwartz - D/R w/ bc to Rulien, pls.
cy - Adams

RECEIVED
STATE HWY ENGR
SEP 1 '87
REFER TO
FOR

8654

STATE OF OREGON

INTEROFFICE MEMO

TO: W. E. Schwartz
Asst. State Highway Engineer

DATE: October 7, 1983

FROM: O. B. Jackmond
O. B. Jackmond
Contract Administration Engineer

Orig. to Jackmond, Justice
cy Tim Wood,
Skoog
Files
10/17

RECEIVED
STATE HWY ENGR
OCT 10 '83
REFER TO
FOR
Info | Invest | R/D | D/R | Sign | Act | File

SUBJECT: OSU Personal Services Contract
N. Oakland Interchange-Sutherlin Interchange
Contract No. 8654

Tim Wood and I met with Professor R. G. Hicks of Oregon State University on February 2, 1983 to discuss the possibility of his working as a consultant and expert witness in a suit involving the North Oakland Interchange to Sutherlin Interchange project, contract no. 8654. The scheduled trial date was March 30, 1983.

During our February 2 meeting we agreed to pay Professor Hicks at the rate of $40.00 /hr plus OPE and travel expenses for his services. An intergovernmental personal service contract formalizing this agreement was signed by Oregon State University on February 24, 1983 with approval by the Executive Department on March 11, 1983. The final approval was less than three weeks before the scheduled trial date. Included in the contract is a provision that "preparation may begin immediately upon execution of this contract".

We stressed the urgency of Dr. Hicks being prepared and able to consult with Tim Wood prior to the trial date. While I think that not starting the work prior to the agreement was mentioned during this discussion, we obviously did not stress it enough since Professor Hicks billed for services prior to execution and even prior to signing by OSU.

Other than starting early, Professor Hicks fulfilled his obligations under the agreement to our satisfaction. Although the case was not tried, he completed his review, consulted with and advised Tim Wood and was prepared to testify as an expert witness.

Rich Evans, the OSHD staff auditor reviewing the final invoice, has not approved payment of charges for work prior to the March 11, 1983 "execution" of the contract.

I recommend that you waive this provision of the agreement and authorize payment for services before the execution of the contract for the following reasons:

1. We probably share responsibility for the error since we may not have clearly stated this limitation during our interview.

2. We received the benefit of work performed prior to the

Approved
Lindsey E. Lawrence

contract execution. With the short time period from the agreement execution to the scheduled trial date the early start was actually beneficial.

3. The cost of the work performed by Dr. Hicks is not changed by the early start.

4. It is not good policy to be involved in a dispute with another public agency in a matter such as this. OSU is the closest and most convenient source of consultants and expert witnesses to support us in future litigation.

The total billing is for $4,331.50 with approximately $900.00 representing work prior to execution of the contract. This $900.00 would not be FHWA participating.

In the future we will be certain consultants understand no work will commence before a contract is executed.

OBJ:KLM:cb
8654

cc: Tim Wood

8654

OFFICES IN ROSEBURG and MEDFORD
PHONE:
MEDFORD (503) 773-6341
ROSEBURG (503) 673-5521

SIMS ELECTRIC INC.

PLEASE REPLY TO:
SIMS ELECTRIC ADMINISTRATIVE OFFICE
480 N.E. OAKLAND AVE. - P.O. BOX 1245
ROSEBURG, OREGON 97470
(503) 673-5525

RAY O. SIMS, CHAIRMAN OF BOARD
WM. H. SIMS, PRESIDENT
W.D. MATTSON, PRESIDENT
JAMES P. SHOEMAKER, VICE PRESIDENT

RECEIVED
STATE HWY ENGR
SEP 21 '83
REFER TO
Orig to Richmond 9/22
FOR
Init | Insp | Proj | Dsgn | Spec | Adm | File
X

September 21, 1983

To the Secretary,
Oregon State Highway Divsion
State Highway Building
Salem, OR 97301

Gentlemen:

The attached letter dated October 7th advised that payment had not been received in full from S. D. Spencer on Contract No. 8654 for certian electrical work performed. The contract was completed in 1980 and we as of this date have not been paid.

Could you kindly advise if there has been a recent settlement with Spencer and, if so, was it final, what was the amount and conditions, and specifically, were liquidated damages asessed as a result of time overrun, or was an extention for work days granted.

Copies of any of these records if they exist would be appreciated.

Very truly yours,

Ray O. Sims, VP

Sims Electric, Inc.
P. O. Box 1245
Roseburg, OR 97470

8654

S

VICTOR ATIYEH
GOVERNOR

Department of Transportation
HIGHWAY DIVISION

In Reply Refer to
File No.:

PRO 6-2

Date: August 22, 1983

To: Dale E. Wilken
Division Administrator
Federal Highway Administration
ORIGINAL SIGNED BY
D. E. SWAN

From: Gary A. Potter, Manager
Program Section

Subject: Personal Services Agreement
Project No. I-F-5-3(111)137
N. Oakland Interch.-Sutherlin Interch. Sec.
Douglas County

Enclosed for your approval are two copies of a fully executed personl services agreement between the State Highway Division and Oregon State University for work in connection with the States legal defense of the contractor's claim on the subject project at an estimated total cost of $5,000.

I further request the following:

1) Confirmation of previous verbal approval to proceed with work under the personal services agreement as of February 1, 1983, with no increase in total cost or Federal funds.

2) The return of one copy of the personal services agreement approved for our file.

CL:bkb
Enc.

cc: Keith Martin
M. Holmes
General Files

734-1839

8654 STATE COPY 5

TO BE COMPLETED BY FHWA
MONTHLY TRANSACTION NUMBER 7-207
PROJECT REPORT NUMBER
MODIFICATION NUMBER 3

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

MODIFICATION OF FEDERAL-AID PROJECT AGREEMENT

7-18-83

State	Oregon
County	Douglas
Project Number	I-F-5-3(111)137

The Project Agreement for the above-referenced project entered into between the undersigned parties and executed by the Division Administrator on January 30 , 19 78 , is hereby modified as follows:

	Former amount	Revised amount
Estimated total cost of project	$ 3,878,741.00	$ 4,095,741.00
Federal funds	$ 3,576,472.00	$ 3,776,632.00
Other revisions		

This modification is made for the following reasons: to include costs for legal expenses, and contractors claim settlement.

All other terms and conditions of the Project Agreement will remain in full force and effect. This modification is effective as of the 18th day of July , 19 83 .

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By Mary G. Potter

Manager, Program Section
(Title)

XXX For: H.S. Coulter, P.E.

State Highway Engineer
(Title)

By _____

_____
(Title)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Administrator)

For: Dale E. Wilken

Form PR-2A
(Rev. 10-75)

Previous editions are obsolete

Gen file

Oregon State Highway Division
Salem, Oregon July 11, 1983

Federal-Aid Project No. I-F-5-3(111)137

N. Oakland Intchge.-Sutherlin Intchge. Section
Pacific Highway in Douglas County

REVISED PROJECT AGREEMENT ESTIMATE

Interstate Participation
Type Code 6201
Roadway (Sta. 1615+50 to Sta. 1785+50)

Subtotal of previous estimate of July 1, 1981		$ 2,972,327.14
Additional Items		
Legal Expenses (Contractor's Claim)	All Required	$ 35,000.00
Contractor's Claim Settlement	All Required	182,500.00
		$ 217,000.00
	Increase	$ 217,000.00
	Subtotal	$ 3,189,327.14
	Engineering	353,704.86
	Total	$ 3,543,032.00

Type Code X082
Structure, Br. #7561 (Sta. 1631+23.77)

Total the same as previous estimate of Jan. 11-78	$ 10,950.00

Type Code X781
Structure, Br. #7562 (Sta. 1659+60)

Total the same as previous estimate of Jan. 11-78	$ 249,698.08

Type Code X020
Structures, Br. #7563 A and 7564 A (Sta. 1679+40 to Sta. 1682+60)
(Sta. 1686+20 to 1687+10)

Total the same as previous estimate of Jan. 11-78	$ 532,864.00

Primary Funding
Type Code X020
Structures, Br. #7563 A and 7564 A (Sta. 1679+40
to Sta. 1682+60)(STa. 1686+20 to Sta. 1687+10)

Total the same as previous estimate of Jan. 11-78	$ 19,845.00

Length of Roadway	3.142 miles
Length of Structures	0.078 miles
Total Length	3.220 miles

Cost of Roadway Per Mile $ 1,303,545.83

SUMMARY OF FUNDS

Description	Total Cost	Federal Funds	State Funds
Interstate Funding (92.24%)			
Roadway	$ 3,543,032.00	$ 3,268,092.00	$ 274,940.00
Structure	532,864.00	491,513.00	41,351.00
Subtotal	$ 4,075,896.00	$ 3,759,605.00	$ 316,291.00
Primary Funding (85.8%)			
Structure	19,845.00	17,027.00	2,818.00
Total	$ 4,095,741.00	$ 3,776,632.00	$ 319,109.00

Group 1 100%
Group 2 0.00%
Contract No. 8654
Prefix: 610-1078

8654

STATE COPY

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	State
MONTHLY TRANSACTION NUMBER: 7-110		OREGON
PROJECT REPORT NUMBER:	MODIFICATION OF FEDERAL-AID PROJECT AGREEMENT	County: DOUGLAS
MODIFICATION NUMBER: 2	7-9-81	Project Number: I-F-5-3(111)137

The Project Agreement for the above-referenced project entered into between the undersigned parties and executed by the Division Administrator on January 30 , 19 78 , is hereby modified as follows:

	Former amount	Revised amount
Estimated total cost of project	$ 4,030,520.00	$ 3,878,741.00
Federal funds	$ 3,716,472.00	$ 3,576,472.00
Other revisions		

This modification is made for the following reasons: To release $140,000.00 Federal Funds for use on other projects.

All other terms and conditions of the Project Agreement will remain in full force and effect. This modification is effective as of the 9th day of July , 19 81 .

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By _____

ASST. STATE HIGHWAY ENGINEER
(Title)

By FOR: H. S. Coulter

State Highway Engineer
(Title)

By _____

(Title)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Administrator)

FOR: Dale E. Wilken

Form PR-2A
(Rev. 10-75)

Previous editions are obsolete

Gen. File

OREGON STATE HIGHWAY DIVISION
SALEM, OREGON July 1, 1981

FEDERAL AID PROJECT
NO. I-F-5-3(111)137

N. OAKLAND INTCHGE.-SUTHERLIN INTCHGE. SECTION
PACIFIC HIGHWAY IN DOUGLAS COUNTY

Revised Project Agreement Estimate.

INTERSTATE PARTICIPATION
TYPE CODE 6201
ROADWAY (Sta. 1615+50 to Sta. 1785+50)

Subtotal of previous estimate of January 7, 1980			$3,117,447.14
REVISED ESTIMATE			
Liquidated Damages, Unit A	150 days	300.00	$ (45,000.00)
Liquidated Damages, Unit A & B	68 days	300.00	(20,400.00)
Price Red Non Spec AC Mix		All Required	(79,720.00)
		TOTAL CREDIT	$ (145,120.00)
		Subtotal	$2,972,327.14
		Engineering	353,704.86
		TOTAL	$3,326,032.00

TYPE CODE X082
STRUCTURE, BR. #7561 (Sta. 1631+23.77)

Total the same as previous estimate of January 11, 1978 $ 10,950.00

TYPE CODE X781
STRUCTURE, BR. #7562 (Sta. 1659+60)

Total the same as previous estimate of January 11, 1978 $ 249,698.08

TYPE CODE X020
STRUCTURES, BR. #7563 A and 7564 A (Sta. 1679+40 to Sta. 1682+60)
(Sta. 1686+20 to 1687+10)

Total the same as previous estimate of January 11, 1978 $ 532,864.00

PRIMARY FUNDING
TYPE CODE X020
STRUCTURES, BR. #7563 A and 7564 A (Sta. 1679+40
to Sta. 1682+60) (Sta. 1686+20 to Sta. 1687+10)

Total the same as previous estimate of January 11, 1978 $ 19,845.00

Length of Roadway ---------- 3.142 miles
Length of Structures ---------- 0.078 miles

TOTAL LENGTH 3.220 miles

Cost of Roadway per mile ---------- $1,228,165.50

SUMMARY OF FUNDS

DESCRIPTION	TOTAL COST	FEDERAL FUNDS	STATE FUNDS
Interstate Funding (92.24%)			
Roadway	$3,326,032.00	$3,067.932.00	$258,100.00
Structure	532,864.00	491,513.00	41,351.00
SUBTOTAL	$3,858,896.00	$3,559,445.00	$299,451.00
Primary Funding (85.8%)			
Structure	$ 19,845.00	$ 17,027.00	$ 2,818.00
TOTAL	$3,878,741.00	$3,576,472.00	$302,269.00

Group 1 - 100%
Group 2 - 0.00%
Contract No. 8654
Prefix: 610-1078

7654

STATE COPY

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	State Oregon
MONTHLY TRANSACTION NUMBER 1-73		County Douglas
PROJECT REPORT NUMBER	MODIFICATION OF FEDERAL-AID PROJECT AGREEMENT	Project Number I-F-5-3(111)137
MODIFICATION NUMBER 1	1-18-80	

The Project Agreement for the above-referenced project entered into between the undersigned parties and executed by the Division Administrator on January 30, 19 78, is hereby modified as follows:

	Former amount	Revised amount
Estimated total cost of project	~~$ 3,784,230.00~~	~~$ 4,030,520.00~~
Federal funds	~~$ 1,472,267.00~~ $ I-3,699,455.00	
Other revisions	~~F- 17,027.00~~	~~F- 17,027.00~~

This modification is made for the following reasons:

To include increase in bid item quantities, additional work under Extra Work Orders, and increase in construction engineering costs.

All other terms and conditions of the Project Agreement will remain in full force and effect. This modification is effective as of the 18th day of January, 1980.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By _____

Asst. State Highway Engineer
(Title)

By XX For: H. S. Coulter

State Highway Engineer
(Title)

By _____

(Title)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Administrator)

For: G. L. Green

Form PR-2A
(Rev. 10-75)

Previous editions are obsolete

Gen. File

Oregon State Highway Division
Salem, Oregon, January 7, 1980

Federal Aid Project
No. I-F-5-3-(111)137

N. OAKLAND INTCHGE.-SUTHERLIN INTCHGE. SECTION
PACIFIC HIGHWAY IN DOUGLAS COUNTY

Revised Project Agreement Estimate

Interstate Participation
Type Code 6201
Roadway (Sta. 1615+50 to Sta. 1785+50)
Subtotal of previous estimate of January 11,1978 $ 2,872,463.55

Previous Estimate			
Flagman	2000 Hr.	19.50	$ 39,000.00
Class "B" AC Mix	42,400 Ton	10.80	457,920.00
Class "E" AC Mix	8,850 Ton	8.30	73,455.00
Asphalt in Tack Coat	37 Ton	150.00	5,550.00
Extra for Pipe Under Pavement	3,825 Lin.Ft.	13.00	49,725.00
			$ 625,650.00

Revised Estimate			
Flagman	2,105.5 Hr.	19.50	41,057.25
Class "B" A.C. Mix	51,610 Ton	10.80	557,388.00
Class "E" A.C. Mix	9,426 Ton	8.30	78,235.00
Asphalt in Tack Coat	85 Ton	150.00	12,750.00
Extra for Pipe Under Pavement	6,708 Lin.Ft.	13.00	87,204.00
E.W.O. #6 Slide Correction	All Required		61,273.61
E.W.O. #7 Anti Strip Additive	All Required		32,725.73
			$ 870,633.59

Increase	244,983.59
Subtotal	3,117,447.14
Engineering	360,363.86
Total	3,477,811.00

Type Code X082
Structure, Br. #7561 (Sta. 1631+23.77)
Total the same as previous estimate of Jan. 11-78 $ 10,950.00

Type Code X781
Structure, Br. #7562 (Sta. 1659 + 60)
Total the same as previous estimate of Jan-11-78 $ 249,698.08

Type Code X020
Structures, Br. #7563 A and 7564 A (Sta. 1679+40 to Sta. 1682+60)
(Sta. 1686+20 to 1687+10)

Oregon State Highway Division
Salem, Oregon, January 7, 1980

Federal Aid Project
No. I-F-5-3-(111)137

Total the same as previous estimate of Jan-11-78 $ 532,864.00

Primary Funding
Type Code X020
Structures, Br. #7563 A and 7564 A (Sta. 1679+40 to Sta. 1682+60) (Sta. 1686+20 to Sta. 1687+10)
Total the same as previous estimate of Jan-11-78 $ 19,845.00

Length of Roadway - - - - - - - - - 3.142 miles
Length of Structures - - - - - - - 0.078 miles

Total Length 3.220 miles
Cost of Roadway per mile - - - - - $ 1,106,878.13

SUMMARY OF FUNDS

Description	Total Cost	Federal Funds	State Funds
Interstate Funding (92.24%)			
Roadway	$ 3,477,811.00	3,207,932.00	269,879.00
Structure	532,864.00	491,513.00	41,351.00
Subtotal	4,010,675.00	3,699,445.00	311,230.00
Primary Funding (85.8%)			
Structure	19,845.00	17,027.00	2,818.00
Total	$ 4,030,520.00	$ 3,716,472.00	$ 314,048.00

Group 1 - 100%
Group 2 - 0.00%
Contract No. 8654
Prefix 610-1078

8654

STATE COPY 2

TO BE COMPLETED BY FHWA	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	Oregon
MONTHLY TRANSACTION NO. 2-25		County Douglas
	FEDERAL-AID PROJECT AGREEMENT	Project No. I-F-5-3(111)137
	1-30-78	

The State, through its Highway Agency, having complied, or hereby agreeing to comply, with the applicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project, and the Federal Highway Administration having authorized certain work to proceed as evidenced by the date entered opposite the specific item of work, Federal funds are obligated for the project not to exceed the amount shown herein, the balance of the estimated total cost being an obligation of the State. Such obligation of Federal funds extends only to project costs incurred by the State after the Federal Highway Administration authorization to proceed with the project involving such costs.

PROJECT TERMINI

I-5, Jct. SR 138, N. 3.2 mi.

PROJECT CLASSIFICATION OR PHASE OF WORK	EFFECTIVE DATE OF AUTHORIZATION	APPROXIMATE LENGTH *(Miles)*
HIGHWAY PLANNING AND RESEARCH (HP & R)		
PRELIMINARY ENGINEERING		
RIGHTS-OF-WAY		
CONSTRUCTION	11-22-77	3.22
OTHER *(Specify)*		

FUNDS Pro rata 92.24% and 85.8%

ESTIMATED TOTAL COST OF PROJECT	FEDERAL FUNDS
3,764,385.00 I	3,472,267.00 I
$ 19,845.00 F	$ 17,027.00 F

The State further stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions set forth on the reverse hereof.

OREGON STATE HIGHWAY DIVISION
(Official name of Highway Agency)

By E. J. Kuntz

Technical Services Engineer
(Title)

By H. B. Coulter

State Highway Engineer
(Title)

By _____

_____
(Title)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By _____
(Division Administrator)

For: G. L. Green

Date executed by Division Administrator JUN 30 1978

Form PR-2 (Rev. 10-75) PREVIOUS EDITIONS ARE OBSOLETE

AGREEMENT PROVISIONS

1. RESPONSIBILITY FOR WORK

a. Except for projects constructed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in compliance with the approved plans and specifications or project proposal which, by reference, are made a part hereof.

b. With regard to projects performed under Certification Acceptance procedures, the State highway agency will perform the work, or cause it to be performed, in accordance with the terms of its approved Certification, or exceptions thereto as may have been approved by the Federal Highway Administration.

2. HIGHWAY PLANNING AND RESEARCH (HP&R) PROJECT. The State highway agency will (a) conduct or cause to be conducted, under its direct control, engineering and economic investigations of projects for future construction, together with highway research necessary in connection therewith, pursuant to the work program approved by the Federal Highway Administration and (b) prepare reports suitable for publication of the result of such investigations and research, but no report will be published without the prior approval of the Federal Highway Administration.

3. PROJECT FOR ADVANCE ACQUISITION OF RIGHTS-OF-WAY. In the event that actual construction of a road on this right-of-way is not undertaken by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the State highway agency will repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

4. PRELIMINARY ENGINEERING PROJECT FOR PREPARATION OF RIGHT-OF-WAY PLANS OR FOR PREPARATION OF CONSTRUCTION PLANS, SPECIFICATIONS AND ESTIMATES. In the event that right-of-way acquisition for, or actual construction of the road for which this preliminary engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the State highway. agency wul repay to the Federal Highway Administration the sum or sums of Federal funds paid to the highway agency under the terms of this agreement.

5. INTERSTATE SYSTEM PROJECT. (a) The State highway agency will not add or permit to be added, without the prior approval of the Federal Highway Administration any points of access to, or exit from, the project in addition to those approved in the plans and specifications for the project. (b) The State highway agency will not permit automotive service stations, or other commercial establishments for serving motor vehicle users, to be constructed or located on the right-of-way of the interstate system. (c) The State highway agency will not after June 30, 1968, permit the construction of any portion of the Interstate Route on which this project is located, including spurs and loops, as a toll road without the written concurrence of the Secretary of Transportation or his officially designated representative. The term 'toll road' does not include toll bridges or toll tunnels.

6. PROJECT FOR CONSTRUCTION IN ADVANCE OF APPORTIONMENT. (a) This project authorized pursuant to 23 U.S.C. 115 as amended, will be subject to all procedures and requirements, and conform to the standards applicable to projects on the system on which located, financed with the aid of Federal funds. (b) No obligation of previously apportioned Federal funds is created by this agreement, its purpose and intent being to provide that, upon application by the State highway agency, and approval thereof by the Federal Highway Administration, any Federal-aid funds of the class designated by the project number prefix, apportioned to the State under 23 U.S.C. 104 subsequent to the date of this agreement, may be used to reimburse the State for the Federal share of the cost of work done on the project.

7. STAGE CONSTRUCTION. The State highway agency agrees that all stages of construction necessary to provide the initially planned complete facility, within the limits of this project, will conform to at least the minimum values set by approved AASHTO design standards applicable to this class of highways, even though such additional work is financed without Federal-aid participation..

8. BOND ISSUE PROJECT. Construction, inspection and maintenance of the project will be accomplished in the same manner as for regular Federal-aid projects. No present or immediate obligation is created by this Agreement against Federal funds, its purpose and intent being to provide aid to the State, as authorized by 23 U.S.C. 122, for retiring maturities of the principal indebtedness of the bonds referred to below. When the State requests Federal reimbursement to aid in the retirement of such bonds, the request will be supported by the appropriate certification required by 23 CFR Part 140, Subpart F, and Volume 1, Chapter 4, Section 8 of the Federal-Aid Highway Program Manual or the alternative State procedure set forth in the State's Certificate, and payment of the authorized Federal share will be made from appropriate funds available. If in any year there is no unobligated balance of any apportioned Federal funds available from which payments hereunder may be made, there will be no obligation on the part of the Federal Government on account of bond maturities for that year. Funds available to the highway agency for this project are the proceeds of bonds issued by the governmental unit indicated on the attached tabulation, pursuant to the authority and in the amounts by date of issue and beginning date of maturities set forth therein.

9. SPECIAL HIGHWAY PLANNING AND RESEARCH PROJECT. The State Highway agency hereby authorizes the Federal Highway Administration to charge the State's pro rata share of costs incurred against funds apportioned to the State under 23 U.S.C. 307 (c), as amended. In the event a project is financed with both Federal-aid funds and State matching funds, the State agrees to advance to The Federal Highway Administration the State matching funds for its share of the estimated cost. For a National Pooled Fund study, the State hereby assigns its responsibility for the work to the Federal Highway Administration. For an Intra-Regional Cooperative Study, the State hereby assigns its responsibility for the work to the lead State for the study.

10. PARKING REGULATION AND TRAFFIC CONTROL. The State highway agency will not permit any changes to be made in the provisions for parking regulations and traffic control as contained in the agreement between the State and the local unit of Government referred to in the paragraph on "Additional Provisions," without the prior approval of the Federal Highway Administration, unless the State determines, and the Division Administrator concurs, that the local unit of Government has a functioning traffic engineering unit with the demonstrated ability to apply and maintain sound traffic operations and control.

file

Oregon State Highway Division
Salem, Oregon, January 11, 1978

Federal-aid Project
No. I-F-5-3(111)137

N. OAKLAND INTCHGE.-SUTHERLIN INTCHGE. SECTION
PACIFIC HIGHWAY
DOUGLAS COUNTY

Project agreement estimate.

Interstate Participation
Type Code 6201
Roadway (Sta. 1615+50 to Sta. 1785+50)

Furnishing Field Laboratory	1 only	3,000.00	$ 3,000.00
Mobilization	All Required		100,000.00
Temporary Protection and Direction of Traffic	All Required		65,000.00
Temporary Signs	2,000 sq.ft.	7.00	14,000.00
Temporary Barricades	17 only	150.00	2,550.00
Temporary Continuous Rail Traffic Barrier, Reflectorized	100 lin.ft.	2.50	250.00
Temporary Concrete Barrier	9,475 lin.ft.	10.00	94,750.00
Moving Temporary Concrete Barrier	8,900 lin.ft.	3.50	31,150.00
Temporary Plastic Safety Markers	140 only	80.00	11,200.00
Oversize Advance Construction Signs	2 only	4,000.00	8,000.00
Sequential Arrow Signs	2 only	3,500.00	7,000.00
Flagmen	2,000 hour	19.50	39,000.00
Temporary Illumination	All Required		34,000.00
Clearing and Grubbing	All Required		25,000.00
Removal of Structures and Obstructions	All Required		30,000.00
Ditch Excavation	1,650 cu.yd.	4.00	6,600.00
General Excavation	149,870 cu.yd.	2.88	431,625.60
Trench Excavation	6,095 cu.yd.	10.00	60,950.00
Finishing Roadbed and Slopes	All Required		25,000.00
Furnishing and Placing Topsoil	8,450 cu.yd.	3.25	27,462.50
Watering	2,300 M-gal.	8.00	18,400.00
1" - 0 Aggregate Base	34,000 ton	5.45	185,300.00
Class "B" Asphalt Concrete Mixture	42,400 ton	10.80	457,920.00
Class "E" Asphalt Concrete Mixture	8,850 ton	8.30	73,455.00
Class "C" Asphalt Concrete Mixture in Leveling	8,000 ton	10.80	86,400.00

Asphalt Cement in Mixture	3,900 ton	95.00	370,500.00
Portland Cement or Lime Additive in Class "E" Mixture	90 ton	95.00	8,550.00
Asphalt in Tack Coat	37 ton	150.00	5,550.00
Aggregate in Seal Coat	270 ton	0.01	2.70
Asphalt in Seal Coat	160 ton	0.01	1.60
8-inch Culvert Pipe	80 lin.ft.	6.00	480.00
12-inch Culvert Pipe	960 lin.ft.	11.00	10,560.00
18-inch Culvert Pipe	1,170 lin.ft.	11.00	12,870.00
24-inch Culvert Pipe	50 lin.ft.	26.00	1,300.00
30-inch Culvert Pipe	20 lin.ft.	35.00	700.00
12-inch Sewer Pipe	3,160 lin.ft.	8.50	26,860.00
15-inch Sewer Pipe	550 lin.ft.	11.25	6,187.50
18-inch Sewer Pipe	680 lin.ft.	12.50	8,500.00
Extra for Pipe Under Pavement	3,825 lin.ft.	13.00	49,725.00
Concrete Manholes	4 only	3,000.00	12,000.00
Concrete Inlets, Type G-1	40 only	650.00	26,000.00
Concrete Inlets, Type G-2MA	6 only	1,500.00	9,000.00
Concrete Junction Boxes	9 only	400.00	3,600.00
Concrete Check Dams	160 only	100.00	16,000.00
6-inch Drain Pipe	4,540 lin.ft.	4.00	18,160.00
8-inch Drain Pipe	19,120 lin.ft.	4.50	86,040.00
Fiber Filter	201,920 sq.ft.	0.30	60,576.00
3/4" - 1/2" Gravel in Drains	3,810 cu.yd.	10.80	41,148.00
Guard Rail, Type 1	63 lin.ft.	4.50	283.50
Guard Rail, Type 2	475 lin.ft.	4.50	2,137.50
Guard Rail, Type 2A	5,213 lin.ft.	4.50	23,458.50
Guard Rail, Type 3	200 lin.ft.	16.00	3,200.00
Guard Rail Anchors, Type 1	11 only	250.00	2,750.00
Guard Rail Anchors, Type 2	7 only	300.00	2,100.00
Extra for Guard Rail Bridge Connections	8 only	300.00	2,400.00
Rail End Pieces, Type A	11 only	20.00	220.00
Rail End Pieces, Type C	11 only	110.00	1,210.00
Type 2 Fence	6,175 lin.ft.	2.00	12,350.00
Concrete Curbs	700 lin.ft.	3.75	2,625.00
Extra for Asphalt Approaches	1 only	200.00	200.00
Concrete Barrier	16,940 lin.ft.	8.95	151,613.00
Paved Culvert End Slopes	752 sq.ft.	10.00	7,520.00
Drainage Curbs	2,760 lin.ft.	2.00	5,520.00
Loose Riprap, Class 50	1,380 cu.yd.	17.00	23,460.00

Loose Riprap, Class 100	25 cu.yd.	25.00	625.00
Filter Blanket	12 cu.yd	25.00	300.00
Delineator	210 only	14.30	3,003.00
Roadside Mulching	5 acre	400.00	2,000.00
Roadside Seeding and Mulching	10 acre	500.00	5,000.00
Roadside Seeding and Mulching (Punch-in Straw)	13 acre	700.00	9,100.00
Roadside Seeding and Mulching (Tack Mulch)	6 acre	800.00	4,800.00
Removal of Existing Sign Installations	All Required		77.00
Wood Sign Posts	All Required		1,128.00
Sign Support Footings	All Required		740.00
Breakaway Sign Posts	All Required		3,168.00
Structure Mounts	All Required		525.00
Type "A" Signs in Place	120 sq.ft.	17.83	2,139.60
Type "D" Signs in Place	19 sq.ft.	10.45	198.55
Remove and Reinstall Existing Signs	All Required		504.00
			$2,886,679.55
Anticipated Items			
Permanent Pavement Striping (S.F).	All Required		$ 2,500.00
Temporary Pavement Striping (S.F.)	All Required		3,000.00
Remove Pavement Striping (S.F.)	All Required		1,000.00
On-the-Job Trainees (4 at $800)(E.W.)	All Required		3,200.00
Temporary Erosion Control (E.W.)	All Required		5,000.00
Credit for Guardrail (Elements and Posts)	All Required		(28,916.00)
			$ (14,216.00)
	Subtotal		$2,872,463.55
	Engineering		359,057.45
	Total		$3,231,521.00

Type Code X082
Structure, Br. #7561 (Sta. 1631+23.77)

Bridge Removal Work	All Required	$ 10,950.00
		$ 10,950.00

Type Code X781
Structure, Br. #7562A (Sta. 1659+60)

Bridge Removal Work	All Required		$ 15,500.00
Shoring, Cribbing, Etc.	All Required		11,347.00
Structure Excavation	325 cu.yd.	18.70	6,077.50
Structure Excavation Below Elevations Shown	30 cu.yd.	36.00	1,080.00
Structural Concrete, Class 3300 (225 c.y.)	All Required		55,296.00
Structural Concrete, Class 4500 (160 c.y.)	All Required		28,952.00
90'/95' Prestressed Beams	5 only	6,368.00	31,840.00
95'/100' Prestressed Beams	5 only	6,961.00	34,805.00
Reinforcement (66,300 lbs.)	All Required		19,580.00
Reinforced Concrete Bridge End Panels	158 sq.ft.	44.76	7,072.08
Two Tube Metal Railing	450 lin.ft.	48.45	21,802.50
Concrete Slope Paving	345 sq.yd.	35.60	12,282.00
Slope Paving Curbs	190 lin.ft.	17.60	3,344.00
8-inch Culvert Pipe	80 lin.ft.	9.00	720.00
			$ 249,698.08

Type Code X020
Structure, Br. #7563A and 7564A (Sta. 1679+40 to Sta. 1682+60) (Sta. 1686+20 to Sta. 1687+10)

Alternations to Existing Structure	All Required		$ 20,990.00
Structural Concrete, Class 3300 (12 c.y.)	All Required		10,427.00
Structural Concrete, Class 4500 (75 c.y.)	All Required		24,133.00
Reinforcement (14,000 lbs.)	All Required		4,378.00
Optional Reinforced Concrete Bridge End Panels	All Required		28,791.00
Steel Sheet Piling	1,185 lin.ft.	19.47	23,071.95
Raise Deck Joints	132 lin.ft.	33.00	4,356.00
Class 1 Preparation, Bridge No. 7563A	2,235 sq.yd.	6.00	13,410.00
Class 1 Preparation, Bridge No. 7564A	775 Sq.yd.	6.00	4,650.00

Alternate "A"			
Furnish Polymer-Modified Concrete	168 cu.yd.	.00	0.00
Construct Polymer-Modified Concrete Resurfacing	3,010 sq.yd.	.00	0.00
Alternate "B"			
Dense Concrete Resurfacing	3,010 sq.yd.	26.18	78,801.80
	Alternate "A"		$ 0.00
	Alternate "B"		213,008.75
	Subtotal		$ 473,656.83
	Engineering		59,207.17
	Total		$ 532,864.00

Primary Funding
Type Code X020
Structures, Br. #7563A and 7564A (Sta. 1679+40 to Sta. 1682+60) (Sta. 1686+20 to Sta. 1687+10)

Class 2 Preparation, Br. #7563A	225 sq.yd.	48.00	$ 10,800.00
Class 2 Preparation, Br. #7564A	80 sq.yd.	48.00	3,840.00
			$ 14,640.00

Anticipated Items

Class 3 Deck Preparation (E.W.)	All Required		$ 3,000.00
	Subtotal		$ 17,640.00
	Engineering		2,205.00
	Total		$ 19,845.00

Length of Roadway - - - - - - - - - - -	3.142 miles
Length of Structures- - - - - - - - - -	0.078 mile
Total Length- - - - - - - - - - - -	3.220 miles
Cost of Roadway Per Mile- - - - - - -	$1,028,491.73

Work Retained in Program Status
(Not included in amounts below.)

Slide Correction (E.W.)	All Required	$ 25,000.00

SUMMARY OF FUNDS

Description	Total Cost	Federal Funds	State Funds
Interstate Funding (92.24%)			
Roadway	$3,231,521.00	$2,980,754.00	$250,767.00
Structure	532,864.00	491,513.00	41,351.00
Subtotal	$3,764,385.00	$3,472,267.00	$292,118.00
Primary Funding (85.8%)			
Structure	19,845.00	17,027.00	2,818.00
Total	$3,784,230.00	$3,489,294.00	$294,936.00

Group 1 - 100%; Group 2 - 0.00%

Contract No. 8654

Prefix: 610-1078

N. OAKLAND INTERCHANGE-SUTHERLIN INTERCHANGE SECTION
(Nonparticipating - State Work)

State Responsibility for Damages	All Required	$5,000.00

8654

STATE OF OREGON

INTEROFFICE MEMO

TO: Jim Gix
Region 3 Construction Engineer

DATE: June 7, 1983

FROM: Keith L. Martin
Contract Claims Coordinator

SUBJECT: Project Record Retention
N. Oakland Interchange-Sutherlin Interchange
I-5 Douglas Co.
Contract No. 8654

A March 30, 1982 letter from this office requested that all records related to the subject project be retained pending litigation.

This matter has been resolved and you may now follow normal retention and destruction policy for these records.

KLM:cb

cc: Les Hampton
H. S. Coulter
W. E. Schwartz
Jack Sollis
Ed Hunter
Jack Sullivan
Ron Busey
Robert Gormsen
D. H. Moehring
J. H. Versteeg
Frank Terpin
Walter Hart
F. W. Yarborough
John Scofield
Curt Duval
Phyllis Lannigan
Elliott Parker

DATED ON CARD
6-27-83

8..125.1367

8654

STATE OF OREGON

INTEROFFICE MEMO

TO: H. S. Coulter
State Highway Engineer

DATE: May 26, 1983

FROM: O. B. Jackmond
O. B. Jackmond
Contract Administration Engineer

SUBJECT: Claim Settlement
N. Oakland Interchange-Sutherlin Interchange
Contract No. 8654

The above claim, which was filed in litigation, has been settled by Assistant Attorney General Tim Wood for the amount of $182,500.00 in accord with your verbal approval. FHWA approval is anticipated and there are sufficient funds in the Project Authorization to cover this settlement.

Your formal approval of this claim settlement is recommended. Justification is available in the Construction Office files.

OBJ:cb

cc: Vern Skoog

APPROVED
STATE HIGHWAY ENGINEER
DATE: 5/26/83

orig. + Skoog
cy Keasey
Bryant J.
files

125-1387

8654

DAVE FROHNMAYER
ATTORNEY GENERAL

STANTON F. LONG
DEPUTY ATTORNEY GENERAL

8

NOTED
H. S. COULTER

DEPARTMENT OF JUSTICE

TRIAL DIVISION
Justice Building
Salem, Oregon 97310
Telephone: (503) 378-6313

May 20, 1983

Edwin P. Morgan
Marion County Clerk
Marion County Courthouse
Salem, Oregon 97301

Re: S. D. Spencer & Son, Inc. v. State of Oregon
Marion County Circuit No. 132700

Dear Mr. Morgan:

Enclosed please find a Motion for Summary Judgment together with supporting Memorandum and Affidavits and Exhibits. Also enclosed please find a motion for postponement of the trial in the above captioned matter. The matter is currently scheduled for trial on Tuesday, May 31, 1983.

Because of time constraints I was unable to complete all the exhibits and affidavits by the time of mailing. As soon as the material is completed I will supplement the record.

Sincerely,

Timothy Wood
Assistant Attorney General

TW:mj
enclosures
cc: Daniel J. Siefer

Contains Recycled Materials

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MARION

Case No. 132700

S. D. SPENCER & SON, INC., a corporation,

Plaintiff,

v.

STATE OF OREGON, acting by and through its Transportation Commission, Department of Transportation, Highway Division,

Defendant.

MOTION FOR POSTPONEMENT OF TRIAL

Defendant respectfully moves the court to enter an order postponing the trial in the above entitled matter set for trial on Tuesday, May 31, 1983. In support of this motion defendant will rely upon the attached affidavit of Timothy Wood, Assistant Attorney General. Defendant has requested one previous postponement.

Respectfully submitted,

DAVE FROHNMAYER
Attorney General

TIMOTHY WOOD OSB# 73331
Assistant Attorney General
Of Attorneys for Defendant
100 State Office Building
Salem, Oregon 97310
Telephone: 378-6313

DEPARTMENT OF JUSTICE
JUSTICE BUILDING
SALEM, OREGON 97310
PHONE 378-4400

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MARION

Case No. 132700

S. D. SPENCER & SON, INC., a corporation,

Plaintiff,

v.

STATE OF OREGON, acting by and through its Transportation Commission, Department of Transportation, Highway Division,

Defendant.

AFFIDAVIT OF TIMOTHY WOOD

STATE OF OREGON)
SS
County of Marion)

I, TIMOTHY WOOD, being first duly sworn, depose and say:

I am an Assistant Attorney General representing the defendant in the above captioned case.

On Friday, May 20, 1983, I filed with the court a motion for partial summary judgment together with a memorandum and substantial exhibits and affidavits. The memorandum presents numerous complex legal questions for the court. In preparing the memorandum, defendant has not had adequate time to prepare jury instructions and prepare expert witnesses or other individuals for trial.

Moreover, defendant would respectfully suggest that the most efficient way to try the present case is to eliminate whatever

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SALEM, OREGON 97310
PHONE 378-4400

legal issues there are in order to avoid unnecessary testimony, and complex legal questions and legal instructions for the jury.

Defendant estimates that the trial in the above captioned case may take approximately two weeks. Eliminating many of the legal issues could very well shorten the time for trial.

I had informed counsel for the plaintiff as early as May 12, 1983 that I would be filing the motion and asking for additional time.

I have also been advised that one of the main witnesses for the state will be out of the state during the time set for trial of this case.

Timothy Wood

Subscribed and sworn to before me this 19th day of May, 1983.

/s/ Margaret E. Jensen
Notary Public for Oregon
My commission expires: 6/7/83

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SALEM, OREGON 97310
PHONE 378-4400

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of May, 1983, I served a true copy of the within Motion for Postponement which is well founded in law upon plaintiff's attorney, by depositing it in the United States Post Office at Salem, Oregon, postage prepaid, addressed as follows:

Daniel J. Seifer
KOBIN & MEYER
Attorneys at Law
610 S. W. Alder Street
Portland, Oregon 97205

/s/ TIMOTHY WOOD

Timothy Wood
Assistant Attorney General
Of Attorneys for Defendant
100 State Office Building
Salem, Oregon 97310
Telephone: 378-6313
O.S.B. No. 73331

mj

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MARION

Case No. 132700

S. D. SPENCER & SON, INC., a corporation,

Plaintiff,

v.

STATE OF OREGON, acting by and through its Transportation Commission, Department of Transportation, Highway Division,

Defendant.

MOTION FOR PARTIAL SUMMARY JUDGMENT
(Oral Argument Requested)

Defendant pursuant to ORCP 47 respectfully moves the court to enter an order granting defendant's motion for summary judgment for the reasons set forth in the attached memorandum. In support of this motion defendant will rely upon the memorandum, affidavits and exhibits filed herewith.

Respectfully submitted,

DAVE FROHNMAYER
Attorney General

/s/ TIMOTHY WOOD

TIMOTHY WOOD OSB# 73331
Assistant Attorney General
Of Attorneys for Defendant
100 State Office Building
Salem, Oregon 97310
Telephone: 378-6313

DEPARTMENT OF JUSTICE
JUSTICE BUILDING
SALEM, OREGON 97310
PHONE 378-4400

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MARION

Case No. 132700

S. D. SPENCER & SON, INC., a corporation,

Plaintiff,

v.

STATE OF OREGON, acting by and through its Transportation Commission, Department of Transportation, Highway Division,

Defendant.

MEMORANDUM IN SUPPORT OF
MOTION FOR PARTIAL SUMMARY JUDGMENT

INTRODUCTION

Plaintiff has filed a complaint against the State of Oregon alleging breach of contract. Plaintiff is seeking $1,161,513.75 in damages as a result of an alleged breach of contract.

Plaintiff has requested a jury trial. The matter is scheduled for trial on May 31, 1983. The trial may take two weeks or longer. Experience has shown that contract claims are difficult cases to try to a jury. There are voluminous documents, difficult jury instructions, long hours, as well as complicated evidentiary rulings that must be made throughout the course of the trial. In the present case there are substantial claims wherein there are no dispute of the facts. In other cases there may be dispute of facts which are not material if the state is correct in its interpretation of the contract. Rather than wait until

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SALEM, OREGON 97310
PHONE 378-4400

the time of trial to test these legal arguments, defendant is filing this motion for partial summary judgment pursuant to ORCP 47 in order to narrow the issues to be tried by the court and jury.

STATEMENT OF THE CASE

Plaintiff's amended complaint has two claims for relief. As a result of discovery, however, it is clear that plaintiff's two claims for relief are an accumulation of numerous "claims" submitted to the Department of Transportation. Amost simultaneously with the filing of the complaint with the court, plaintiff sent the Oregon Department of Transportation a document entitled "Claims for Equitable Adjustment OSHD Contract 8654" (hereinafter "the claim"). (Exhibit 1) Subsequently plaintiff amended the claim to include additional claims for compensation. (Exhibit 2) There is only $10,000 difference in the total dollar amount set forth in plaintiff's claims for equitable adjustment and the dollar amounts set forth in plaintiff's complaint. Defendant would assume that the error is typographical. Depositions disclosed that plaintiff's complaint is based on the claims filed with the Department of Transportation.

STATEMENT OF FACTS

The State of Oregon advertised for sealed bids for the construction and repair of a section along Interstate 5, known as the North Oakland Interchange to Sutherlin Interchange section of Pacific Highway (I-5) in Douglas County, Oregon (hereinafter the "project"). The project consisted of grading, paving, drainage,

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structures, illumination, signing and related work which was to be accomplished in accordance with the plans and specifications which the state provided to the plaintiff.

On December 19, 1977, the state awarded the project to S. D. Spencer & Son, Inc. (hereinafter Spencer). Spencer bid $3,374,976.38 to complete the work.

One of the essential conditions of the contract was that the contractor complete the work within a certain time period. Plaintiff was to complete the work described in Phase A within 250 calendar work days.[1] The remainder of the work (Phase B) was to be completed within 400 calendar work days. (Ex 3, § 108.08, p 13-14); (Ex 4, § 108.08(c), p 71)

Spencer maintains that it performed all its obligations under the contract and that the work had been fully completed according to the terms and conditions of the contract. There is no question, however, that Spencer failed to complete the project on time, failed to prosecute the project vigorously, and failed to provide material that complied with the contract specifications.

Plaintiff was to prosecute the work vigorously throughout the entire course of construction. (Ex 3, § 104.05) Time was of

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[1]The contract provided the method by which time would be computed on the project. There are various alternatives available in computing time. In the present case this contract called for calendar work days. A "calendar work day" is each calendar day excluding December 1 through February 28. Standard Specification § 108.08 (Redbook)

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the essence. (Ex 4, § 108.08(a)) Spencer was to conduct his operation in such a way as to insure the least interference with traffic (Ex 3, § 108.04, p 12)

In the event that Spencer did not complete the work on time, Spencer agreed that the state could charge $300.00 per day for the failure to complete Phase A on time, $150.00 per day for failure to complete Phase B on time, and $300.00 per day should liquidated damages become payable concurrently. (Ex 3, § 108.08, p 13-14)

As originally bid, Spencer was to have completed Phase A work on or before November 18, 1978. (Aff of Coulter) He was to have completed all work on the project on or before July 26, 1979. (Aff of Coulter) Spencer did not complete Phase A work until <u>after</u> November 30, 1979, more than one year after the time scheduled for completion of this phase of the work. As a result, the state assessed Spencer $65,400 in liquidated damages.

During the project numerous disputes arose regarding the interpretation of the contract, the quality of work, the safety to the traveling public, Spencer's lack of progress on the work, etc. As as result of many of the disputes, the state made deductions against the total contract.

For example, Spencer produced an asphaltic concrete mix that did not meet all the requirements of the contract. Rather than reject the mix in its entirety, the state deducted $79,724.45 from the final price paid to the contractor for AC mix. Spencer's claim is requesting that all deductions be returned to him.

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In addition, to Spencer's claim for money withheld, Spencer has an inflated claim for damages. The major claim ($732,325.17), deals with the state's partial suspension of work during the winter season. Spencer was to have completed certain work by the time the winter period had set in. At the time the winter season set in Spencer had completed a little more than one-half of the work that needed to be completed. In the opinion of the state officials, had Spencer continued this work during the winter period, it would have presented a danger to the traveling public. Rather than endanger the public, the state ordered a partial suspension of the work during the winter period.

Spencer maintains the state had no authority to partially suspend the work during the winter period. Spencer maintains as a result the project was delayed causing $732,325.17 in damages to the project. (Ex 2, Claim 10, p 13) Under the contract there is no question that the state had the authority to partially suspend the work for the protection of the traveling public and especially when the contractor has failed to carry out the provisions of the contract. Standard Specification 108.07.

There are other claims which will be discussed individually in the memorandum.

I. PLAINTIFF FAILED TO FILE A CLAIM FOR ADJUSTMENT TO CONTRACT QUANTITIES WITHIN THE PERIOD SET FORTH IN THE CONTRACT

Under the contract plaintiff must submit to the state engineer within 90 days following the mailing of the engineer's

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final estimate and voucher, all claims for additional compensation earned under the contract which are based on differences in measurements or errors in computation. In the event that plaintiff fails to submit the claim within the time period, then the contractor has agreed to waive any claim for the additional compensation based upon differences in measurements or errors in computation.

Standard Specification 109.15 provides:

> "If the contractor believes the quantity and amount specified in the final estimate and voucher prepared by the engineer pursuant to subsections 109.12 and 109.14 to be incorrect or insufficient, he shall submit to the engineer prior to the expiration of 90 days following mailing of the engineer's final estimate and voucher . . . an itemized statement of any and all claims for additional compensation earned under the contract which are based on differences in measurements or errors of computation. Any claim for additional compensation not so submitted and supported by an itemized statement within said 90 day period is expressly waived and the state shall not be obligated to pay the same. . . ." (Ex 3, emphasis added)

In the present case plaintiff's complaint as well as its claim contains numerous claims for additional compensation based upon what plaintiff maintains should have been additional quantities or amounts specified in the final estimate. Insofar as plaintiff has failed to submit an itemized claim in writing within 90 days, plaintiff has waived these claims.

Contractual time period, shorter than statute of limitations, for bringing actions are unenforceable. The general rule is that contractual limitations periods differing from the statutory

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limitations period are binding upon the parties and enforceable unless the contractual provision is precluded by statute or is unreasonably short. 51 Am Jur 2d, Limitation of Actions § 64; Capehart v. Heady, 206 Ca App 386, 23 Cal Rep 851 (1962); Beck v. General Ins. Co., 141 Or 446, 457-458, 18 P2d 579 (1973); Auspland v. Aetna Indemnity Co., 47 Or 10, 22, 81 P 577 (1905); Egan v. Oakland Ins. Co., 29 Or 403, 411-412, 42 P 990 (1895). Thus, Oregon accepts the general rule that contractual limits are enforceable.

In the present case, the state pursuant to the contract documents, prepared and mailed to Spencer the "engineer's final estimate and voucher" prior to March 24, 1981. Plaintiff's claim for additional compensation was received on March 9, 1982, almost one year after the mailing of the final voucher. (Ex 1) Thus, insofar as plaintiff's claim and complaint includes any claims for damages for additional quantities or amounts other than as set forth in the final voucher, plaintiff has waived such claims.

In the present case, there are numerous plaintiff's claims based upon additional quantities or amounts not found in the final voucher. During the deposition of George Spencer, the following colloquy took place:

> "Q . . . did you agree with the quantities that were set forth (in the final voucher) in various bid items?
>
> "A. (By George Spencer) Except for the ones we had claims on. We had claims for additional payment on some of these items, and they were in dispute, and other than the things in dispute, we agreed that at this point the quantities were all right.

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"Q. There were some items that you disagreed as to the amount and quantities shown on the estimate; is that correct?

"A. That is correct.

"Q. When did you look and review Exhibit 1, (the claim book) shortly after you received it?

"A. Probably shortly after, yes.

"Q. Now do you disagree with any of the dollar amount shown on Exhibit 1 (Ex 7)?

"A. We pretty much agreed with these except for the claims and things I'm telling you we were in dispute about.

"Q. So there were some dollar amounts that you found on Exhibit 1 (Ex 7) you did dispute and that you had a claim over; is that correct?

"A. Yes.

"Q. Now, Mr. Seifer indicates that the first question I asked you was limited to the bid items regarding quantity. Were there any deductions for quantity other than bid items that you objected to?

"A. We objected to a lot of deductions you have taken on here, unilateral claims you've made against us, and we say they weren't right.

"Q. Now, did you ever submit to the Department of Transportation an itemized statement of any claim that you had for additional compensation?

"A. Yes, we've made a claim against the Department of Transportation.

"Q. And did you submit it it writing?

"A. I think it's the claim right there. I think some of these claims were made in writing as they went along." (Spencer depo, tr 38-39)

The claim that Mr. Spencer was referring to was the claim submitted to the Department of Transportation on March 9, 1982, almost a year after the mailing of the final voucher.

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In the present case, six of plaintiff's 12 claims relate to quantities or amounts shown on the final estimate and voucher.

A. Claim 1 relates to the quantity of AC mixture which the state was required to pay for.

Plaintiff maintains that the state wrongfully rejected AC mixture and thus plaintiff was damaged in the amount of $2,327.69. Under the contract AC mixture is Bid Items 23 and 24. (Bid item 23 is Class B AC mix and Bid Item 24 is Class E asphalt mix.)

Class B AC mix was paid on a unit price, i.e., so much per ton. The final vouchers showed the number of tons that were incorporated in the project. (Ex 7) Based upon the final voucher, the state paid the contractor $55,739.91 for 51,610.732 tons of Class "B" AC mix and $78,242.27 for 9,426.78 tons of Class "E" AC mix.

Plaintiff maintains that the state should have paid it for an additional 798.75 tons of Class "B" AC mix. (Ex 1, Claim 1). In other words, plaintiff is disputing the final quantity found in the final voucher. Plaintiff had 90 days within which to submit an itemized claim as to this quantity, and since plaintiff failed to submit the itemized claim within the 90 days, plaintiff has waived its right for additional compensation based upon failure to file an itemized claim for additional quantities of AC mixture.

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B. Claim 2 relates to the state's calculation of the amount of shoulder base rock that was incorporated into the project.

During the course of the project plaintiff was to place 1"-0 aggregate base along the shoulder area. The aggregate base was to be permanently incorporated into the project. During the course of the project the resident engineer found that the contractor had removed substantial portions of the aggregate rock that had been placed as well as contaminated a certain portion of the aggregate rock. During the project when the resident engineer discovered that the material had been removed or contaminated he deducted from the total quantity of aggregate, the amount removed, or contaminated and removed.

The final estimate shows that the number of tons that had been incorporated into the project on this particular bid item. Bid item 22 shows that 34,146.495 tons had been incorporated into the probject at a unit price of $5.45. Plaintiff maintains that the final estimate should have shown additional quantities included into the project. Spencer states in its claim:

> "The calculation sheets indicate that some 355.48 ton was placed within the limits of stage construction of the contract structures, some 315.13 ton were placed in widened areas of both the north & south bound roadways in other areas of the project. The balance of the deduction, some 122.18 ton is shown on sheet 3 (OF 4) of the enclosed calculations as being in the area of "L" line station 1626 RT. to 1775 RT. This calculation is based on cuyds. converted to lbs./cuyd. to equal 87.87 cuyds./122.18 tons. These calculations appear to be based on either length x width - 27 to equal cuyds. In other words the calculations are too dimensional and make no sense. Calculation sheet No. 3 further indicates that the alleged 87.87 cuyds. of Base Aggregate was arrived at by cross-sectioning.

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> "The accompanying letter also stated that the partially contaminated material was cross-sectioned for measurement. However, it would appear that the Engineer arbitrarily totaled the weight (in lbs.) of all loads placed on the south bound roadway between station 1616 & 1630 during the last week of October and the first week of Nov. 1978 and deducted 50% to arrive at 263510 lbs. or 131.755 ton.
>
> "The Engineer also, arbitrarily, deducted the total quantity placed from station 1634 to 1638150 northbound, station 1691 to 1696 southbound and station 1767150 to 1784 northbound by simply totaling all load tickets & deducting that quantity." (Ex 1, Claim 2)

In the event that plaintiff had such a claim it should have submitted the claim in writing within 90 days from the date of the mailing of the final voucher. Since plaintiff failed to submit the claim within the 90 days, plaintiff has waived the claim.

C. Claim No. 4 relates to antistrip additive

During the course of the project, the state directed Spencer to furnish and install antistrip additive in the AC mixture that would be used on the project. Antistrip additive is a material which gives additional strength to the AC mixture. Under the contract plaintiff was to be paid its actual costs in providing the antistrip additive. The quantity and amount for this particular item was found on force account item No. 807 in the final voucher. Plaintiff maintains in Claim 3 that it was not paid the full quantity that was produced. Once again the claim should have been submitted within 90 days.

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D. Claim No. 5 relates to temporary concrete barriers and plastic safety markers

As a part of the contract bid items 7 and 9, Spencer was required to furnish and place temporary concrete barriers and plastic safety markers. The final voucher shows 9,477 lineal feet of temporary concrete barrier placed at a unit price of $10.00 for a total payment of $94,770.00. Plaintiff now maintains that the correct quantity should have been 11127 lineal feet. Plaintiff's summary of Claim 5 provides:

"CLAIM AMOUNT:

CONTRACT ITEM 007		
Furnished and Placed	11127 LF @ 10.00 = 11270.00	
Estimate #24 Final	9477 LF @ 10.00 = 94770.00	
Unpaid	1650 LF @ 10.00 =	16500.00
CONTRACT ITEM 009		
Furnished & Placed	190 ea. @ 80.00 = 15200.00	
Estimate #24 Final	140 ea. @ 80.00 = 11200.00	
Unpaid	50 ea. @ 80.00 =	4,000.00
	TOTAL CLAIM	$20,500.00"

Plaintiff failed to submit a claim in writing within 90 days for the additional quantities which plaintiff maintains it is entitled to for temporary concrete barriers.

Moreover, Bid Item No. 9 is temporary plastic safety markers. The final voucher shows 140 temporary safety markers provided at $80.00 a unit price for a total payment of $11,200.00 to the contractor. Plaintiff maintains that it had furnished an

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additional 50 plastic safety markers. (Ex 1, Claim 5) Once again there was no notice in writing within 90 days and thus, plaintiff waived any claim for additional compensation as a result of allegedly providing temporary plastic safety markers.

E. Claim No. 7 relates to liquidated damages

Plaintiff is requesting additional time to complete the project. Item No. 6001, and 6001A set forth the amount and quantity of liquidated damages. Insofar as plaintiff has failed to submit the claim in 90 days he has waived his claim.

F. Claim No. 8 relates to the amount deducted from the final payment for material that failed to meet specifications

Under the contract the engineer may make a reduction in the contract price if material failed to meet specifications. There is no question that the AC pavement placed on the project failed to meet specification. As a result the engineer deducted $79,724.45 from the final estimate. (Ex 7, Item No 6007) Plaintiff's claim is that the amount is excessive or should never have been assessed. Whatever plaintiff's claim is, plaintiff had 90 days to object in writing as to the amount assessed and, therefore, may not raise the issue now.

G. Claim No. 12 is for additional compensation for trench excavation

Plaintiff's last claim is for additional compensation for trench excavation. This particular item is found in Bid Item No. 18. Plaintiff was paid $68,849.70 for 6,884.97 c.y. of trench excavation. Plaintiff maintains he should have been paid an

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additional $95,246.90 in trench excavation. This claim was not submitted until more than one year after the mailing of the final estimate and voucher.

H. Summary

Since the above claims were not submitted within 90 days of the mailing of the final estimate and voucher, plaintiff has waived these claims.

II. PLAINTIFF IS NOT ENTITLED TO A RETURN OF LIQUIDATED DAMAGES ON THE CLAIMS PLAINTIFF FAILED TO SUBMIT ON TIME AND PURSUANT TO THE CONTRACT

Plaintiff completed the project more than one year after the time specified in the contract. As a result of the late completion, the engineer deducted $65,400 in liquidated damages from the final payment to Spencer. (Ex 7, Item No 6001, 6001A) Spencer is requesting that the court require the state to return all liquidated damages. (Ex 1, Claim 7)

Plaintiff's claim requests an adjustment to contract time based upon numerous miscellaneous items. (Ex 1, Claim No 7, p 16-17) Spencer's claim sets forth various price agreements and work orders that plaintiff maintains resulted in delays of the project. Defendant assumes that Spencer is maintaining that the state breached its contract by not granting the specific time extension for each item listed therein, i.e., the engineer should have granted four calendar work days for Price Agreement No. 2, etc.

The state did not breach its contract in not granting a time extension because Spencer failed to comply with the contract

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specifications.

In the first instance, plaintiff did not give the engineer time to review a request for time extension. The engineer received plaintiff's claim on March 9, 1982. Spencer filed a complaint alleging breach of contract on or about March 10, 1982. Included in plaintiff's complaint was the claim for liquidated damages, i.e., the engineer breached the contract in not granting a time extension. The state could not have breached the contract if it was never given an opportunity to decide whether Spencer was entitled to a time extension. As a condition precedent to recovery, the engineer must have at least refused to grant a time extension. Since there was no refusal at the time of the filing of the complaint to grant a time extension, there could be no breach of contract.

Moreover, Spencer failed to provide a timely request for a time extension. Standard Specification No. 108.09 provides in part:

> "Any contract time originally given in the proposal or contract will be subject to adjustment during the progress of the work at the written request of the contractor, . . ."

In other words, the request for an extension must be made while the project is still in progress. The request for an extension did not come on this particular project until almost two years after the project was completed.

Finally, the contractor has waived the right to object to the failure to adjust contract time.

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During the project, the engineer's representative sends to the contractor a weekly statement of the calendar work day count on the project. Adjustments increasing the number of days or decreasing the number of days for the project is shown on the weekly statement.

Under the contract, Spencer agreed that if he was in disagreement with the time charge found on the weekly statement, he would file a written protest with the engineer setting forth in detail the facts on which the protest is based. Standard Specification 108.08(c) provides in part:

> "The engineer will furnish the contractor each week during the work season a statement showing the number of workdays, calendar days or calendar workdays, as applicable, charged to the contract time or to the adjusted contract time, as pertinent, for the preceding week and the number of such days remaining unused. Said statement shall be deemed delivered when served on the contractor as stated in subsection 105.09. <u>If the contractor is in disagreement with the time charged, and the difference cannot be reconciled immediately by discussion with the engineer, the contractor, within 10 days after delivery of the statement, shall file written protest with the engineer, setting forth in detail the facts upon which the protest is based. Failure to submit such protest within 10 days shall constitute approval by the contractor of the number of days charged against the contract time or the adjusted contract time for the week covered by the statement.</u>" (emphasis added)

In the present case, as evidenced by the affidavit of Mr. Coulter, the contractor never provided a written protest setting forth in detail the facts upon which the contract maintains a time extension should be granted on any of the items listed on pages 16 and 17 of Claim 7, Exhibit 1. In fact, to this date the

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contractor has still failed to provide in detail the facts upon which he maintains a time adjustment that should be granted. Plaintiff simply has provided broad conclusory statements. See Exhibit 1, Claim 7, p 16-17 wherein plaintiff simply states: "P.A. #2 Construct Type 2 fence - 4 calendar workdays" with no explanation of when the work was affected, or why it was or how it was.

The deposition of George Spencer was equally enlightening:

Q Is that the price agreement you're referring to in claim number sever?

A I don't know because, like I say, I didn't put this together. It says, "Price Agreement Number Two, Construct Type 2 Fence." This says, "Price Agreement," and says "Work to be Done, Construct Type 2 Fence."

Q Okay. Well, it's your opinion that S. D. Spencer & Son is entitled to four calendar workdays as a result of price agreement number two?

A From the claim and -- yes, I agree that it's entitled to four calendar days, yes.

Q Okay. Could you explain to me why S. D. Spencer & Son is entitled to four calendar workdays?

A No, I can't.

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Q Would it be fair to say that it was your opinion that it took an additional four calendar workdays to construct this Type 2 fence?

A The time you got the materials and put it up and so forth on the job, I would say ordered and everything, it could take four calendar workdays.

Q Okay. And it delayed the progress of the work four calendar workdays; is that correct?

A It could have. I don't know. I mean, you'd have to ask the man who put this together where he's coming from on it, but I don't see why it wouldn't.

Q Okay. Well, Mr. Spencer, you're the one that submitted the claim to the Department of Transportation.

MR. SEIFER: That's not entirely correct, Counsel. The corporation submitted the claim and, you know, you can obviously ask this witness, who is principal in the corporation, about his involvement in this particular time analysis, but I think you do need to draw the distinction between the plaintiff and the individual. Object to the form of the question on that basis.

MR. WOOD: Is there a question pending, Marilyn?

(Reporter reads back preceding question as follows:)

"Well, Mr. Spencer, you're the one that submitted the

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claim to the Department of Transportation.")

Q (By Mr. Wood) Mr. Spencer, you submitted the claim to the Department of Transportation on behalf of S. D. Spencer & Son; is that correct?

A The claim was submitted, yes.

Q And you also reviewed that claim prior to submittal on behalf of S. D. Spencer & Son?

A I looked at it, yes.

Q And the information as far as you're aware in the claim was correct?

A As far as I could ascertain at the time, it was.

Q Then could you explain for me this morning why S. D. Spencer & Son is entitled to additional four calendar workdays as result of price agreement number two?

A I don't have all the background. I just read it. It sounds logical to me and I agree with it. (tr 176-180, et seq.)

The reason for the requirement that the contractor submit a claim within ten days of the date of receipt of the calendar work day statement is evident in the present case. The project was completed for two years before Spencer ever requested a time extension. Some of the employes that worked for the state are no longer working with the state. More importantly, it is difficult, if not impossible, to reconstruct what happened almost two years and in some cases three years earlier. For example,

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did the construction of Type 2 fence delay the project and if it did, did it delay it four calendar work days? Three calendar work days? Had the contractor objected in writing the week following the mailing of the weekly statement, the engineer would have been in a position to analyze the claim. Two years later, however, presents an impossible task. Since Spencer failed to timely submit a claim for time extension, Spencer has waived a claim that the state has breached the contract.

Finally, before plaintiff is entitled to a time extension he must submit it on a form provided by the Department and with the consent of its surety. Standard Specification § 108.09. Neither of these condition precedents were complied with in the present case.

Since plaintiff failed to comply with the conditions of the contract in granting a time extension, plaintiff has waived any claim for a time extension as to items not requested under the contract. As will be discussed within, plaintiff did protest in writing the counting of certain days during the contract. The items found in these protests will be discussed separately.

III. THE STATE ENGINEER DID NOT BREACH THE CONTRACT FOR FAILING TO GRANT A TIME EXTENSION BASED ON THE CONCLUSORY ALLEGATIONS SET FORTH IN PLAINTIFF'S REQUEST FOR TIME EXTENSION.

The court will find that the only justification given for the additional 87 days requested for price agreements and extra work orders is found on pages 16 and 17 of Claim No. 7 of Exhibit 1. This is the only information that the engineer had.

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Under the contract:

> "Any adjustment of contract time shall be that which the engineer determines to be justified and his decision in the matter shall be final, subject to approval by the Transportation Commission." Standard Specification 108.09

The engineer has simply never been provided adequate information in order to make a decision. Assume for the sake of argument that the court was provided the same information, i.e., PA No. 2 construct Type 2 fence delayed the project four calendar work days. The court is not informed as to what No. 2 construct Type 2 fence is, how it impacted the work and why it impacted it for four days rather than three days, etc. There simply has been inadequate information provided to the engineer to make a final determination.

IV. PLAINTIFF HAS AGREED TO WAIVE CLAIMS FOR ADDITIONAL COMPENSATION FOR CLAIMS NOT FILED WITHIN A YEAR

Plaintiff has 90 days to submit certain itemized claims to the engineer. Moreover, in addition to the 90 day requirement, plaintiff has one year to file a complaint in the circuit court for damages under the contract. If the complaint is not filed within one year, plaintiff has agreed to waive any and all claims that could have been filed within the one year period. Standard Specification 109.15 provides in part:

> "The contractor shall commence any suit, action or proceedings to collect or enforce its claim or claims for any additional compensation losses or damages suffered under or arising from performance or non-performance of the contract within a period of one year following mailing of the engineer's revised final estimate and voucher

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> or statement of rejection to the contractor's last known address as shown in the records of the Division. If said suit, action or proceeding is not commenced in said one-year period, the final estimate and voucher or revised final estimate and voucher, if revisions are made, shall be conclusive with respect to the amount earned by the contractor, and the contractor expressly waives any and all claims for additional compensation and any and all causes of suit or action for the enforcement thereof that he might have had."

George Spencer was well aware of the requirement that a complaint be filed within one year setting forth any and all claims which he had against the Department of Transportation pursuant to the contract provisions.

In the March 8, 1982 letter from Mr. Spencer to Scott Coulter, the State Engineer, Mr. Spencer states:

> "We enclose our request for additional compensation pursuant to applicable provisions of the referenced contract, in the amount of $710,846.45.
>
> "The subject matter of this proposal has been discussed previously with the representatives, but further discussions are certainly appropriate. Unfortunately, the time for commencement of suit, as provided by the Standard Specifications, is nearly upon us. We trust that you will realize that we must commence litigation in order to protect our rights, but you should be assured of our willingness to discuss the matter with your representatives." (Ex 1)

During the deposition of Mr. Spencer, Mr. Spencer testified as follows:

Q In your letter of March 8th, 1982, Exhibit 3, you state that, "Unfortunately, the time for commencement of a suit as provided by the standard specifications is nearly upon us."

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Are you reerring to the Red Book there, what's referred to as the Red Book?

A Well, I think it's in there, yes, certain length of time after a job is completed to file a lawsuit. If you don't, you can't file one.

Q What is that period of time, as far as your understanding?

A Sometime after final payment is received, I think, or -- no, no, or the job is accepted. I don't know. I'm not clear on what it is.

Q Well, what provision were you referring to in the letter?

A I was referring to we had a year from a certain point in the job to file a lawsuit.

Q How were you aware of this one-year period?

A I don't know. It's either in the Red Book or somebody told me it had to be done or something. Maybe an attorney told me.

Q Had you ever run into this on other projects?

A Oh, I imagine we have, yes.

Q You state that, "We trust that you will realize that we must commence litigation in order to protect our rights." What do you mean by that?

A Well, we have to file a lawsuit in the required time to protect our rights to file a lawsuit.

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Q Were you concerned that if it wasn't filed within this period of time you would be unable to file the lawsuit?

A That's what I understood, yes. (Spencer tr 49-50)

Despite plaintiff's awareness of the requirement that claims be filed within one year, he has waited more than one year to include claim No. 12 as a part of the complaint, and itemized claim to the State Department of Transportation. Plaintiff's only explanation was that he just " . . . didn't get to it . . ." (tr 141)

Plaintiff's amended complaint included for the first time the following allegations:

> "In about March, 1978, and thereafter, defendant changed and altered the work required under the contract concerning the drainage and drain pipe, and required and directed that Spencer dig trenches for drain pipe at lower and deeper elevations, in rock material. Spencer thereupon performed labor and furnished material, supplies, equipment and overhead as the result of such changes and alterations has the reasonable value of $95,246.90." (Pl Am Comp, 2nd claim, ¶ X)

In addition, plaintiff's complaint included new claims for dollar amounts based on theories never before raised. The complaint includes a new request for an extension of time and a new request for damages. (See Ex 2)

Plaintiff's amended complaint was not filed until long after the expiration of the one year period following the mailing of the engineer's final estimate and vouchers.

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Since plaintiff filed the claim more than one year after the mailing of the final estimate and voucher, plaintiff has waived these claims.

V. PLAINTIFF IS NOT ENTITLED TO AN EXTENSION OF THE CONTRACT AS A RESULT OF DELAYS CAUSED BY A SUBCONTRACTOR HIRED BY THE PLAINTIFF

The contract between the parties set forth what requirements the contractor must meet before it is entitled to an extension. Standard Specifications § 108.09 provides:

> "Any contract time originally given in the proposal of contract will be subject to adjustment during the progress of the work at the written request of the contractor, either by increase or decrease, for those bona fide causes beyond the control of the contractor and which the engineer determines as actually affecting the time necessary for completion of work under the contract. The contractor's request for adjustment of contract time shall be in writing upon a form provided by the division with the consent of the surety endorsed thereon.
>
> "Any adjustment of contract time shall be that which the engineer determines to be justified and his decision in the matter shall be final subject to approval by the Transporatation Commission. The contractor will be advised of the engineer's decision and of any adjustment to the contract time resulting therefrom.
>
> "In considering adjustments of contract time, the engineer will rule out shortage or inadequacy of labor and equipment, negligence or fault of the contractor, and other deficiencies or lack which are within the province of the contractor's control and responsibilities. Causes which will be given consideration by the engineer as to their effect on the time actually necessary for completion of the work and, therefore, in justifying adjustment of contract time include, but are not limited to, the following: . . ." (emphasis added)

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Thus in the present case Spencer must show that there were delays beyond his control which affected the time necessary for the completion of the work. There are two prongs to this test:

(1) The causes must be beyond the control of the contractor, and

(2) The delays must have affected the time necessary for the completion of the work.

The contract makes clear that the contractor is not entitled to an extension when it is his own negligence or fault or other deficiencies within the contractor's control that causes the delay. In the present case there is more than one claim for liquidated damages. Spencer actually had 18 separate claims for a return on liquidated damages. Exhibit 1, Claim 7, page 18 provides a summary of the time and reason why plaintiff is requesting an extension of contract time.

"SUMMARY

DIRECTIVE TO RESTORE TRAFFIC TO FOUR LANES	45 days
DELAYS TO TEMPORARY ILLUMINATION	60 days
REPLACE A. C. AGGREGATE	25 days
PRICE AGREEMENTS[2]	28 days
EXTRA WORK ORDERS	59 days
TOTAL	217 days

CONTRACT PERFORMANCE TIME REQUESTED:

217 CALENDAR WORKDAYS

REIMBURSEMENT OF LIQUIDATED DAMAGES:

$65400.00"

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[2]On page 16 and 17 of Exhibit 1, Claim No. 7, the court will find that plaintiff has broken down the time requested for price agreements and extra work orders.

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In addition, as evidenced by Exhibit 2, plaintiff is requesting additional 25 days as a result of the state's alleged failure to correct patching found within the project.

Rather than address each separate claim, defendant will address the major items in plaintiff's claim for a time extension. Under the contract, and as a matter of law, based upon the facts presented by the plaintiff to the engineer, the engineer did not breach the contract in failing to grant an extension to the contractor.

A. Contractor is not entitled to an extension when the sub-contractor hired by the contractor fails to furnish material on time.

Under the special provisions of the contract, the contractor was required to install all illumination devices shown in the plans and specifications for the project. (Ex 5, Drawing No 33035; Ex 3, § 111, p 19)

Plan sheet 33035 provided:

"All luminaires shall be of 1,000 watt size and shall be furnished with position orientated sockets."

Spencer entered into a contract with Sims Electric, on January 20, 1978. Under the contract Sims Electric was to provide the luminaires together with the position oriented sockets.

Spencer represented to the state that Sims placed an order for the materials on January 24, 1978 and had promised both Spencer and the State of Oregon that all materials would be available on or before April 15, 1978. Sims, however, was unable

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to obtain the position oriented sockets within the time promised. According to Spencer, Sims was 60 calendar days late delivering the position oriented sockets and the other luminaires. In the contractor's opinion the failure of the subcontractor to provide the position oriented sockets in the time promised had a devastating impact on the overall project. Otis Jordan, the project superintendent for Mr. Spencer testified:

Q How many days did the delay of providing the temporary illumination devices delay the completion of the project?

A Well, it's an awful difficult question to answer. We know that the illumination items were 60 days as far as tardy in delivery, but what it caused to the overall project I think is somewhat a conjecture on the domino theory, that what -- you know, it had some real dynamic effect on the fact that the entire scheduling was off, that we had to reschedule our subcontractors that were just terribly important, namely, the grinding of the decks. We had to reschedule our cranes to move barrier in some cases out of the way, and I think it had a hell of an effect, but I -- again, I don't know actually how many days it affected, but certainly contributed to the amount of time that we were late in completing.

Q It would have been more than 60 days, then, as a result of this domino impact?

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A. Oh, I don't think -- yeah, I don't think there's any question about it.

Q. Would it have been more than 90?

A. I think it cost us more than 90 days, yeah.

Q. More than 120?

A. I don't know if that -- at this given time whether that was -- other factors, once we became delayed as a result of not having the illumination, it affected our entire schedule all the way down the line, and to make an analysis of that would be a terribly difficult thing.

Q. So, if I could understand this domino impact, the items that escalated the delay would have been unavailability of the manpower or the supervisors that you had planned on using on the structure, number one?

A. Right.

Q. And then also would have been unavailability of equipment, in particular, do you recall the crane?

A. Well, subcontract -- well, one of the biggest ones, the unavailability of the subcontractor that we had scheduled, namely, the planing ----

Q. PR Systems, is that PR Systems that you're referring to?

A. I think PR Systems, yeah. Another factor was the unavailability of the special mixing tool for this concrete, this

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special concrete. In the area of the bridges, of course, it delayed the grading, the pipe work and the guardrail work.

Q Any other items, Mr. Jordan?

MR. SEIFER: Any other items what?

Q (By Mr. Wood) That were impacted directly or indirectly as a result of the temporary illumination devices that would have contributed to the delay?

A. Well, obviously it delayed having to -- the temporary protection and direction, but those are mainly the things that it delayed, seeding and mulching, delayed the areas around the bridges, that you couldn't seed and mulch them.

On September 25, 1978 and again on March 13, 1979, the contractor requested an extension of the contract time based upon the subcontractor's failure to provide the temporary illumination device on time. Plaintiff requested a 60 day time extension. (Exs 11 - 12)

Plaintiff again requested a time extension in the claim filed on March 9, 1982 requesting an additional 60 days as the result of the subcontractor's failure to provide the position oriented sockets. (Ex 1, Claim No 7, p 8-15)

The sole reason Spencer gives for the requested time extension is that the position oriented socket was manufactured by a sole source, i.e., only one manufacturer in the United States manufactured the position oriented socket. Spencer states in his claim:

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> "The specifying of the corporation into the project of a 'one' only product manufactured and/or supplied by one only manufacturer/supplier would severly limit the contractor in his timely performance of the project work.
>
> " . . . also, again, the owner is obligated to specify a product that is readily available to the contractor. The requirement, of a contractor to make extraordinary efforts to procure a specified 'one only' item is not a contractual obligation.
>
> "If such extraordinary efforts are required, of the contractor, said efforts would be compensible either materially or in granting of extension of performance time or both." (Ex 1, Claim No 7, p 12-14)

On April 30, 1979, the engineer rejected plaintiff's request for a time extension, finding that the delay was not beyond the control of the supplier. (Ex 13)

Spencer maintains that the engineer breached the contract in refusing to grant a time extension for the subcontractor's failure to timely provide the material required by the contract.

In the present case, the state did not designate a product that was produced by a sole source supplier and even if it did designate a product that is produced by a sole source supplier, Spencer assumed the risk that the supplier could not perform within a particular period of time.

(1) THE POSITION ORIENTED SOCKET WAS PRODUCED BY MORE THAN ONE SUPPLIER.

As stated above, the contract called for a position oriented socket. As indicated in the affidavit of George Johnson, the current Director of Engineering and Marketing Coordinator for Leviton Manufacturing Company, Sylvania was not the sole source

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of the position oriented socket.

Mr. Johnson was personally involved in the initial production of the position oriented socket for Leviton. According to his records and according to his recollection, his company was producing position oriented sockets since 1975. Leviton Manufacturing Company is not a subsidiary of Sylvania and has no interest in Sylvania other than the fact that it is a competitor. During the period from November, 1977 through June, 1978, Leviton produced over 72,600 position oriented sockets which could have been used with the 1,000 watt size luminaires specified in Drawing No. 33035.

Since there were other sources available, the state is not responsible for delays occasioned by Spencer and its subcontractors in failing to obtain the necessary material required on this project.

(2) SPENCER ASSUMES THE RISK THAT SOLE SOURCE SUPPLIER FAILS TO PROVIDE NECESSARY MATERIAL WITHIN A PARTICULAR PERIOD OF TIME.

As stated above, plaintiff's entire argument hinges upon the fact that Sylvania was a sole source supplier and that the state designated a product that was produced by a sole source supplier. Sylvania , however, was not a sole source supplier.

Assuming for the sake of argument, that Sylvania was a sole source supplier, or that plaintiff creates a disputed fact as to whether Sylvania was a sole source supplier, plaintiff would not be entitled to a time extension based upon the failure of the sole source supplier to provide material on time.

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As recognized by the following authorities, the contractor assumes the risk of delays caused by a subcontractor which is a sole source. Tri-State Construction Co., ASBCA 23982, 81-1 BCA 15,639; Engineering Design & Development, ASBCA 23,981, 80-1 BCA 14,341; Fairfield Scientific Corp., ASBCA 21152, 78-2 BCA 12,869, remanded, 222 Ct. Cl. 167 (1979); J. J. Bonavire Co., GSBCA 4702, 77-2 BCA; Norit Construction Corp., ASBCA 2058, 76-1 BCA 11,890; Fuller-American, ASBCA 19629, 75-2 BCA 11,438; F. F. Slocomb Corp., ASBCA 16517, 73-2 BCA 10,209; Aerokits, Inc., ASBCA 12324, 68-1 BCA 6,917; Federal Television Corp., ASBCA 9836, 1964 BCA 4,392.

The cases are particularly appropriate in the present case because of the contractor's prior dealings with the State of Oregon.

Prior to bidding the North Oakland project, S. D. Spencer & Son worked on another state project. The project was known as the "Martin Creek-Cottage Grove Interchange" project. During the project Spencer had problems obtaining the position oriented socket.

Q. Let me ask you this. Had you ever worked on a project that had required the same type of position-oriented socket before?

A. Yes, we had, sir.

Q. More than one project?

A. No, sir, just one project.

Q. And what was that project?

A. It was the Martin Creek, Cottage Grove, Martin Creek --

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Cottage Grove Interchange.

Q Was the position-oriented socket in that particular project specified in the Special Provisions or contract or was it later added?

A No, it was later added, sir. The entire illumination item was added subsequent to award of the contract.

Q All right. Who was the subcontractor that was to provide the position-oriented socket on that project, Martin Creek, Cottage Grove?

A Hamilton Electric Company.

Q Did Hamilton Electric have any problems in obtaining the position-oriented socket?

A Yes, they did, sir.

Q What problems did Hamilton have in obtaining the socket?

A Well, they had problems getting it from -- there's only one supplier, Sylvania, and they had problems obtaining it. (Jordan tr 18, 19)

As a result Spencer and his representatives checked with the subcontractor to assure that the position oriented socket would be available.

Q And did all the subcontractors assure you that they would be able to obtain these position-oriented sockets?

A Yeah. They felt that there was sufficient notice. The job was bid in December of '77 and they certainly thought that

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they could be obtained in early 1978, yeah.

Q. Was there any subcontractor who told you that they would be unable to obtain the position-oriented socket?

A. No.

Q. Did you tell all the suppliers or subcontractors when S. D. Spencer & Son needed the position-oriented socket and other temporary illumination devices?

A. Well, we were talking in terms of April, yes.

Q. Now, who did you talk to from Sims Electric regarding ----

A. Tom Kimbrell.

Q. And did you talk to him prior to his actually bidding the ----

A. Yes, sir, we did.

Q. And what did Mr. Kimbrell tell you?

A. Felt they would not have any problem having the position-oriented socket.

Q. Did Mr. Kimbrell tell you what he did to assure that he would be able to obtain the position-oriented sockets?

A. No. I think he reassured us again at the pre-construction conference that he would certainly have them by the middle of April or the first of May.

Q. Was Mr. Kimbrell and Sims Electric able to provide you with the position-oriented sockets at the time that they promised you would receive them?

A. No. (Jordan tr 22, 23)

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In other words, prior to bidding the contract, Spencer was aware that there was a sole source supplier and nevertheless bid the contract and assured the state that he would have the position oriented sockets available for the project.

In the present case, therefore, assuming for the sake of argument that Sylvania was a sole source supplier, Spencer is not entitled to an extension based upon the failure of the subcontractor to obtain the material on time.

(3) SPENCER NEVER PROVIDED AN ADEQUATE REASON WHY THE SUBCONTRACTOR WAS UNABLE TO OBTAIN THE POSITION ORIENTED SOCKET

Spencer never represented that Sylvania did not have any position oriented sockets or that there was a strike or that other subcontractors were unable to obtain position oriented sockets, only that they had been informed by a subcontractor who had been informed by a supplier who had been informed by another supplier that Sylvania was late in delivery. (See Exs 11-12) Assuming that the designation of a sole source supplier entitles the contractor to a time extension, nevertheless, in the present case, plaintiff has not provided adequate justification why a time extension should be granted.

VI. SPENCER IS NOT ENTITLED TO AN ADDITIONAL 45-DAY ADJUSTMENT TO CONTRACT TIME WHEN THE ENGINEER, BASED UPON HIS EXPERIENCE AND EXPERTISE, HAS ALREADY GRANTED 50 DAYS OF A 95 DAY REQUEST FOR ADJUSTMENT TO CONTRACT TIME

During the project Spencer requested a 95-day adjustment to contract time as a result of the state's order partially suspending the work during the winter time. As will be discussed

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within, the reason the state suspended the work was for the protection of the traveling public and as a result of S. D. Spencer and Son's failure to complete the project within the time designated in the contract.

Scott Coulter, the State Highway Engineer, reviewed the request for an adjustment to contract time and granted all but 45 days of the request. Spencer maintains that the engineer breached the contract in not granting the contractor the full 95 days.

The contract makes clear that the engineer's decision regarding time request is final. Standard Specification 108.09 provides in part:

> "Any adjustment of contract time shall be that which the engineer determines to be justified and his decision in the matter shall be final . . ."

Mr. Coulter's decision in the present case in granting 50 days rather than the full 95 days is supported by the record, i.e., there is a rational basis upon which he based his decision. While some other individual or engineer or jury or court may have given Spencer 45 days or 55 days or 60 days, the fact remains that the parties have agreed that the engineer's decision is final. See discussion within regarding decision of the engineer is final.

The state partially suspended the work on this project on November 18, 1978 until February 13, 1979, a total of 87 calendar work days. During this period of time the contractor could do additional work in other areas of the project.

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The partial suspension was during the winter period. The engineer concluded that during winter period the work that had to be performed would not have been performed for the same efficiencies as if it had been performed during the summer or fall work season. Moreover, taken into consideration holidays and weekends which the contractor did not work anyway, the project would have been delayed only 65 days. (There were 30 days of holidays and weekends.) Taken into consideration the inefficiencies resulting from the cold weather and shut-downs resulting from the rain and other icy weather, it is easy to determine that the contractor is not entitled to a full 95 day extension. The engineer made the decision based upon good faith and upon the facts before him and thus his decision is final.

VII. PLAINTIFF IS NOT ENTITLED TO RECOVER THE COSTS OF PRODUCING AGGREGATE THAT FAILED TO MEET SPECIFICATIONS

A. Under the contract the state may reject material that fails to meet specifications.

During the project the state rejected certain aggregate that Spencer produced to use in the asphaltic concrete[3] on the project. There is no question the AC aggregate failed to meet

---

[3]Asphaltic concrete is a type of pavement used on state highways. Asphaltic concrete is different from the asphalt that one normally finds on driveways and some sections of state highways. It is a more durable and long lasting pavement than asphalt.

"AC aggregate" is the term used to describe the rock that is used in the AC. AC aggregate may be different sizes as well as have different qualities.

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specifications. During depositions Otis Jordan, the project superintendent admitted that the aggregate failed to meet the specifications set forth in the contract.

> "Q. (By Mr. Wood) Were you in agreement that the materials that were in the piles did not meet the specifications?
>
> "MR. SEIFER: Asking him if he had an opinion on that subject?
>
> "MR. WOOD: I'm just asking if in fact the materials that were rejected by the Department of Transporation did or didn't.
>
> "THE WITNESS: In those stockpiles?
>
> "Q. (By Mr. Wood) Yes.
>
> "A. I agreed at a later date that they did not -- that as a result of the tests it would appear that they did not meet the qualifying test, yes.
>
> "Q. Do you have any reason to believe otherwise today?
>
> "A. No, sir." (Depo of Otis Jordan, p 174) See also affidavit of Jim Wilson.

Even though Spencer agrees the aggregate was out of specification, nevertheless he argues the state must pay for the aggregate because it had approved the quarry from which the aggregate was produced. Under the contract the state is not responsible for the contractor's failure to produce aggregate that meets specifications even though it had approved the use of the quarry where the aggregates are produced.

The material source for AC aggregatge depends upon the particular contract. In some contracts the state may designate the source and require that the aggregate be produced from the source or may suggest "prospective" sources or "acceptable" sources.

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Standard Specifications 106.03. In other contracts the choice of the material source is solely the contractor's. In the present case the contractor had the sole responsibility of choosing the material source. (Ex 3, 106.03 P. 7)

In January, 1978, a representative of the Department of Transportation asked Spencer if it was going to use the Oak Creek Quarry as his proposed source of aggregate for the project. On February 7, 1978, Spencer informed the state that it intended to use the Oak Creek Quarry as its source for the aggregate. Plaintiff submitted previous tests taken by the state at the quarry. (Ex 1, Claim No 9) Subsequently the state ran additional tests on the quarry and found that the quarry passed most "qualifying tests."

The contract is very clear as to whose responsibility it is to produce aggregate material that meets specification. The contractor must produce aggregate that meets specification. The fact that a particular quarry has been approved for use does not relieve the contractor of his obligation to meet all specifications.

Section 106.01 of the Standard Specifications provides:

> "Only materials conforming with specified requirements and approved by the engineer shall be used or incorporated in the work . . . The contractor shall satisfy himself as to the kind of work, amount of work and other factors that may be necessary or involved in furnishing the specified products and materials. Materials and products which after approval have become unsuitable or unacceptable for use, regardless of cause, will be rejected and shall not be used."

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And, Section 106.02 of the Standard Specifications provides:

> "The approval of any source of supply by the engineer will not imply that all material from that source will be accepted, and should material from an approved source fail to maintain the quality meeting the requirements of the specifications, use of material from that source shall be discontinued, and the contractor shall furnish acceptable material from other sources. Regardless of the source, any material delivered upon the work which fails to meet the requirements will be rejected, and only material meeting all requirements will be allowed to be incorporated in the work." (emphasis added)

Moreover, the fact that work is performed under inspection does not relieve the contractor of his responsibility to perform the contract in strict compliance with the contract.

Section 105.10 of the Standard Specifications also provides:

> "The performance of work under inspection shall in no way relieve the contractor from his obligation to perform the work in strict accordance with the requirements of the specifications and plans or relieve him from his responsibility in case work is not so performed.

Finally, the special provisions of this contract made it clear that not only the quarry but also the crushed aggregates had to meet contract specifications.

> "The material from which the aggregates are produced and also the crushed aggregates shall not have a weighted percentage of loss of more than 18% when subjected to five alterations of the sodium sulfate soundness test . . ." Special Provisions § 403.16(a)(a-3).

In the present case, since there is no question that the AC aggregate that was rejected failed to meet specifications, the

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State of Oregon, properly rejected the aggregate. There is no provision in the contract which allows Spencer to recover the cost of producing aggregate that fails to meet specifications.

B. <u>If the state properly rejected the AC aggregate, plaintiff is not entitled to additional time required to recrush aggregate that meets specifications</u>.

As a part of plaintiff's claim, plaintiff has included a request that the state return all liquidated damages to Spencer. The state has withheld approximately $65,400.00 in liquidated damages. Plaintiff's request for liquidated damages is broken down into numerous subparts. One of the subparts relates to the rejection of the AC aggregate. Plaintiff maintains that when the department rejected the aggregate that it took plaintiff an additional 25 calendar work days to crush the additional aggregate. (Ex 1, Claim No 7, p 16) Assuming for the sake of argument that the recrushing delayed the project 25 work days, nevertheless, plaintiff is not entitled to an additional 25 calendar work days to complete the project.

As indicated above, the responsibility for assuring that the aggregate met the specifications was upon the plaintiff. When the aggregate failed to meet the specifications it was the responsibility of the contractor to assure that the aggregate that was to be incorporated into the project met the specifications. Spencer is not entitled to an extension of time if a project is delayed as a result of its own "negligence" or "fault." (Ex 4, § 108.09, p 71)

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Thus, if it took plaintiff 25 additional work days to crush additional aggregate, plaintiff would not be entitled to the extension of time since Spencer caused the delay. Since Spencer caused the delay, his claim for liquidated damages should be reduced by 25 calendar work days or $7,500 (25 days X $300 per day).

C. Spencer is not entitled to recover the full cost of producing the aggregate when Spencer gets to keep the aggregate.

Assuming for the sake of argument that the state wrongfully rejected the aggregate, nevertheless, plaintiff's claim for damages should be reduced.

Plaintiff calculated damages based on its total cost ($4.04) per ton to produce the additional aggregate. Plaintiff maintains that it was required to recrush an additional 33,648 tons of crushed materials. As a result plaintiff maintains that its damages are $135,938.00. (Ex 1, Claim No 9)

Assuming that plaintiff is entitled to recover, plaintiff's recovery should be reduced by the value of the crushed material on hand. As agreed by the parties, the material was never incorporated into the project. Thus plaintiff still had and has the material that was produced. Insofar as plaintiff still has the material, his claim should be reduced by the value of the aggregate remaining.[4]

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[4]What the dollar amount should be is a question of fact. This section is included as a part of the partial summary judgment to provide a ruling prior to the trial as to what the evidence must be a the time of trial.

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VIII. THE DEPARTMENT OF TRANSPORTATION IS NOT RESPONSIBLE FOR ADDITIONAL EXPENSES INCURRED BY A CONTRACTOR AS A RESULT OF ALLEGED UNAUTHORIZED MODIFICATION OF THE PLANS PRIOR TO BID

Plaintiff's most "recent" claim is for $95,246.90. (Ex 2, Claim No. 12) Plaintiff maintains the resident engineer orally advised the contractor prior to bidding that the contractor would not need to follow certain provisions of the plans and specifications. In particular, plaintiff maintains that the resident engineer advised him that even though the plans called for the placement of drain pipe in certain areas, the contractor would not have to place the pipe in these locations.

Plaintiff has waived this claim since: he did not file a complaint including this particular claim within one year of the mailing of the final estimate; and he failed to file an itemized claim within 90 days of the mailing of the final estimate and voucher.

Assuming for the sake of argument that plaintiff did not waive this claim, nevertheless, plaintiff is not entitled to the relief requested. A resident engineer does not have authority to modify or alter the plans or specifications of the contract prior to bidding. (This is not to concede that Mr. Shull represented to the contractor that he need not comply with the plans and specifications.)

The plans called for the laying of the perforated pipe along various sections of the highway. Spencer was to lay the pipe along the highway (longitudally) and across the highway

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(transverse) (Ex 5) There is no dispute between the parties that the plans called for the pipe and for the location of the pipe. Mr. Spencer testified:

Q All right. Looking at Exhibit 2-A, you have a Claim No. 12, which is found on the last page. Was this claim included in the original material that you submitted to Scott Coulter, the State Engineer?

A No.

Q Is this the first time that you have presented anything in writing to myself or any other representatives of the Oregon Department of Transportation regarding claim for increased cost to place perforated pipe drains in solid rock?

A There's been a lot of discussion about it, and so forth. I don't recall any written documents. There could have been some, but there was a lot of discussion about putting the perforated drain in solid rock.

Q Now, this Claim No. 12 deals with trench excavation. If I'm not mistaken, we've previously discussed this particular claim in your deposition, but so that we're sure that we're talking about the same thing, I'm going to ask you a few questions about this particular claim, Mr. Spencer.

Is it my understanding that prior to bidding the project that you went down and talked to the Resident Engineer regard-

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ing what work needed to be done?

A. Yes.

Q. And some of the work that was discussed had to do with trench excavation; is that correct?

A. Trench excavation to put the perforated drains into the solid rock.

Q. Okay. And you had looked at the drawings and the plans and determined that the drawings and plans for the project required trench excavation and the placement of perforated pipes in an area that you found to have solid rock?

A. The plans didn't say that specifically, that it was in solid rock.

Q. You were able to determine from going over the project that if the project was built according to the plans and specifications, that perforated pipe and trench excavation would be necessary in an area of solid rock?

A. Yes. When Mr. Shull and I looked over the job, why, it was obvious that there was -- it showed the perforated pipe going through the job in that area. The depth of the pipe to put it into solid rock is not spelled out in the plans, so we could have held it above the solid rock, put it in or deleted it or didn't put it in at all, but, like I say, I asked him, 'cause common sense tells me that you wouldn't

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put perforated drains in solid rock. That's why I asked him the question. That's why he said no. The plans -- the depth of the flow -- the flow line of the pipe isn't shown on the plans, so that's why I asked him the question.

Q. Can you show me on the plans this afternoon where this particular area is that you're referring to?

A. I think I come fairly close, yes.

Q. Would you take a look at Exhibit 2 from Mr. Keasey's deposition?

A. Now, what was the question again?

Q. Could you find on the plans the area in question?

A. There was two areas. The primary one, yes, I think I can find it. Well, you're talking about the vicinity of station 1735, and both north and south from that.

Q. For how many feet?

A. Oh, it's hard to tell right here now. It's probably three, 4,000 feet.

Q. Would that be 1500 feet either direction?

A. Yeah, probably would have been 12, 1300 feet in each direction.

Q. Would you describe for me the material that you found in that particular area?

A. When?

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Q When you went down to the site.

A Well, it indicated that there would be solid rock at the cuts indicated on both sides of the road, and so forth.

(Spencer tr 56-59)

There is a dispute, however, as to the facts that preceded Spencer's bidding the contract. Spencer and his representatives maintain that Vern Shull, the resident engineer for the Department of Transportation, told Spencer that the perforated pipe would not be needed in certain areas. (Spencer depo 57-58) Mr. Shull specifically recalls talking to the contractor and denies the fact that he ever advised the contractor that the perforated pipe would not be needed in certain areas. (Shull's affidavit)

Although there is a dispute as to what representations were made, the Department is not responsible for the unauthorized alterations or modification of a contract prior to bid (or after a bid). As recognized in State ex rel Peterson v. Martin, 180 Or 457, 475, 176 P2d 636 (1947):

> "Where a public agent acts in violation of his specific instructions, the state is not bound by his acts, for the reason that it is better that an individual should occasionally suffer from the mistakes of public officers or agents, than to adopt a rule which, through improper combinations or collusion, might be turned to the detriment and injury of the public."

In the present case there is no question that Mr. Shull did not have the authority to modify the contract prior to bid or after the bid. Both the contract and the affidavits make his

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Q When you went down to the site.

A Well, it indicated that there would be solid rock at the cuts indicated on both sides of the road, and so forth.

(Spencer tr 56-59)

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authority patently clear.

Standard Specification 102.05 provides:

> "The Division will prepare and furnish plans and specifications given such directions as will enable any competent mechanic or contractor to carry them out. The bidder is expected to examine carefully the site of the proposed work, the proposal, plans, specifications, supplemental specifications, special provisions and contract forms before submitting a proposal."

Standard Specification 104.02 provides that:

> "It is mutually understood and agreed that it is inherent in the nature of highway construction that changes and alterations in the plans, quantities, or details of construction may be necessary or desirable during the course of construction; also, that the character of the work is subject to changes and alterations as a consequence of various causes.
>
> "The right is reserved to the state, without impairing the contract, to require additional work, to increase or decrease quantities, to omit, cancel or eliminate contract items, to vary cross-sections . . . and to make other changes or alterations; all as the engineer may determine to be necessary or desirable to complete satisfactorily the proposed construction. Contractor shall perform such change, additional, increase, decrease, varied or altered work as part of the work to be done under the contract upon written notice to that effect from the engineer, and the performance thereof shall not invalidate the contract nor release the surety. . . ." (emphasis added)

Section 105.10 provides in part:

> "It is understood that the inspector is not authorized to revoke, alter, enlarge, relax or release any requirements of the plans and specifications, nor to approve or accept any portion of the work nor to issue instructions contrary to the plans and specifications." (emphasis added)

Thus, under the contract, only the state highway engineer or his duly appointed representative has the authority to enlarge, alter or modify a contract. As indicated by the unrebutted affi-

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davits of Mr. Coulter as well as Mr. Shull, the state engineer never authorized Mr. Shull to alter the terms of the contract prior to award of the contract. In fact, as evidenced by Exhibit 16, the parties modified the contract either by price agreement, extra work order or change order, signed by the engineer or his duly appointed representative.

In the present case, therefore, assuming for the sake of argument that Mr. Shull did "alter or modify" the contract prior to bidding the representations would not have resulted in alteration or modification of the contract since he did not have the authority to modify or alter the contract.

IX THE DECISION OF THE ENGINEER IS FINAL AS TO CERTAIN ISSUES IN DISPUTE BETWEEN THE PARTIES.

The contract is very clear as to how certain disputes are to be determined. The parties have agreed that the decision of the engineer would be final as to certain issues. Standard Specification 105.01 provides in relevant part:

> "The engineer will decide all questions which may arise as to the quantity, quality and acceptability of materials furnished and work performed and as to the rate of progress of the work; all questions that may arise as to the interpretation of the plans and specifications; and as to the acceptable fulfillment of the contract on the part of the contractor. The engineeer's estimates and decisions in these matters shall be final, binding and conclusive upon all parties to the contract.

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"It is further understood that all work to be done under the contract will not be considered completed until it has passed final inspection by the engineer and is accepted by the Commission. It is further understood that the authority of the engineer is such that the contractor shall at all times carry out and fulfill the instructions and directions of the engineer insofar as they concern the work to be done under the contract.

The engineer has the authority to suspend the work for cause as set forth in Section 108, particularly subsection 108.07.

"Approval by the engineer signifies favorable opinion and qualified consent; it does not carry with it certification, nor assurances of completeness nor assurance of quality nor assurance of accuracy concerning details, dimensions and quantities. Such approval will not relieve the contractor from responsibility for errors, for improper fabrication, for nonconformance to requirements, or for deficiencies within his control."

As recognized in Sweeney v. Jackson County, 93 Or 96, 178 P 365, 183 P 380 (1919) Oregon has long recognized the validity of such provisions:

> ". . . further providing that the engineer, after the completion of the work shall make a final estimate of the amount of work done, and the value thereof to be paid by the county; determine all disputes arising under the contract bearing upon the final settlement, and for payments to be made upon the engineer's certificate, does not create a mere naked agreement to submit difference to arbitration. Such stipulations for arbitration are not merely collateral, but are of the very essence of the contract, and such agreement is not subject to revocation by either party, and an award made by virtue of such contract provisions, and evidenced by final certificate of the engineer, in the absence of fraud or of such gross mistake as would imply bad faith or a failure to exercise honest judgment, is binding upon both

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parties to the contract, insofar as it is confined to disputes actually subsisting and open to arbitration. This is now well settled beyond controversy." (Emphasis added) Sweeney, 93 Or at 115.

See also, Krieg v. U.P., 269 Or 221, 231-232, 525 P2d 48 (1974) wherein the court recognized that the primary purposes of such provisions is to avoid litigation over questions that can only be determined efficiently by those possessed of a particular scientific or technical expertise.

In the present case, many of the questions presented by the contractor, presents just such questions. Plaintiff is asking the court and the jury to decide questions of whether the placing of a fence delayed the project two days, four days, six days or some other indeterminable amount. Similarly the contractor is asking the court to determine whether a partial suspension of the work delayed the project 45 days, 90 days or some other period of time. Insofar as plaintiff's complaint is requesting that the court rule on matters that the engineer has already reviewed and determined in his experience and expertise plaintiff is precluded from recovering under the terms of the contract. The engineer's decision is final.

X. SPENCER IS NOT ENTITLED TO RECOVER DELAY DAMAGES AS A RESULT OF STATE'S ORDERING SPENCER TO TAKE SUCH ACTION TO PROTECT THE TRAVELING PUBLIC WHICH RESULTED FROM SPENCER'S FAILURE TO COMPLY WITH THE CONTRACT

Under the contract, Spencer agreed that an adjustment to contract time would be a sole remedy in the event of any delay to the project resulting from causes beyond his control.

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> "It is understood and agreed that adjustment of the contract time as herein provided shall be the contractor's sole remedy for any delay in completion of the project arising from causes beyond the control of the contractor, and that in no event shall the contractor be entitled to collect or recover any damages, loss or expense incurred by reason of such delay." Standard Specifications § 108.09, p 72. (emphasis added)

Contrary to the agreement of the parties, plaintiff's claims filed with the Department of Transportation seeks to recover not only an adjustment to contract time but also damages which plaintiff maintains were incurred as a result of delay that was either caused by the contractor (in which case he is responsible for the costs) or was caused by causes beyond his control (in which case the state is not responsible for delay costs).

Practically without exception a "no damage" clause which exculpates the state from liability for damages suffered by a contractor by reason of being delayed in the performance of his work is held or recognized to be valid. As indicated in 74 ALR3d 187, § 3:

> " . . . Such a clause (no damage for delay), it is said is now universally accepted as valid and has been upheld as against the claim that it constituted an adhesion contract. Thus, it has been declared that such stipulations are obviously conceived in the public interests in protecting public agencies contracting for large improvements on the basis of fixed appropriations or loan commitments against vexatious litigation based on claims, real or fancied, that the agency has been responsible for unreasonable delays.
>
> "So long as the basic requirements for a valid contract are met, the 'no damage' clause is binding and generally will be enforced according to its terms to preclude an action for damages for delay.

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.pave, barriers, struc, & sign) #3

Cont'd on Reel

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STATE OF ORLGON

Microfilmed Public Record

(In accordance with the provisions of ORS 192.040 through 192.070)

Name of Agency: DEPARTMENT OF TRANSPORTATION

Title of Record Series: CONSTRUCTION CONTRACTS

Arrangement of Records: Contract Number

Index:

INDEXING: Begins with 8639 Ends with:

FLASH CARDS:

Remarks:

Reel No. 196 Reduction Ration 21 X Project No

Camera: Name Bell & Howell Model File Master Film 16 mmm AHU

CAMERA OPERATOR'S CERTIFICATE

I certify that I have on this 12 day of Sept 19 88 photographed the documents appearing on this roll of film, that they are true copies of documents, found in the record file described above, and that the integrity of the above described record file has been maintained on the film by microfilming each document in the exact order in which it was found in the file, with the exception, if any, of documents omitted because of technical difficulties and/or by error, as indicated on the film in the cross-reference notes or retake certificate.

I further certify that the microfilm on which these documents are recorded was procured as permanent film of the slow burning cellulose ester or polyester type known as safety photographic film, conforming to applicable standards of the American National Standards Institute; and that the processing conforms to the standards for permanent film; and that sample of film processed by this Service are periodically tested.

Signature Joyce A. Wiki